



**Meetings of Sacramento
City Council
Financing Authority
Housing Authority
Redevelopment Agency**

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, 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, Vice-Mayor, District 8

DRAFT Minutes

Tuesday, July 26, 2011

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
William H. Edgar, Interim 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 Action; 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.

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DRAFT Minutes

Tuesday, July 26, 2011

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 6:03 p.m. Tuesday, July 26, 2011 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, Jay Schenirer and Mayor Kevin Johnson.

Pledge of Allegiance - led by Kareezia Younger, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications (Actual Time: 19 minutes)

Recognition of Assyrian Martyr Remembrance Day

Report # 2011-00670

Location: District 3

Contact: Lisa Serna-Mayorga, Council Operations Manager, (916) 808-7171, Office of the Mayor and Council

Action: Presented by Member Steve Cohn to His Grace Bishop MarAWA Royel.

Recycling Incentive Program Recognition

Report # 2011-00671

Location: Citywide

Contact: Lisa Serna-Mayorga, Council Operations Manager, (916) 808-7171, Office of the Mayor and Council

Action: Presented by Members to their district winners.

Mayoral Intern and Fellow Program Update

Location: Citywide

Contact: Kunal Merchant, Chief of Staff (916) 808-5377, Office of the Mayor and Council

Action: Presented by Kunal Marchant, Office of the Mayor.

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

1. Police Actions in Oak Park
 - a. Ron Emslie
2. City/Heritage Trees
 - a. Dan Pskowski
 - b. Nathan Jacobsen
3. Personal Life Status
 - a. Monek Lima
4. Think Big Sacramento Report
 - a. Mike Barnbaum
5. Senior Issues
 - a. Bill Grant
6. Teacher Salaries
 - a. Mark Graham
7. First Step/Police Actions
 - a. Mac Worthy

Consent Calendar (Items 1 - 18) Estimated Time: 5 minutes (Actual Time: 17 minutes)

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, Sandy Sheedy and Mayor Kevin Johnson.

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

1 Confirmation of Board/Commission Appointments

Report # 2011-00675

Location: Citywide

Action: Confirmed board/commission appointment(s): Ethel MacLeod Hart Advisory Committee – David M. Feldstein (Category A).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk

2 Agreement: Email Subscription Management (Continued from 7-19-11)

Report # 2011-00602 [To Be Delivered]

Location: Citywide

Action: Adopted **Resolution No. 2011-427** authorizing the City Manager, or designee, to execute a City Agreement between the City of Sacramento and GovDelivery, Inc. for Email Subscription Hosting and Maintenance in an amount not to exceed \$90,000.

Contact: Amy Williams, (916) 808-5014, Public Information Officer, Office of the City Manager.

3 (Pass for Publication) Taxicab Permit Appeals Procedure [To Be Delivered]

Report # 2011-00699

Location: Citywide

Action: Reviewed an ordinance modifying the appeal process for actions taken on taxicab permits 2) passed for publication the Ordinance title as required by Sacramento City Charter 32 (c) to be adopted on September 4, 2011.

