



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, May 15, 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

On January 31, 2012 the City Council Passed Resolution 2012-018 electing to serve as Successor Agency to its Redevelopment Agency.

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.

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 AGENDA

Tuesday, May 15, 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 Vice-Mayor Angelique Ashby at 6:14 p.m. Tuesday, May 15, 2012 at the Sacramento City Hall Council Chamber.

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

Pledge of Allegiance –led by student participant in Youth @ City Council Program, Krystel Petite

Closed Session Report- None

Special Presentations/General Communications

a. Recognizing Older American Month

Action: Presented by Member Bonnie Pannell

b. Recognizing Old City Cemetery Committee 25 Year of Volunteer Support

Action: Presented by member Robert King Fong

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual:22 minutes)

1. Gang Violence
 - a. Mac Worthy
 - b. Liberty D.
 - c. Kim Sloan
 - d. Mac Worthy
2. General Issures
 - a. David Jenest
 - b. Joe
 - c. Tim Boyd
 - d. Ron Emslie
 - e. Gus, Bingo, Rod

Consent Calendar (Items 1 - 24) Estimated Time: 5 minutes (Actual: 1 minute)

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

Abstain: Member Sandy Sheedy on Item 17

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

1. Planning and Design Commission - Consideration of Applicants

Report # 2012-00420

Location: Citywide

Action: Receive and file.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

2. Supplemental Agreement: Provision of FY2012/13 Legal Services

Report # 2012-00421

Location: Citywide

Action: Passed **Motion 2012-113** 1) authorizing the City Attorney to execute Amendment No. 3 to City Agreement No. 2009-0629 with the Sacramento Public Library Authority for legal services in FY 2012/13; and 2) authorizing the City Manager or the City Manager's designee to establish a revenue budget in the amount of \$50,400 within the City Attorney's FY 2012/13 General Fund operating budget.

Contact: Matthew Ruyak, Assistant City Attorney (916) 808-5346, Office of the City Attorney

3. Amending the Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facility District Financing for Infrastructure and Public Facilities

Report # 2012-00466

Location: Citywide

Action: Passed **Resolution 2012-114** amending the Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facility District Financing for Infrastructure and Public Facilities.

Contact: Joseph Cerullo, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney

4. Establishment of a Community Facilities District for the Clean Energy Sacramento Program

Report # 2012-00467

Location: Citywide

Action: Passed **Resolution 2012-115** declaring the City Council's intent to establish a community facilities district for the Clean Energy Sacramento Program, which will replace the Property Assessed Clean Energy (PACE) Program

Contact: Yvette Rincon, Program Manager, (916) 808-5827, General Services Department

- 5. Service Agreement: Sacramento Convention Center Audio Visual Provider**
Report # 2012-00198
Location: District 4
Action: Passed **Motion 2012-114** authorizing the City Manager or his designee to execute the Assignment of Professional Service Agreement 2010-1043 to Logic Technology Group, Inc.
Contact: Tina McCarty (916) 808-8220 and Karla Rockberg (916) 808-1933, Convention, Culture and Leisure Department
- 6. Neighborhood Landscaping District - Initiate Proceedings**
Report # 2012-00136
Location: District 2, 5, 6, 7, 8
Action: Passed 1) **Resolution 2012-116** directing filing of Engineer's Annual Report for Fiscal Year (FY) 2012/13 for the Neighborhood Landscaping District; and 2) a **Resolution 2012-117** approving Engineer's Annual Report and Intention to Order Maintenance of Improvement for FY2012/13 for the Neighborhood Landscaping District and setting a time and place for a Public Hearing for June 19, 2012.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
- 7. Neighborhood Lighting District - Initiate Annual Proceedings**
Report # 2012-00140
Location: District 2, 5, 6
Action: Passed 1) **Resolution 2012-118** directing Filing of Annual Report for Fiscal Year (FY) 2012/13 for the Neighborhood Lighting District; and 2) a **Resolution 2012-119** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2012/13 for the Neighborhood Lighting District and setting a time and place for a Public Hearing on June 12, 2012.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
- 8. Power Inn Road Maintenance District-Initiate Proceedings**
Report # 2012-00141
Location: District 6
Action: Passed 1) **Resolution 2012-120** directing filing of Annual Report for Fiscal Year (FY) 2012/13 and 2) **Resolution 2012-121** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2012/13 and setting a time and place for a Public Hearing on June 12, 2012.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
- 9. Stockton Boulevard Property and Business Improvement District (PBID) No. 2011-02-Fiscal Year (FY) 2012/13 Annual Proceedings**
Report # 2012-00151
Location: District 5, 6
Action: Passed **Resolution 2012-122** approving the Stockton Boulevard PBID Annual Report, establishing a budget and levying an assessment for FY2012/13.
Contact: Jodie Vong, Program Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

