



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 17, 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)

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DRAFT Minutes

Tuesday, January 17, 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 6:02 p.m. Tuesday, January 17, 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 a member of the public.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual: 26 minutes)

- | | |
|-----------------------------------|-------------------------------|
| 1. Occupy Sacramento/Homelessness | 5. Oak Park Issues |
| a. Kevin Carter | a. Ron Emslie |
| b. Kim Sloan | 6. American River Parkway |
| c. Tracie Rice-Bailey | a. Mary Tappel |
| d. Liz Green | 7. Stolen IDs |
| e. Christina Kay | a. Leo Benavidez |
| 2. Rules of Procedure | 8. Senior Issues |
| a. Mac Worthy | a. Bill Grant |
| 3. Primary Election | 9. Backyard Chicken Ordinance |
| a. Mac Worthy | a. Susan Ballew |
| 4. Sporting Event Announcements | 10. Arena/Parking |
| a. Mike Barnbaum | a. GP Bailey |
| | b. Justin Marshall |

Consent Calendar (Items 1 – 10, 14) **Estimated Time: 5 minutes** (Actual: 18 minutes)

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, 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 # 2012-00074
Location: Districts 1 and 3
Action: Passed **Motion No. 2012-012** confirming board/commission appointment(s): 1) City Planning Commission – John Parrinello (Category A-1), David Nybo (Category A-3).
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

2. **Candidate Statement Regulations for the June 5, 2012 Primary Municipal Election**
Report # 2012-00052
Location: Citywide
Action: **Moved/Seconded:** Angelique Ashby/ 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.
Public Comment heard from Mac Worthy and passed **Resolution No. 2012-011** adopting regulations for candidate statements to be submitted to the voters at the June 5, 2012, Primary Municipal Election.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk

3. **Agreement: Bank on Sacramento Community Banking Effort**
Report # 2012-00029
Location: Citywide
Action: Passed **Motion No. 2012-013** authorizing City Council to execute a Memorandum of Understanding between the City of Sacramento and United Way California Capital Region (new fiscal agent) regarding the Bank on Sacramento program.
Contact: Valerie Tedrow, Administrative Assistant, (916) 808-8294, Office of the City Treasurer

4. **(Passed for Publication) Shovel Ready Development Investment Protection Extension 2012 (M11-029)**
Report # 2012-00020
Location: Citywide
Action: Review an Ordinance granting a three year extension of certain land use entitlements and passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted January 24, 2012.
Contact: Sandra Yope, Senior Planner, (916) 808-7158, Community Development Department, Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

5. **(Passed for Publication) Township 9 Development Agreement Amendment (P11-050)**
Report # 2012-00033
Location: Richards Blvd between North 5th and North 7th Streets, District 3
Action: 1) Review: a) Resolution No. 2012- approving a previously certified Environmental Impact Report; b) an Ordinance approving the third amendment to the Township 9 Development Agreement (City Agreement No. 2007-1081; and 2) passed for publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted January 24, 2012.
Contact: Gregory Bitter, Principal Planner (916) 808-7816, Community Development Department

6. **Capitol Area Development Authority (CADA) – Proposed Asset Disposition**

Report # 2012-00037

Location: District 4

Action: **Moved/Seconded:** Angelique Ashby/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.

Removed by Member Angelique Ashby and passed **Resolution No. 2012-012** supporting CADA's implementation plan for the sale of specific State-owned properties leased by CADA and subleased to third parties and recommending the development of a long term plan for any additional dispositions of State-owned properties leased by CADA with specific consideration in the development of that plan on the maintenance of the number and affordability of the residential units in the CADA area.

Contact: Leslie Fritzsche, Downtown Redevelopment Manager, (916) 808-5450, Economic Development Department

7. **Contract: Vehicle Wash Bays Maintenance & Repair [2/3 Vote Required]**

Report # 2011-00946

Location: Citywide

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

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

Removed by Member Angelique Ashby and passed **Motion No. 2012-014:**

1) determining that it is in the best interests of the city to suspend competitive bidding for the purchase of vehicle wash bays maintenance and repair services; 2) suspending competitive bidding for the purchase of vehicle wash bays maintenance and repair services; 3) rejecting original Bid No. B1113001211008; 4) awarding Steam Cleaners, Inc. a one-year contract with four one-year renewal options for vehicle wash bays maintenance and repair services in a total amount not to exceed \$3,186,250 for the potential five-year period; 5) authorizing the City Manager or the City Manager's designee to execute the contract specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s); and 6) return to Council in one year for direction prior to renewal.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department

