



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, June 12, 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

Sandra Talbott, Interim 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 Minutes

Tuesday, June 12, 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, June 12, 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 Kristin Wong, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

a. Resolution: Honoring Fairytale Town's Volun-Teens

Action: Received by Volun-Teens group

b. 2012 California State Fair Invitation

Action: Presented by Norbert Bartosik, CEO General Manager

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 21 minutes)

1. Homelessness
 - a. Megan Epstein
 - b. James Clark
2. Pesticide Spraying
 - a. Kim Glazzard
3. Oak Park Issues
 - a. Ron Emslie
4. SHRA
 - a. Mac Worthy
5. CAA Grant
 - a. Barbara Falcon
6. American River Parkway
 - a. Mary Toppel

Consent Calendar (Items 1 - 16) Estimated Time: 5 minutes (Actual Time: 19 minutes)

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

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

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

- 1. (Passed for Publication) Centerpointe at Natomas Crossing Development Agreement Amendments (P11-021)**
Report # 2012-00474
Location: Southeast corner of Truxel Road and Del Paso Road, District 1
Action: Reviewed: a) a Resolution determining the project is exempt from California Environmental Quality Act (CEQA) review; b) an Ordinance approving the first amendment to the Centerpointe at Natomas Crossing Development Agreement (City Agreement No.1997-099); c) an Ordinance approving the second amendment to the Centerpointe at Natomas Crossing Development Agreement (City Agreement No. 1997-099); d) an Ordinance approving the third amendment to the Centerpointe at Natomas Crossing Development Agreement (City Agreement No. 1997-099); and 2) passed for publication the Ordinance titles as required by the Sacramento City Charter 32c to be adopted June 19, 2012.
Contact: Gregory Bitter, Principal Planner, (916) 808-7816, Community Development Department
- 2. Supplemental Agreement: Utility Rate Consultation Services**
Report # 2012-00456
Location: Citywide
Action: Passed **Motion No. 2012-139** authorizing the City Manager, or the City Manager's designee, to execute Supplemental Agreement No. 2 to City Agreement Number 2011-0789 with FCS Group to provide utility rate consultation services, for an amount not to exceed \$40,000, bringing the total agreement amount to \$128,000.
Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Department of Utilities
- 3. Contract: Wastewater Rodder Equipment and Parts [To Be Delivered]**
Report # 2012-00457
Location: Citywide
Action: Passed **Motion No. 2012-140** 1) awarding a contract for the purchase of wastewater rodder maintenance parts and equipment, with a contract term of one year and up to two one year extensions, to Municipal Maintenance Equipment, Inc., for an amount not to exceed \$220,206.51 for the maximum 3 year term, and 2) authorizing the City Manager or the City Manager's designee to approve the one year term extensions provided that funding is available for this purpose in the approved budget for the applicable fiscal year.
Contact: Rob Jack, Wastewater Superintendent, (916) 808-4022; Ken Swartz, Stores Administrator, (916) 808-6276 - Department of Utilities