10. **Oak Park Property and Business Improvement District (PBID) No.2009-01-Fiscal Year (FY) 2012/13 Annual Proceedings**
Report # 2012-00152
Location: District 5
Action: Passed **Resolution 2012-123** approving the Oak Park PBID Annual Report, establishing a budget and levying an assessment for FY2012/13.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
11. **River District Property and Business Improvement District (PBID) – FY2012/13 Annual Proceedings**
Report # 2012-00153
Location: District 3, 4
Action: Passed **Resolution 2012-124** approving the River District PBID Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY) 2012/13.
Contact: Jodie Vong, Program Analyst, (916) 808-8273; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
12. **(Passed for Publication) Ordinance: Local Amendments Supplementing the 2010 California Fire Code (“CFC”)**
Report # 2012-00440
Location: Citywide
Action: 1) Review an Ordinance repealing and reenacting Chapter 15.36 of the Sacramento City Code and adopting by reference the 2010 California Fire Code ("CFC"), with local amendments; and 2) Passed for publication the Ordinance title as required by Sacramento City Charter § 32(c) to be adopted May 22, 2012.
Contact: Michael Bartley, Fire Marshal, (916) 808-1620, Fire Department
13. **Contract: Purchase of Duty and Turnout Boots [2/3 Vote Required]**
Report # 2012-00423
Location: Citywide
Action: Passed **Motion 2012-115:** 1) suspending competitive bidding in the best interests of the City for the purchase of a second type of turnout boot; 2) awarding a contract through June 30, 2013 to Allstar Fire Equipment for the purchase of the Haix Special Fighter Xtreme Leather Duty Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, in a total amount not to exceed of \$65,000; 3) awarding a contract through June 30, 2013 to Mallory Safety & Supply for the purchase of Fire Dex Leather Bunker Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, in a total amount not to exceed of \$45,000; 4) awarding a contract through June 30, 2013 to Fisher Scientific for the purchase of the Pro Warrington 3006 Leather Duty Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, and in addition, for the purchase of the Pro Warrington 5006 Leather Turnout Boots in a total amount not to exceed of \$140,000; and 5) authorizing the City Manager or his designee to execute the contracts specified above and any and all extension(s), provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).
Contact: Niko King, Assistant Chief, (916) 216-0310, Fire Department