Contact: Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department

- 4 **(Pass for Publication) 1341 Burnett Way Rezone and Special Permit Report # 2011-00633**
Location: 1341 Burnett Way-District 4
Action: 1) Review a) a Resolution Determining Project Exempt under the California Environmental Quality Act, b) Resolution No. 2011- Adopting Findings of Fact and Approving the Burnett Way Rezone and Special Permit Project, and c) an Ordinance Rezoning Certain Real Property from Standard Single Family R-1 to Residential Office R-O, and 2) pass for publication the Ordinance title as required by Sacramento City Charter Section 32c to be adopted on August 4, 2011.
Contact: Lindsey Alagozian, (916) 808-2659, Kimberly Kaufmann-Brisby, (916) 808- 5590, Community Development Department
- 5 **Stockton Boulevard Property and Business Improvement District (PBID) No. 2011-02-Ballot Results Report # 2011-00331**
Location: District 5 and 6
Action: 1) Received report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 19, 2011; and 2) based on the results of the tabulation: a) adopted **Resolution No. 2011-428** declaring the results of the majority-protest proceedings and renewing the Stockton Boulevard PBID No. 2011-02; b) adopted **Resolution No. 2011-429** approving the annual Stockton Boulevard PBID No. 2011-02 budget and levying assessment; and c) adopted **Resolution No. 2011-430** amending the FY2011/12 City Budget for the Stockton Boulevard PBID No. 2011-02.
Contact: Jodie Vong, Administrative Analyst, Finance Department, (916) 808-8243; Mark Griffin, Program Manager, Finance Department, (916) 808-8788
- 6 **(Pass for Publication) Taxicab Moratorium [To Be Delivered] Report # 2011-00668**
Location: Citywide
Action: Reviewed a taxi ordinance imposing a two-year moratorium on the issuance of taxicab vehicle permits; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32 (c) to be adopted on September 4, 2011.
Contact: Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department
- 7 **FY 2011/2012 Business Improvement Area Budget Adoption (BIA) [To Be Delivered] Report # 2011-00503**
Location: Districts 1, 2, 3, 5, and 6
Action: Adopted 1) **Resolution No. 2011-431** approving the Del Paso BIA annual budget; 2) **Resolution No. 2011-432** approving the Downtown Plaza BIA annual budget; 3) **Resolution No. 2011-433** approving the Franklin Boulevard BIA annual budget; 4) **Resolution No. 2011-434** approving the Old Sacramento BIA annual budget; 5) **Resolution No. 2011-435** approving the Stockton Boulevard BIA annual budget; and 6) **Resolution No. 2011-436** approving the Sutter BIA annual budget.
Contact: Brad Wasson, Revenue Manager, Finance Department (916) 808-5844

- 8 Contracts: On-Call Professional Services List**
Report # 2011-00477
Location: Citywide
Action: Adopted **Resolution No. 2011-437:** 1) approving an On-Call Master Consultant Services List for a period of five years; 2) authorizing the City Manager or the City Manager's designee to execute 81 professional services agreements in amounts not to exceed \$150,000 or \$300,000 per consultant, per service, per year as identified in Exhibit A; and 3) authorizing other City departments to use the On-Call Master Consultant Services List provided that each department obtains appropriate approvals and executes its own agreements and purchase orders.
Contact: Gary Holm, Operations General Supervisor, (916) 808-6321; Yadi Kavakebi, Facilities Superintendent, (916) 808-8432, General Services Department
- 9 Contract: Hazardous Waste Remediation and Disposal Services [2/3 Vote Required]**
Report # 2011-00580
Location: Citywide
Action: Adopted **Resolution No. 2011-438** suspending competitive bidding and authorizing the City Manager to execute a contract with PARC Specialty Contractors for hazardous waste remediation and disposal services for a term of ten and one half (10.5) months.
Contact: Barbara Brenner, Human Resources Manager, (916) 808-7785, Human Resources Department
- 10 Sacramento City Exempt Employees Association as the Exclusive Representative of Representation Unit 10**
Report # 2011-00691
Location: Citywide
Action: Adopted **Resolution No. 2011-439:** 1) acknowledging recognition of the Sacramento City Exempt Employees Association (SCXEA) as the exclusive representative of Representation Unit 10, Administrative/Confidential; 2) authorizing the Interim City Manager or his designee to meet and confer with SCXEA regarding wages, hours and terms and conditions of employment of the employees in Unit 10 consistent with the City of Sacramento Employer-Employee Relations Policy and the Meyers-Milias Brown Act; and 3) amending the City of Sacramento Employer-Employee Relations Policy to move employees in Representation Unit 10 from an unrepresented group to a represented group.
Contact: John Green, Labor Relations Manager, (916) 808-5095, Department of Human Resources