- 4. Laguna Creek Maintenance District Annual Report
Report # 2012-00165**
Location: District 7, 8
Action: Passed **Resolution No. 2012-187** 1) adopting the Laguna Creek Maintenance District Engineer's Annual Report, and annual budget, and 2) levying the assessment for Fiscal Year (FY) 2012/13.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department
- 5. Neighborhood Water Quality District Annual Report
Report # 2012-00166**
Location: District 8
Action: Passed **Resolution No. 2012-176** adopting the Neighborhood Water Quality District annual budget and levying assessment for Fiscal Year (FY) 2012/13.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department
- 6. Grant/Agreement: Participation in California Task Force Seven ("CA TF-7"), Urban Search and Rescue ("US&R") Team
Report # 2012-00515**
Location: Citywide
Action: Passed **Resolution No. 2012-177** authorizing the City Manager, or his designee, to execute Memorandum of Agreements ("MOAs"), as the sponsoring agency of a Department of Homeland Security/Federal Emergency Management Agency ("DHS/FEMA"), Urban Search and Rescue ("US&R") team, California Task Force Seven ("CA TF-7"), with 1) Dr. Robert S. Tharratt, as an Affiliate Personnel; 2) Dr. David J. Graber, as an Affiliate personnel; and 3) Mark Thomas & Company, Inc., as a Participating Agency, for training and potential deployment to disasters per FEMA instruction.
Contact: Chris Costamagna, Assistant Chief, (916)808-1691; Denise Pinkston-Maas, Support Services Manager, 916-808-1604, Fire Department.
- 7. Supplemental Agreement: Ramona Avenue Extension Project (T15018400)
Report # 2012-00510**
Location: Ramona Avenue from Brighton Avenue to Folsom Boulevard, Districts 3 and 6
Action: Passed 1) **Resolution No. 2012-178** approving the Final Environmental Impact Report (SCH# 2011072031) and Environmental Assessment for the project, 2) **Resolution No. 2012-179** approving 30% plans for the project; 3) authorizing the City Manager or his designee to execute Supplemental Agreement No. 5 to City Agreement No. 2004-015 with Mark Thomas and Company which modifies their contract not to exceed amount from \$2,126,510 to \$2,127,210 for the project; and, 4) ratifying Supplemental Agreements Nos. 1, 2, 3 and 4 to City Agreement No. 2004-015 with Mark Thomas and Company and resetting the City Manager's authority to issue supplemental agreements for City Agreement No. 2004-015.
Contact: Jesse Gothan, Associate Engineer, (916) 808-6897; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

- 8. Lease Agreement: 2107 & 2109 Del Paso Blvd – North Sacramento/Hagginwood Library Report # 2012-00454**
Location: 2107 & 2109 Del Paso Blvd / District 2
Action: Passed **Resolution No. 2012-180:** 1) authorizing the City Manager or the City Manager's designee to execute a five-year lease agreement with Dale B and Sophia Cook for a three-year renewal option for property located at 2107 & 2109 Del Paso Blvd for the North Sacramento/Hagginwood Library; and 2) ratifying prior lease payments made in the amount of \$20,186 for the continued occupancy of the subject property after the lease expired on March 18, 2012.
Contact: Donald Tucker, Director of Facilities, Sacramento Public Library Authority, (916)264-2727; Ken Hancock, Real Property Agent, (916) 808-5752; Rhonda Lake, Facilities and Real Property Superintendent, (916) 808-7902, General Services Department
- 9. Agreement: Collective Bargaining Agreement with the Sacramento City Exempt Employees Association [To Be Delivered] Report # 2012-00529**
Location: Citywide
Action: Moved/Seconded: Member Robert King Fong /Member Steve Cohn
Yes: Members Angelique Ashby, Steve Cohn, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell Jay Schenirer, and Sandy Sheedy
Absent: Mayor Kevin Johnson
- Public comment heard from Murray Levison, Ron Emslie and Craig Powell; and passed 1) **Motion No. 2012-144** adopting the Agreement between the City of Sacramento and Sacramento City Exempt Employees Association, covering employees in Representation Unit 01 (Exempt Management), Representation Unit 10 (Confidential/ Administrative), and Representation Unit 14 (Exempt Management Support); and 2) **Resolution No. 2012-186** amending the Employer-Employee Relations Policy (Resolution No. 2011-502) to remove certain classifications/assignments from the Sacramento City Exempt Employees Association's bargaining units).
Contact: Mark Gregersen, Director of Labor and Workforce Strategy, (916) 808-8974; Geri Hamby, Director of Human Resources, (916) 808-7173, Human Resources Department
- 10. Risk Management 2011 Annual Report [To Be Delivered] Report # 2012-00527**
Location: Citywide
Action: Received and filed.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173, Patrick Flaherty, Risk Manager, (916) 808-8587, Human Resources Department
- 11. Contract: Franklin Boyce Park Phase 1 (L19118100) Report # 2012-00514**
Location: 7698 Franklin Boulevard, District 8
Action: Passed **Motion No. 2012-142:** 1) approving the contract plans and specifications for the project; 2) awarding the contract to JM Slover, Inc. for improvements to the park in an amount not to exceed \$859,960; and 3) authorizing the City Manager, or City Manager's designee, to execute the contract with JM Slover, Inc. for the project.
Contact: Jeff Nittka, Landscape Technician II, (916) 808-5996; C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation

12. Agreement: Southside Park Pool Operations

Report # 2012-00546

Location: 2115 6th Street, District 4

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

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

Absent: Mayor Kevin Johnson

Public comment heard from Craig Powell and Alice Levine; and passed **Resolution No. 2012-181 as amended** 1) authorizing the City Manager or City Manager's designee to enter into a License Agreement with the YMCA of Superior California (YMCA) for the operation, use and maintenance of the pool at Southside Park for the summer 2012 season; and 2) authorizing up to \$30,000 from the Administrative Contingency fund or other contingency fund to support the YMCA's operational costs.

Contact: Sylvia Fort, Recreation Services Manager, (916) 808-8381; Dave Mitchell, Operations Manager, (916) 808-6076, Department of Parks and Recreation

13. Agreement: Driving Under the Influence (DUI) Reduction Media Campaign

Report # 2012-00484

Location: Citywide

Action: Passed **Motion No. 2012-143** authorizing the City Manager, or the City Manager's designee, to enter into an agreement with TMD Group Incorporated, in the amount of \$173,000 to conduct a DUI media campaign.

Contact: Steve Quinn, Captain, Metro Operations, (916) 808-0701, Police Department

14. Grant: U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant

Report # 2012-00512

Location: Citywide

Action: Passed **Resolution No. 2012-182** authorizing the City Manager, or the City Manager's designee to: 1) apply for \$330,775 in grant funding from the Edward Byrne Memorial Justice Assistance Grant Program funded through the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance on behalf of the City of Sacramento; 2) accept the \$330,775 grant award; 3) establish a project (#G11010200) for the grant award; and 4) adjust the necessary revenue and expense budgets to implement the grant award.

Contact: James Beezley, Captain, Personnel Services, (916) 808-0854, Police Department.

15. (Passed for Publication) Alarm Systems Ordinance

Report # 2012-00502

Location: Citywide

Action: 1) Reviewed an Ordinance repealing and adding Chapter 8.36 to Title 8 of the Sacramento City Code, relating to alarm systems; 2) passed for publication the Ordinance title as required by the Sacramento City Charter 32(c) to be adopted June 19, 2012, and to take effect on October 1, 2012; and 3) reviewed: a) Resolution approving two position reclassifications and the addition of one position necessary to implement the revised alarm systems ordinance; b) a Resolution adjusting the alarm systems fee and fine schedule effective October 1, 2012; and c) a Resolution to phase in adjustments to the alarm systems fee and fine schedule over a multiple year period through FY 2014/15 effective October 1, 2012.

Contact: Jim Maccoun, Captain, Field Services, (916) 808-6464, Police Department

16. **(Housing Authority) Las Victorianas Modernization Project**

Report # 2012-00462

Location: 505 10th Street, District 4

Action: Moved/Seconded: Member Bonnie Pannell/Member Sandy Sheedy

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

Absent: Mayor Kevin Johnson

Public comment heard from Mac Worthy and Ron Emslie; and passed **Housing Authority Resolution No. 2012-009** authorizing the Executive Director or her designee to a) execute a contract for the Las Victorianas modernization project per procurement policies and procedures; b) amend the Housing Authority's budget to accept and expend up to \$776,480 in 2011 City Community Development Block Grant (CDBG) and \$250,000 in 2012 City CDBG funds for the project; and c) amend the Housing Authority's budget to accept and expend up to \$400,000 in Sacramento Municipal Utility District (SMUD) rebate funds for the project.