- 14. Cooperative Purchase Agreement: Tractor**
Report # 2012-00397
Location: Citywide
Action: Passed **Motion 2012-116:** 1) approving the use of the Houston Galveston Area Council (HGAC) cooperative purchase agreement (Contract No. EM06-11) with Case Power and Equipment for the purchase of two tractors in an amount not to exceed \$151,000 through May 31, 2013 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above provided there are sufficient funds available in the budget adopted for the applicable fiscal year(s).
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
- 15. Supplemental Agreement: Solar at Sutter's Landing**
Report # 2012-00416
Location: Sutter's Landing Regional Park, District 3 and Land Park, District 4
Action: Passed **Motion 2012-117:** authorizing the City Manager or the City Manager's designee to execute the Second Amendment to City Agreement No. 2010-0913 to extend the term of the Exclusive Right to Negotiate a Lease with Conergy Projects, Inc. for an additional one year contingent upon Conergy Projects, Inc. securing a signed agreement for the Sacramento Municipal Utility District Simply Solar Grant.
Contact: Yvette Rincon, Sustainability Program Manager, (916) 808-5827, General Services Department
- 16. Cooperative Purchase Agreement: Portable Generators**
Report # 2012-00370
Location: Citywide
Action: Passed **Motion 2012-118:** 1) approving the use of the Houston Galveston Area Council (HGAC) cooperative purchase agreement (Contract No. GE02-12) with PAC Machine Co., Inc. for the purchase of three portable generators in an amount not to exceed \$325,000 through January 31, 2014 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above provided there are sufficient funds available in the budget adopted for the applicable fiscal year(s).
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
- 17. Resolution Declaring Official Intent to Reimburse Expenditures from City Water System Revenue Bonds and Wastewater System Revenue Bonds**
Report # 2012-00424
Location: Citywide
Action: **Member Sandy Sheedy abstained** and passed a **Resolution 2012-125:** 1) declaring the City's "official intent" to reimburse certain expenditures for the rehabilitation and improvement of utilities infrastructure from the proceeds of City Water System Revenue Bonds issued by the City or the Sacramento City Financing Authority, 2) authorizing the potential refunding of prior debt obligations associated with the City's water program, 3) designating Orrick, Herrington & Sutcliffe LLP to serve as bond counsel and Stradling Yocca Carlson & Rauth, P.C. to serve as disclosure counsel related to the issuance of City Water System Revenue Bonds, 4) declaring the City's "official intent" to reimburse certain expenditures for the rehabilitation and improvement of utilities infrastructure from the proceeds of City Wastewater System Revenue Bonds, 5) authorizing the potential refunding of prior debt obligations associated with the City's wastewater

program, and 6) designating Orrick, Herrington & Sutcliffe LLP to serve as bond counsel and Stradling Yocca Carlson & Rauth, P.C. to serve as disclosure counsel related to the issuance of City Wastewater System Revenue Bonds.

Contact: Brian Wong, Senior Debt Analyst, (916) 808-5811; Janelle Gray, Debt Manager, (916) 808-8296

- 18. Appropriate Park Development Impact Fees for Park Improvements to Mae Fong Park (L19150100)**
Report # 2012-00399
Location: 3004 Redding Avenue, District 6
Action: Passed a **Resolution 2012-126** appropriating \$18,000 of Park Development Impact Fees (PIF), Fund 3204, from Community Plan Area 5 for park improvements at Mae Fong Park.
Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
- 19. Agreement: Design and Construction of Park Improvements for Township 9 North 7th Street Park**
Report # 2012-00435
Location: 819 North 7th Street, District 1
Action: Passed **Motion 2012-119** authorizing the City Manager or City Manager's designee to execute an Agreement with Capitol Station 65, LLC for the Design and Construction of Park Improvements for Township 9 North 7th Street Park with Capitol Station 65, LLC.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722; Tim Hopper, Administrative Officer, (916) 808-8173, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955; Department of Parks and Recreation
- 20. Contract: North Natomas Regional Park Phase 4 – Sports Fields Project (L19140100) and Environmental Documents**
Report # 2012-00407
Location: 2501 North Market Drive, District 1
Action: Passed 1) **Resolution 2012-120** adopting the Mitigated Negative Declaration and Mitigation Reporting Program for the North Natomas Regional Park Phase 4-Sports Fields project (L19140100) (referred to in the Initial Study/Mitigated Negative Declaration as the "North Natomas Regional Park Ballfield Complex"; and 2) a Motion a) approving the contract plans and specifications for the project; 2) awarding the contract to Hemington Landscape Services, Inc. for improvements to the park in an amount not to exceed \$3,752,579; and b) authorizing the City Manager, or City Manager's designee, to execute and award the contract to Hemington Landscape Services, Inc. for the project.
Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
- 21. Cooperative Reimbursement Agreement: Accessibility Improvement**
Report # 2012-00337
Location: Districts 2, 3, 4 & 5
Action: Passed a **Resolution 2012-128** 1) authorizing the City Manager to execute a Cooperative Agreement between the City of Sacramento and Sacramento Regional Transit District, for the City to construct accessibility improvements on behalf of Sacramento

Regional Transit District (RT) with RT funding; and 2) appropriating \$175,000 (Fund 3702) to the Public Rights-of-Way Accessibility Program (T15120600).

