



**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, September 13, 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
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)

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DRAFT Minutes

Tuesday, September 13, 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 6:06 p.m. Tuesday, September 13, 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 Nick Soliz, student participant in Youth @ City Council Program.

Closed Session Report – None.

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

1. Decorum and Council vote on Council Redistricting
 - a. Jesse Reese
 - b. Margo Rose-Brunson
 - c. Charles Brunson
 - d. Kristina Smith
 - e. Reverend Darryl Heath
 - f. Keith Herron
 - g. Bret Widman
 - h. Rick Cole
 - i. Cactus Ray
 - j. Pastor Wayne Sheppard
 - k. Jerome Chapel
 - l. Pastor KD Weldon
 - m. Arricka McDaniel
 - n. Katie Roberts
 - o. Iris Smith
 - p. Warren Smith
2. Oak Park Issues
 - a. Ron Emslie
 - b. Tim Boyd
3. Sports
 - a. Mike Barnbaum
4. Safeground/Homelessness
 - a. Mike Barnbaum

Consent Calendar (Items 1 – 5 and 11) **Estimated Time: 5 minutes** (Actual Time: 2 minutes)

Action: **Moved/Seconded:** Member Robert King Fong/Kevin McCarty

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

No: Member Angelique Ashby.

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

- 1. Confirmation of Boards/Commission Appointments**
Report # 2011-00799
Location: Citywide
Action: Confirmed board/commission appointment(s): 1) Compensation Commission– Joe Gray (Category B); 2) Sacramento Housing & Redevelopment Commission – Josh Rosa and Jeanne Le Duc (Category A).
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the city Clerk
- 2. Minutes Approval**
Report # 2011-00775
Location: Citywide
Action: Approved City Council, Financing Authority, Housing Authority and Redevelopment Agency Minutes for August 4, August 9 and August 16, 2011.
Contact: Shirley Concolino, City Clerk (916) 808-5442, Office of the City Clerk
- 3. Agreements: Workers' Compensation Legal Services**
Report # 2011-00733
Location: Citywide
Action: Adopted **Resolution No. 2011-517** 1) awarding separate consultant and professional service agreements for workers' compensation legal services for contract terms of three years to Bradford & Barthel LLP with an annual not to exceed amount of \$25,000 and a total not to exceed amount of \$75,000; to Cuneo, Black, Ward & Missler with an annual not to exceed amount of \$110,000 and a total not to exceed amount of \$330,000; to Hanna, Brophy, MacLean, McAleer, and Jensen, LLP with an annual not to exceed amount of \$210,000 and a total not to exceed amount of \$630,000; to Laughlin, Falbo, Levy & Moresi, LLP with an annual not to exceed amount of \$50,000 for a total not to exceed amount of \$150,000; to Mullen & Filippi with an annual not to exceed amount of \$20,000 for a total not to exceed amount of \$60,000; and to Twohy, Darneille & Frye with an annual not to exceed amount of \$100,000 for a total not to exceed amount of \$300,000 and 2) authorizing the City Manager to execute each agreement.
Contact: Patrick Flaherty, Risk Manager, (916) 808-8587, Human Resources Department
- 4. Contract: Structural Retrofit Activities at the Sacramento Valley Station**
Report # 2011-00782 [To Be Delivered]
Location: 401 I Street, District 1
Action: Adopted **Resolution No. 2011-518:** 1) approving Plans and Specifications for the Sacramento Valley Station Structural Retrofit Activities; 2) awarding the contract to Diede Construction, Inc. for an amount not to exceed \$8,869,000; and 3) increasing the revenue and expenditure of the Sacramento Intermodal Project (T15029000) by \$50,000 (Fund 3702) to account for funds received from AMTRAK toward reimbursement for demolition of communications tower as part of the Sacramento Valley Station Structural Retrofit Activities.
Contact: Hinda Chandler, Senior Architect, (916) 808-8422, Department of Transportation; David Morgan, Associate Architect, (916) 808-8425, Department of General Services

5. Summary Vacation of a Portion of the Public Service Easement at B Street West of Alhambra Boulevard

Report # 2011-00761

Location: District 3

Action: Adopted **Resolution No. 2011-519** vacating a portion of the public service easement located west of Alhambra Boulevard at "B" Street as described in Exhibit A and Exhibit B attached to the proposed resolution.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Discussion Calendar (Item 6 - 10)

