



Meetings of Sacramento City Council Financing Authority Housing Authority

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Vice-Mayor, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, District 8

DRAFT Minutes

Tuesday, January 31, 2012

6:00 p.m.

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
John F. Shirey, City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Actions; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

DRAFT Minutes

Tuesday, January 31, 2012

6:00 p.m.

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 6:00 p.m.

Regular session called to order by Mayor Kevin Johnson at 6:00 p.m., Tuesday, January 31, 2012 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, and Jay Schenirer and Mayor Kevin Johnson

Pledge of Allegiance led by Youth @ City Council Jack Parsh.

Closed Session Report None.

Special Presentations/General Communications

a. Recognizing Mentoring Month

Action: Presented by Member Kevin McCarty

b. Rosa Parks Day Proclamation

Action: Presented by Member Bonnie Pannell

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual: 45 minutes)

1. Occupy Sacramento/Homelessness
 - a. Joseph Harper
 - b. Liz Green
 - c. JoAnne Bush
 - d. Kim Sloan
 - e. John Krantz
 - f. Ray Keene
2. Carol's Bookstore
 - a. TA Scott
 - b. Carol Brodoeux
 - c. Rickey T Boyland
 - d. Lisa Pattee
 - e. Kathy Beard
 - f. Lee Middleton
 - g. Marva Samuels
3. Literacy
 - a. Jamie Nero
 - b. Leroy Baul
4. Utility Rate Increase
 - a. Karen Klinger
 - b. Mac Worthy
 - c. Craig Powell
 - d. Erik Smith
5. Arena/Sports and Entertainment Center
 - a. Rose R
 - b. Edwardo Montes
6. American River Parkway
 - a. Mary Tappel
7. Stolen Identity
 - a. Leo Benavides
8. Oak Park Issues
 - a. Ron Emslie
9. Senior Issues
 - a. Bill Grant

Consent Calendar (Items 1 - 12) Estimated Time: 5 minutes (Actual: 5 minutes)

Action: **Moved/Seconded:** Member Robert King Fong/Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson.

1. **December 2011 Monthly Investment Transactions Report**
Report # 2012-00062
Location: Citywide
Action: Received and filed.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

2. **Beacon Award: Local Leadership Toward Solving Climate Change**
Report # 2012-00028
Location: Citywide
Action: Passed a **Resolution 2012- 014** approving City of Sacramento participation in the Institute for Local Government's Beacon Award: Local Leadership Towards Solving Climate Change recognition program.
Contact: Erik deKok, Senior Planner, (916) 808-2011, Community Development Department

3. **Agreement: Lower American River Flow Management Standard EIR**
Report # 2012-00045
Location: Citywide
Action: Passed **Motion 2012-0026** authorizing the City Manager, or his designee, to execute a Professional Services Agreement with CBEC, Inc., for an amount not to exceed \$410,000 to assist with the development of the Environmental Impact Report necessary for the Water Forum Successor Effort's ongoing effort to update the lower American River Flow Management Standard.
Contact: Tom Gohring, Executive Director, (916) 808-1998, Kathy Howard, Administrative Analyst, (916) 808-1995, Department of Utilities

4. **Fiscal Year 2010/11 Sacramento City Employees' Retirement System Annual Financial Report**
Report # 2012-00056
Location: Citywide
Action: Received and filed.
Contact: Dennis Kauffman, Finance Manager, (916) 808-5843, Finance Department

5. **Fiscal Year 2010/11 Child Development Program Audit Report**
Report # 2012-00057
Location: Citywide
Action: Received and filed.
Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843, Finance Department