Contact: Edward Williams, Associate Civil Engineer (916) 808-8288; Nicholas Theocharides, Supervising Engineer (916) 808-5065, Department of Transportation

22. Supplemental Agreement: Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700)

Report # 2012-00395

Location: Union Pacific Railroad on the segment of 12th Avenue on the Sacramento City College Campus, District 5

Action: Passed a **Resolution 2012-129** 1) approving the transfer of \$1,100,000 (Fund 2028) from the Ramona Avenue Extension Project (T15018400) to the Sacramento City College Pedestrian/ Bicycle Overcrossing Project; 2) authorizing the City Manager to submit an amendment to the State Controller's Office for the 2008-09 Proposition 1B Local Streets and Roads (Prop 1B LSR) funds expenditure plan; 3) authorizing the City Manager to execute Supplemental Agreement No. 3 with Drake Haglan and Associates in an amount not to exceed \$79,324 and to revise the contract scope of work; 4) ratifying Supplemental Agreements No. 1 and No. 2 to City Agreement 2010-0789 with Drake Haglan and Associates and resetting the City Manager's authority to issue supplemental agreements for City Agreement 2010-0789; and 5) resetting the administrative authority for the project.

Contact: Ryan Moore, Supervising Civil Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

23. Appointing and Establishing Salary for Interim City Attorney

Report # 2012-00485

Location: Citywide

Action: Passed **Resolution 2012-130** 1) Appointing the Interim City Attorney, 2) establishing the salary for the Interim City Attorney.

Contact: Geri Hamby, Director, (916) 808-7173, Human Resources Department

24. License Agreement and Indemnity Agreement: Sleep Train Driveway on Sports Parkway

Report # 2012-00482

Location: District 1

Action: Passed **Motion 2012-121** authorizing a License Agreement and Indemnity Agreement, related to Sleep Train Driveway on Sports Parkway, between Buzz Oats LLC, William C. Cummings, and PDA and LLC (together, the 4400 East Commerce Owners), Sleep Train, Inc., and the City of Sacramento.

Contact: Jim Rinehart, Director, (916) 808-7223, Economic Development Department

Discussion Calendar (Items 25 - 26)

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

25. FY2012/13 Proposed Budget for the Police Department

Report # 2012-00352

Estimated Time: 20 Minutes (Actual: 1 hour and 3

minutes)

Location: Citywide

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

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 Kai Ellsworth, Greg Hattfield, Ron Elmslie, Henry Harry, Mac L. Worthy, Aaron Donato, Anil Nayyar, Tim Boyd, Dustin Smith, David Jenest, Richard Cable, Bret Daniels, and received and filed the FY2012/13 Proposed Budget for the Police Department.

Contact: Rick Braziel, Chief of Police, (916) 808-0800, Police Department.

26. FY2012/13 Proposed Budget for the Parks and Recreation Department

Report # 2012-00349

Estimated Time: 90 Minutes (Actual: 59 minutes)

Location: Citywide

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

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 Craig Powell, Mac Worthy, and Jonathan Rewers 1) Received and filed the FY2012/13 budget for the Department of Parks and Recreation and 2) adopt a **Resolution 2012-131** amending the FY2011/12 revenue and expenditure budgets for the Department of Parks and Recreation to accept \$880,565.46 in contributions from the “Save Our Pools” campaign for aquatics operations this summer.

Contact: James L. Combs, Director (916) 808-8526, Department of Parks and Recreation

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment at 8:30 pm in memory of Dr. Alan Meyer