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

(Actual Time for Items 6, 7, and 8: 157 minutes)

6. Entertainment & Sports Complex Technical Review Report [To Be Delivered]

Report # 2011-00744 Estimated Time: 45 Minutes (see notation above)

Location: Railyards and Natomas, District 1

Action: Received with public comment heard from Martha Lofgren, Mac Worthy, Tony Pounders, Fernando Terton, Ceasar Diaz, Adam Loveall, Jack Reynan, Carla Collins Mixon, and Tom Friery; and filed the Entertainment and Sports Complex ("ESC") project's Technical Review. Provided staff with comments, actions, policy guidance and next steps.

Contact: Rachel Hazlewood, (916) 808-8645, Senior Project Manager, Economic Development Department

7. Think Big Sacramento Nexus Report on the Entertainment and Sports Complex [To Be Delivered]

Report # 2011-00790 Estimated Time: 45 Minutes (see notation above)

Location: District 1

Action: Received with public comment heard from Mac Worthy and Mike Barnbaum; and filed the Think Big Sacramento Nexus Report on Revenue Options and provided direction to staff on next steps.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department

8. Exclusive Right to Negotiate for the Entertainment and Sports Complex [To Be Delivered]

Report # 2011-00812 Estimated Time: 20 Minutes (see notation above)

Location: District 1

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

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 Mac Worthy and Mike Barnbaum; and a motion **passed** adopting **Resolution No. 2011-520** authorizing the City Manager or his designee to negotiate an Exclusive Right to Negotiate for the development of an Entertainment and Sports Complex with ICON Venue Group and David Taylor Interests.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department

9. Consent to Assignment of Amended Service Agreement for Municipal Solid Waste Transfer, Transport, Disposal, Processing and Recovered Materials Handling and Amended Agreement for Purchase of Recyclables, from BLT Enterprises of Sacramento, LLC to USA Waste of California, Inc.

[To Be Delivered]

Report # 2011-00802 Estimated Time: 30 Minutes

Location: Citywide

Action: Continued to September 20, 2011 to adopt a **Resolution** authorizing the City Manager or his designee to Execute the Assignment Agreement for 1) the Amended Service Agreement Between the City of Sacramento and BLT Enterprises of Sacramento, LLC for Municipal Solid Waste Transfer, Transport, Disposal, Processing, and Recovered Materials Diversion (“Amended Service Agreement”), and 2) the Amended Agreement for Purchase of Recyclables Between the City of Sacramento and BLT Enterprises of Sacramento, LLC (“Amended Recyclables Agreement”) to USA Waste of California, Inc. (“WMI”).

Contact: John Dangberg, Assistant City Manager, (916) 808-1222; Office of the City Manager, Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of Utilities

10. Cardroom Ordinance Changes

Report # 2011-00793 Estimated Time: 30 Minutes

Location: Citywide

Action: Continued to September 20, 2011 to discuss whether to seek an increase in the number of cardroom licenses in the City to five; and, if appropriate, direct staff to submit a proposed ordinance amendment to the Department of Justice for review, or return to the Law and Legislation Committee for consideration of proposed ordinance language.

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

11. Property Assessed Clean Energy (PACE) Program (To Be Delivered)

Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Kevin McCarty

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

No: Member Angelique Ashby.

Adopted **Resolution No. 2011-522** 1) declaring the City Council’s intent to establish a Property Assessed Clean Energy (PACE) program that will make voluntary contractual-assessment financing available to commercial properties within the City and 2) calling a public hearing for September 27, 2011 on the proposed program.

Contact: Yvette Rincon, Sustainability Program Manager, (916) 808-5827; Reina J. Schwartz, Director, (916) 808-7195, Department of General Services

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Steve Cohn
 - 1. City Standard incorporate Urban Bikeway Design Grade (NACTO)
- b. Member Jay Schenirer
 - 1. Farm Stands and Urban Farming

2. Board/Commission Appointments

- a. Sacramento Youth Commission
 - 1. Mira H. Garcia (District 1)
 - 2. Richard Hervey (District 1)

Adjourned at 9:35 pm.