11 Purchase/Cooperative Agreements: Food For Recreation Programs [2/3 Votes Required]

Report # 2011-00638

Location: Citywide

Action: Adopted **Resolution No. 2011-440** 1) authorizing the City Manager or the City Manager's designee is authorized to execute the application required for the City to renew its membership in the Mountain View Food Purchasing Cooperative (MVFPC) and to pay the fee of \$225; 2) approving the use of MVFPC's cooperative purchasing agreement with Sysco Food Services of Sacramento (Sysco) through July 31, 2012, for The 4th "R" Child Care program, Camp Sacramento, and Access Leisure camps as advantageous to the City; 3) approving the use of US Communities' cooperative purchasing agreement through North Carolina State University to access its contract with Provider Select LLC, which is owned by Premier Inc. (Premier) through July 31, 2012, for the Sacramento START Program (Students Today Achieving Results for Tomorrow) as advantageous to the City; 4) authorizing the City Manager or the City Manager's designee to issue the required purchase orders under the referenced cooperative purchasing agreements in an amount not to exceed a total of \$224,070 at Sysco and \$728,873 at Premier through July 31, 2012; 5) suspend competitive bidding in the City's best interest by approving supplemental food purchases at Wal Mart Corporate, Costco, Smart and Final, 99 Cent Stores, Target and Raley's Family of Fine Foods in an amount not to exceed a total of \$404,410 through July 31, 2012 and authorizing the Department of Parks and Recreation to make purchases at these local retail grocery providers with a purchase order or with purchase cards through July 31, 2012 for all recreation programs, subject to the foregoing total expenditure amount; 6) authorizing the City Manager or his designee to execute and submit, subject to City Attorney approval as to form, all documents necessary for the City to apply for and accept grant funding from the State of California and/or the federal government to allow for continuation of the reimbursement of a portion of the costs for the Sacramento START after-school snack program.

Contact: Bernadette Cheek, Administrative Analyst, (916) 808-6097, David Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Division Manager, (916) 808-8958, Sylvia Fort, Division Manager, (916) 808-8381, Department of Parks and Recreation

12 Supplemental Agreements: Swimming Pool Chemicals

Report # 2011-00658

Location: Citywide

Action: Adopted **Resolution No. 2011-441:** 1) authorizing the City Manager or designee to execute the second contract supplement with Lincoln Equipment, Inc., for the purchase of pool chemicals to extend the contract term to June 30, 2012, to increase the total consideration by an amount not to exceed \$300,000 for Fiscal Year (FY) 2011/12 and to execute the required purchase orders; and 2) authorizing the City Manager or designee to execute the third contract supplement with Lincoln Equipment, Inc., for the purchase of pool chemicals to extend the contract term for an additional year, to increase the total consideration by an amount not to exceed \$300,000 for FY2012/13 and to execute the required purchase orders provided that sufficient funds are available in the budget adopted for FY2012/13.

Contact: Murray Levison, Administrative Officer, (916) 808-6195, Dave Mitchell, Operations Manager, (916) 808-6076, Department of Parks and Recreation

13 Report Back: Private Security in Parks

Report # 2011-00659

Location: Citywide

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

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

Public comment heard from Matt Carroll and a motion **passed** directing staff to schedule an ordinance review by the Law and Legislation Committee for consideration as soon as possible.

Contact: Murray Levison, Administrative Officer, (916) 808-6195, Jim Combs, Director, (916) 808-8526, Department of Parks and Recreation

14 Capital Improvement Program: South Natomas Park Improvements at Niños Park (L19156300) and Barandas Park (L19156400) Projects

Report # 2011-00648

Location: Niños Park, 705 Northfield Drive; Barandas Park, 2808 Grasslands Drive, District 1

Action: Adopted **Resolution No. 2011-442:** 1) establishing a new capital project for South Natomas Park Improvements at Niños Park; 2) appropriating \$200,000 from the South Natomas Community Infrastructure Fund (SNCIF), Fund 2020, to L19156300; 3) establishing a new capital project for South Natomas Park Improvements at Barandas Park; and 4) appropriating \$1,500,000 from the South Natomas Community Infrastructure Fund (SNCIF), Fund 2020, to L19156400.