- 6. Supplemental Agreement: FY2011/12 City Contribution to the Human Rights Fair Housing Commission**
Report # 2012-00077
Location: Citywide
Action: Passed **Motion 2012-027** authorizing the City Manager to execute a supplemental agreement with Human Rights Fair Housing Commission (HRFH) in the amount of \$45,000 to provide six months of transitional funding to HRFH for a total not-to-exceed amount of \$119,304 supplemental to City Agreement 2011-1077.
Contact: Dawn Holm, Budget Manager, (916) 808-5574, Finance Department
- 7. Agreement: FDM Software Support and Maintenance Services [2/3 Vote Required]**
Report # 2012-00069
Location: Citywide
Action: Passed **Motion 2012-028** 1) suspending competitive bidding in the best interests of the City for the procurement of software support and maintenance services to the FDM Software; and 2) authorizing the City Manager, or his designee, to execute an agreement, FDM Software Limited for software support and maintenance services, for a total not-to-exceed amount of \$309,445.
Contact: Troy Malaspino, Deputy Fire Chief, (916)808-1602, Fire Department
- 8. Execution of the Transportation Development Act (TDA) Claim Packet for Fiscal Year 2011/12**
Report # 2012-00035
Location: Citywide
Action: Passed **Resolution 2012-015**) approving the Transportation Development Act claim for reimbursement in the amount of \$292,601 for various bicycle and pedestrian facilities in Fiscal Year 2011/12 (FY2011/12); 2) authorizing the City Manager or City Manager's designee to execute and submit the Transportation Development Act claim in the amount of \$292,601 for FY2011/12 to the Sacramento Area Council of Governments for approval and reimbursement to Transportation Development Act Funds, Fund 2013; and 3) authorizing the City Manager or City Manager's designee to amend the budget in the event that the Transportation Development Act claim amount for FY 2011/12 actually received is more or less than the \$292,601 estimate.
Contact: Sonja Jarvis, Senior Accountant Auditor, (916) 808-8824; J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Department of Parks and Recreation
- 9. Lease Agreement: Retail Space in Memorial Garage**
Report # 2012-00047
Location: 801 14th Street, District 4
Action: **Moved/Seconded:** Member Robert King Fong/Angelique Ashby
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.
No: Member Sandy Sheedy
Action: Passed **Motion 2012-029** 1) determining that, pursuant to City Code Section 3.68.110, the leasing of 801 14th Street without bidding is in the best interests of the City; and 2) authorizing the City Manager to execute a 15 year lease agreement with one 5-year extended term option, with Coyote Tap House, Inc. for retail space located in Memorial Garage.

Contact: Howard Chan, Parking Services Manager, (916) 808-7488; Paul Sheridan, Program Analyst, (916) 808-6817, Department of Transportation

10. Contract: Del Paso Boulevard Streetscape - 1000 Block (T15098401)

Report # 2012-00059

Location: Del Paso Boulevard corridor between Globe and Baxter Avenue, District 2

Action: Moved/Seconded: Member Sandy Sheedy/Robert King Fong

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson.

Passed **Motion 2012-030** 1) approving plans and specifications for the Del Paso Boulevard Streetscape – 1000 Block Project; 2) appropriating \$310,000 of Community Development Block Grant (CDBG) funds from the Sacramento Housing and Redevelopment Agency (SHRA) to the Del Paso Boulevard Improvements Project (T15098400) to support streetscape improvements on the 1000 Block of Del Paso Boulevard; 3) appropriating \$31,000 from the Major Street Construction Tax contingency to the Del Paso Boulevard Improvements Project (T15098400) to support the streetscape improvements on the 1000 Block of Del Paso Boulevard; and 4) authorizing the City Manager to execute a construction contract with Grand Sierra Construction for an amount not to exceed \$166,022 to support the 1000 Block of Del Paso Boulevard Project.