Contact: Nick Chhotu, Assistant Director of Public Housing, (916) 440-1334, Sacramento Housing and Redevelopment Agency:

Public Hearings (Items 17 - 19)

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

17. **Neighborhood Lighting District** (Noticed on 5-24-12)

Report # 2012-00134 **Estimated Time: 5 Minutes** (Actual Time: 10 minutes)

Location: District 2, 5, 6

Action: Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy

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

Absent: Mayor Kevin Johnson

Public comment heard from Mac Worthy and **Continued to June 26, 2012** to conduct a public hearing with and upon conclusion, pass a Resolution confirming diagram and assessment, and levying an assessment for Fiscal Year 2012/13 for the Neighborhood Lighting District.

Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

18. **Power Inn Road Maintenance District-** (Noticed on 5-24-12)

Report # 2012-00135 **Estimated Time: 5 Minutes** (Actual Time: 8 minutes)

Location: District 6

Action: Moved/Seconded: Member Kevin McCarty/Member Sandy Sheedy

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

Absent: Mayor Kevin Johnson

Conducted a public hearing and upon conclusion passed **Resolution No. 2012-184** confirming the assessment diagram and the assessment and levying the assessment for Fiscal Year (FY) 2012/13 for the Power Inn Road Maintenance District (District).

Contact: Sheri Smith, Finance Department, Program Specialist, (916) 808-7204; Mark Griffin, Finance Department, Program Manager, (916) 808-8788

19. Adoption of the FY2012/13 Operating and Capital Improvement Program (CIP) Budgets

(Noticed on 5-31-12)

Report # 2012-00362

Estimated Time: 60 Minutes (Actual Time: 57 minutes)

Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Member Jay Schenirer

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

Conducted a public hearing with public comment heard from Chris Andrew, Sondra Bettencourt, Kim Glazzard, Tin Lieu, Craig Powell, Bret Daniels, Aaron Donato, Dustin Smith, and Mac Worthy; and upon conclusion, 1) directed staff to return on June 19, 2012 with a resolution directing one-time General Fund Revenues to the Economic Uncertainty Reserve and 2) passed **Resolution No. 2012-185 as amended** approving the City of Sacramento FY2012/13 Operating and CIP Budgets **excluding the Parks and Recreation Department budget and the Police Department budget.**

Action: Moved/Seconded: Member Robert King Fong/Member Jay Schenirer

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

Conducted a public hearing and upon conclusion, passed **Resolution No. 2012-185 as amended** approving the City of Sacramento FY2012/13 Operating and CIP Budgets **Parks and Recreation Department budget only.**

Action: Moved/Seconded: Member Robert King Fong/Member Jay Schenirer

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

No: Mayor Kevin Johnson

Conducted a public hearing and upon conclusion, passed **Resolution No. 2012-185 as amended** approving the City of Sacramento FY2012/13 Operating and CIP Budgets **for the Police Department budget only.**

Contact: Leyne Milstein, Finance Director, (916) 808-8471, Finance Department

Additional Discussion Item: Requested by Councilmember Sheedy at the June 7, 2012 Council meeting

20. Appointing Authority of Mayor and City Council Staff (To Be Delivered)

Report ID: 2012-00568 (Actual Time: 15 minutes)

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy

Yes: Members Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy

No: Member Angelique Ashby and Mayor Kevin Johnson

Abstain: Member Jay Schenirer

Public comment heard from Ron Emslie and passed **Motion No. 2012-152** directing staff to 1) return on June 19, 2012 with a Resolution a) assigning appointing authority to the Mayor for appointment of Executive Assistant, Chief of Staff, and Special Assistant to the Mayor; b) assigning appointing authority to the Councilmembers for Executive Assistant and District Director; c) transferring operational responsibilities of the Mayor/Council to the Office to the City Clerk including the appointing authority for the Council Operations Manager, Staff Assistant, and Staff Aide, and 2) review and update all effected resolutions.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

Council Comments-Ideas, Questions and Meeting/Conference Reports

None.

Adjourned – 8:30 p.m.