Contact: J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation

15 (Housing Authority) Application for Choice Neighborhoods Initiative (CNI) Planning Grant

Report # 2011-00635

Location: Northwest Land Park, bound by X Street to the North, 4th Avenue to the South, Riverside Boulevard to the East and Highway 5 to the West; including the Marina Vista (240 Seavey Circle) and Alder Grove (916 Revere Street) public housing communities; District 4

Action: Adopted a **Housing Authority Resolution No. 2011-008** authorizing the Executive Director or her designee to: a) submit an application to the United States Department of Housing and Urban Development (HUD) for up to \$300,000 in 2011 CNI Planning Grant funds to assist in the development of a Neighborhood Transformation Plan for the Marina Vista and Alder Grove public housing communities; b) amend the Housing Authority budget to receive and expend, pursuant to HUD and Agency procurement regulations and policies, not more than \$300,000 in CNI Planning Grant funding for the development of a Neighborhood Transformation Plan for the Marina Vista and Alder Grove public housing communities; c) allocate \$250,000 of City Housing Authority Central Office funding and \$184,588 in City Housing Asset Management Aggregated Low/Moderate Tax Increment (Low/Mod TI) funds as a required match funding amount; d) enter into a professional services contract with EJP Consulting Group for planning and consulting services for the development of the Neighborhood Transformation Plan; e) enter into a Memorandum

of Understanding (MOU) with SHRA, who will serve as the Project Manager for purposes of the CNI Planning Grant; and f) execute agreements and such additional documents, as approved by SHRA Counsel, and to take such additional actions as necessary to implement the authorized contracts and this resolution; and g) make related findings.

Contact: Nick Chhotu, Assistant Director, Housing Authority, (916) 440-1334; Chris Pahule, Assistant Director, Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency

16 Americans with Disabilities Act (ADA) Public Rights-of-Way Prospective Plan for Fiscal Year 2011/12

Report # 2011-00647

Location: Citywide

Action: Moved/Seconded: Member Angelique Ashby/Sandy Sheedy

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

Public comment heard from Mike Barnbaum and a motion **passed** adopting **Resolution No. 2011-443** approving the FY 2011/12 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way.

Contact: Rocky Burks, Physical Access Manager, (916) 808-5521; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

17 Contract: Cars on K Street Project (T15095300) (Continued from 7-19-11)

Report # 2011-00625

Location: District 1

Action: Adopted **Resolution No. 2011-444:** 1) approving the plans and specifications for the Cars on K Street Improvements Project (T15095300); 2) awarding the construction contract to Navajo Pipelines, Inc. for an amount not to exceed \$1,996,975; 3) authorizing the City Manager or his designee to execute Supplemental Agreement No. 5 to City Agreement No. 2009-0476 with DKS Associates in an amount not to exceed \$30,000 for the Cars on K Street Project; 4) ratifying Supplemental Agreements No. 1, 2, 3, and 4 to City Agreement No. 2009-0476 with DKS Associates and resetting the City Manager' authority.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation; Denise Malvetti, Senior Project Manager, (916) 808-7064, Economic Development Department

18 (Pass for Publication) Ordinance Amendment: Sacramento Metropolitan Arts Commission (Continued from 7-19-11)

Report # 2011-00403

Location: Citywide

Action: Withdrawn by staff to review an Ordinance amending Chapter 2.84 of Title 2 of the Sacramento City Code relating to the Sacramento Metropolitan Arts Commission and pass for publication the Ordinance title as required by the Sacramento City Charter (32c) to be adopted on August 9, 2011.