Contact: Matthew Johns, Assistant Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

11. Agreements: I-5/Cosumnes River Boulevard Extension and Interchange Project (T15018000)

Report # 2012-00039

Location: Along Interstate 5, one mile south of Pocket Road/Meadowview Road in the Pocket and Airport Meadowview Planning Areas. (District 7)

Action: Passed **Motion 2012-031** 1) authorizing the City Manager to execute a Mitigation Agreement with Sacramento Regional County Sanitation District (SRCSD) in the amount of \$283,725; 2) authorizing the City Manager to execute a wetlands mitigation agreement with Wester Velt Ecological Services in the amount of \$608,270; 3) authorizing the City Manager or his designee to execute Supplemental Agreement No. 5 to City Agreement No. 2007-0406-A with Mark Thomas and Company, Inc. in an amount not to exceed \$150,000; and 4) ratifying Supplemental Agreements Nos. 1, 3 and 4 to City Agreement No. 2007-0406-A with Mark Thomas and Company, Inc. and resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2007-0406-A.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

**12. Contract: Train Horn Quiet Zone – Elkhorn Boulevard Median Project
Report # 2012-00058**

Location: The project is located at the highway-rail-grade crossing of Elkhorn Boulevard near Blacktop Avenue (unincorporated Sacramento County), and Districts 1, 2, 3, 4 & 6

Action: Passed **Motion 2012-032** 1) approving plans and specifications for the Elkhorn Boulevard at Union Pacific Railroad (UPRR) Median Project; 2) authorizing staff to issue a Notice of Intent to establish a new quiet zone beginning at West El Camino Avenue and ending at Elkhorn Boulevard (Council District 1 & 2); and 3) authorizing staff to issue a Notice of Intent to establish a new quiet zone beginning at 20th Street and ending at Fruitridge Road. (Council District 3, 4 & 6)

Contact: Matthew Johns, Assistant Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Public Hearings (Item 13)

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

13. Climate Action Plan (Noticed on 1-13-12)

Report # 2012-00013 **Estimated Time: 30 Minutes**

Location: Citywide

Action: **Continued to February 14, 2012** to conduct a public hearing and upon conclusion passed 1) a Resolution approving environmental review, and 2) a Resolution adopting the Climate Action Plan.

Contact: Tom Pace, Planning Manager, (916) 808-6848; Erik de Kok, Senior Planner, (916) 808-2022; Helen Selph, Assistant Planner, (916) 808-7852, Community Development Department

Discussion Calendar (Items 14 - 16)

Discussion Calendar items include an oral presentation including those recommending “receive and file”.

14. (City Council/Redevelopment Agency/Housing Authority) Election by City to Serve as Successor Agency to its Redevelopment Agency; Designating its Housing Authority as the Local Authority to Retain Housing Assets and Functions of Former Redevelopment agency; Amending Enforceable Obligation Payment Schedule (EOPS); Delegation of Authorities to Administer the Wind Down and other Related Actions [To Be Delivered]

Report # 2012-00108 **Estimated Time: 30 Minutes** (Actual: 120 minutes)

Location: Citywide

Action: **Moved/Seconded:** Member Jay Schenirer/Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson

Public comment heard from Jeff von Kenel, Karen Klinger, David Witkin, Jan Solorzano, Tamika Leclude, Steven Danes, John Griffin, Kim Sloan, Meea Kang, John Bowhay, Michael Boyd, Sam Allen, Terrence Johnson, Bob Erlenbruch, Alex Greene, Joel Rihagen, Steve Lierly, Bernadette Austin, Mac Worthy, Nancy Matrilich, Fran Vaquera; and passed 1) **City Resolution 2012-018:** a) affirmatively electing to serve as the Successor Agency to the former Redevelopment Agency of City of Sacramento ("Agency"); b) electing not to serve as the Successor Agency for the Agency's housing assets and functions; c) authorizing Sacramento Housing and Redevelopment Agency (SHRA) to provide transitional administrative and project delivery staffing services for project areas currently managed by SHRA thru June 30, 2012; d) approving the allocations of the Successor Agency's administrative allowance and project delivery costs between City and SHRA as reflected in the Agency's amended EOPS thru June 30, 2012; e) authorizing the Director of Finance to establish the Redevelopment Obligation Retirement Fund; f) authorizing the City Treasurer to accept the Agency's cash and cash equivalents for deposit in the Redevelopment Obligation Retirement Fund; f) authorizing the City Manager to accept all non-housing assets of the Agency; g) directing the City Manager to prepare the Recognized Obligations Payment Schedule and the Administrative Budget of the Successor Agency; and h) authorizing the City Charter Officers to take all other actions to comply with AB 26; 2) **Redevelopment Agency Resolution 2012-001** a) consenting to SHRA providing administrative and project delivery staffing services for the transfer of non-housing assets, obligations and project activities on behalf of the Successor Agency thru June 30, 2012; b) amending the Enforceable Obligation Payment Schedule (EOPS) and authorizing SHRA to continue to pay enforceable obligations on behalf of the Successor Agency thru June 30, 2012 c) amending the SHRA budget to begin the dissolution process; d) transferring and assigning all redevelopment housing assets and agreements to the Housing Authority; e) transferring and assigning all non-housing assets and agreements to the City as the Successor Agency; and f) authorizing the Executive Director to take actions necessary to effectuate the orderly transfer of the management and administration of the former Redevelopment Agency from SHRA to the City as Successor Agency, to be assumed within the city management structure by June 30, 2012; 3) **Housing Authority Resolution 2012-001:** a) affirmatively electing to serve as the Successor Housing Agency to retain the housing assets and functions of the former redevelopment agency and authorizing the Executive Director take actions necessary to comply with the designation in a manner that is consistent with federal and state law; b) consenting to SHRA providing transitional administrative and project delivery staffing services for the transfer of assets, obligations and project activities on behalf of the Successor Agency through June 30, 2012; c) ; approving the amended the Enforceable Obligation Payment Schedule (EOPS) and consenting to SHRA paying enforceable obligations on behalf of the Successor Agency thru June 30, 2012; and d) affirmatively electing to accept assignment and transfer of all redevelopment housing assets and agreements.

Contact: Leslie Fritzsche, Downtown Redevelopment Manager, (916) 808-5450, Economic Development Department; Sheryl Patterson, Senior Deputy City Attorney, (916) 808-7292, City Attorney's Office.

15. **FY2010/11 Comprehensive Annual Financial Report (CAFR)**
Report # 2012-00030 **Estimated Time: 10 Minutes** (Actual: 8 minutes)
Location: Citywide

Action: Moved/Seconded: Member Steve Cohn/Kevin McCarty

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.

No: Member Sandy Sheedy

Public comment heard from Kim Sloan and Mac Worthy; and passed **Resolution 2012-019** accepting the FY2010/11 Comprehensive Annual Financial Report.

Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843, Department of Finance

16. **Fiscal Year (FY) 2011/12 Midyear Budget Report**
Report # 2012-00031 **Estimated Time: 30 Minutes** (Actual: 25 minutes)
Location: Citywide

Action: Moved/Seconded: Member Steve Cohn/Robert King Fong

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.

No: Member Sandy Sheedy

Public comment heard from Mac Worthy and passed **Resolution 2012-020** 1) amending the FY2011/12 Approved Budget as necessary to implement the City's financial plan for the remainder of the fiscal year; and 2) authorizing the Director of Finance to implement the approved budget adjustments.

Contact: Leyne Milstein, Finance Director (808-5574), Dawn Holm, Budget Manager (808-5574), Department of Finance

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Steve Cohn

1. Fund redirection to innovative ways to protect pedestrians on high traffic areas
2. Review PBID balloting process

b. Member Jay Schenirer

1. Fund redirection of emergency reserve contribution to add additional auditors
2. Summer at City Hall Student Internship (60 kids)

c. Member Sandy Sheedy

1. Issue of City Employee Union release time to work on campaigns

2. Board/Commission Appointments

None

Adjourned at 9:40 p.m .