Contact: Rhyena Halpern, Executive Director, (916) 808-3992, Convention, Culture and Leisure Department

Public Hearings (Items 19 - 22)

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

- 19 Community Gardens on Private Property (M11-010) (Noticed on 6-3-2011 and 7-16-11, Passed for Publication on 7-19-2011, Published on 7-22-11)**
Report # 2011-00454 **Estimated Time: 20 Minutes** (Actual Time: 21 minutes)
Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Bonnie Pannell

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

Conducted a public hearing with public comment heard from Earl Withy Combe, Paula Lomazzi, Tracie Rice-Bailey; and upon conclusion a motion **passed** adopting:

- 1) **Resolution No. 2011-445** declaring the project exempt from environmental review;
- 2) **Ordinance No. 2011-030** amending sections 17.16.010, 17.24.040 and 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) relating to community gardens on private property; and 3) **Ordinance No. 2011-031** amending title 13.04.060, 13.04.075 and 13.04.180 of title 13 of the Sacramento City Code (Public Services) relating to water service for community gardens.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

- 20 Delinquent Utility Service Charges - Special Assessment (Noticed on 4-29-11)**
Report # 2011-00449 **Estimated Time: 10 Minutes** (Actual Time: 12 minutes)
Location: Citywide

Action: Moved/Seconded: Member Kevin McCarty/Bonnie Pannell

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

Conducted a public hearing with public comment heard from Pauline Edwards and upon conclusion a motion **passed** adopting **Resolution No. 2011-446** placing special assessments on properties for unpaid utility service charges.

Contact: Jammie Moens, Business Services Manager, (916) 808-5988; Shelle Smallwood, Program Manager, 808-4928 - Department of Utilities

- 21 Special Assessment Liens for Sidewalk Repair on Private Property and Related Costs (Noticed on 4-25-11) [To Be Delivered]**
Report # 2011-00560 **Estimated Time: 5 Minutes** (Actual Time: 5 minutes)
Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer/Darrell Fong

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

Conducted a public hearing with public comment heard from Mac Worthy and upon conclusion a motion **passed** adopting **Resolution No. 2011-447**, placing special assessment lines on the listed properties for unpaid sidewalk repairs.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department

22 Special Assessment Liens for Weed Abatement on Private Property and Related Costs (Noticed on 4-21-11) [To Be Delivered]

Report # 2011-00561 **Estimated Time: 5 Minutes** (Actual Time: 5 minutes)

Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Bonnie Pannell

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

Conducted a public hearing with public comment heard from Mac Worthy and upon conclusion a motion **passed** adopting **Resolution No. 2011-448** placing special assessment liens on the listed properties for unpaid weed abatement services.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department

Discussion Calendar (Items 23 - 24)

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

23 Department of Utilities Operational Efficiency and Cost Savings Audit (Continued from 6-21-2011)

Report # 2011-00415 **Estimated Time: 30 Minutes** (Actual Time: 0 minutes)

Location: Citywide

Action: Continued to August 4, 2011 to approve the Operational Efficiency and Cost Savings Audit of the Department of Utilities.

Contact: Laura Peth, Auditor, (916) 808-5380, Office of the City Auditor

24 2011 Redistricting [To Be Delivered]

Report # 2011-00630 **Estimated Time: 60 Minutes** (Actual Time: 105 minutes)

Location: Citywide

Action: Discussed the Redistricting Committee’s recommendations with public comment heard from Pattie Kleinkecht, Dan Roth, Darrick Lawson, Rosanna Herber, John Shiels, Wendy Hoyt, Mary Ann Lujan, Leo Lujan, Mary Watts, Mike Barnbaum, Mac Worthy, Eireann Flannery, Darrell Roberts, Jason Sample, Bill Camp, Phil Plukebaum, and Stephen Hansen; provided direction to include submissions by Members Steve Cohn and Sandy Sheedy for analysis and in the consideration in the adoption on September 6th of amended Council District boundaries.

Contact: Scot Mende, Principal Planner, (916) 808-4756; Community Development Department, Maria MacGunigal, IT Manager, (916) 808-7998, Information Technology Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Mayor Kevin Johnson

1. Report back on status of "Think Big-Sports and Entertainment Complex" for August 4, 2011

2. Board/Commission Appointments

None

Adjourned at 9:34 pm