8. **Cooperative Purchase Agreements: Fleet Equipment**

Report # 2012-00022

Location: Citywide

Action: Passed **Motion No. 2012-015:** 1) approving the use of Houston-Galveston Area Council (HGAC) cooperative purchase agreement number GR01-12 with Poston Equipment Sales, Inc. for the purchase of up to two wood chippers in an amount not to exceed \$84,000 through December 31, 2014, or until the contract is no longer available for use; 2) approving the use of HGAC cooperative purchase agreement number SM10-10 with Volvo Construction Equipment Services for the purchase of two asphalt rollers in an amount not to exceed \$78,000 through September 30, 2012, or until the contract is no longer available for use; 3) approving the use of State of California contract number 1-11-23-20 with: a) Hoblit Motors for the purchase of eight Transit Connects in an amount not to exceed \$200,000 through August 31, 2012, or until the contract is no longer available for use; b) Coalinga Motors for the purchase of three cargo vans in an amount not to exceed \$66,000 through August 31, 2012, or until the contract is no longer available for use; c) Downtown Ford Sales for the purchase of two cargo vans in an amount not to exceed \$43,000 through August 31,

2012, or until the contract is no longer available for use; d) Downtown Ford Sales for the purchase of seven pick-up trucks in an amount not to exceed \$161,000, through August 31, 2012, or until the contract is no longer available for use; e) Wondries Fleet Group Sales for the purchase of twelve truck chassis in an amount not to exceed \$600,000 through August 31, 2012, or until the contract is no longer available for use; and 4) authorizing the City Manager or the City Manager's designee to execute purchases in the amounts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department

9. Unscheduled Building Maintenance and Repair Payment for Building 600 at McClellan Business Park

Report # 2012-00044

Location: Citywide

Action: **Moved/Seconded:** Angelique Ashby/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.

Public comment heard from Mac Worthy and passed **Motion No. 2012-016** authorizing the City Manager, or the City Manager's designee, to pay an amount not to exceed \$230,200 for unscheduled maintenance costs at Building 600 located in the McClellan Business Park.

Contact: Jim Hendrickson, Lieutenant, Homeland Security, (916) 874-2172, Police Department.

10. Lease Agreement: Retail Space in Memorial Garage

Report # 2012-00047

Location: 801 14th Street, District 4

Action: **Continue to January 31, 2012** to pass a Motion 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

Public Hearings (Item 11)

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

11. Florin Road Corridor Rezone Correction (Noticed on 12-27-11, Passed for Publication on 1-10-12, Published on 1-13-12)

Report # 2012-00005 **Estimated Time: 10 Minutes** (Actual: 2 minutes)

Location: Luther Drive behind 3801 Florin Road; District 5

Action: **Moved/Seconded:** Bonnie Pannell/Jay Schenirer

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

Conducted a public hearing and passed 1) **Ordinance No. 2012-001** rezoning two parcels (APN 041-0112-024-0000 and 041-0112-021-0000) located on Luther Drive behind 3801 Florin Road from RMX (Residential Mixed Use) back to C-2 (General Commercial) and 2) Resolution No. 2012- exempting the project from environmental review.

Contact: Desmond Parrington, Program Specialist, (916) 808-5044, Community Development Department

Discussion Calendar (Items 12 - 13)

Discussion Calendar items include an oral presentation including those recommending “receive and file”. (Public Comment-2 minutes per speaker)

(Actual: 4 hours and 50 minutes for Item 12 and 13)

Action: **Moved/Seconded:** Kevin McCarty/Kevin Johnson

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 on items 12 and 13 from Chester Newland, Kerri Asbury, Joan Quinn, Sean Donahoe, Evan Hawkins, Earl Withycombe, Karen Bernal, Susan Bush, Kim, Bill Camp, Devin Lavell, Anna Molander, Mac Worthy, Rick Bettis, Matt Kelly, Tom Bhe, Kathryn Tobias, Brian Rice, Ryan Henry, Mark Tyndale, Cecily Hastings, Stuart Eldridge, Mike Barnbaum, Josh Wood, Pastor Anthony Sadler, Pat Fong Kushida, Shane Singh, Pastor Rick Cole, Pastor Wheldon, Melinda Guzman, Stan Van Vleck, Trisha Flynn, Bill Knowlton, Matthew Harris, Ronak Ray, Chris Tapio, Pastor Wayne Sheppard, Tom Greene,, Rebekah Christensan, Betty Williams, Kevin Carter, Adam Loveall, Dannetta Garcia, Jason Griest, Kyle Ellsworth, Sara Harbarger, Sarah Kleinberg, and Ofa Mann; and **passed a motion directing staff to return in 3 weeks with: 1) a Resolution with proposed language for placing the “Elected Charter Commission” on the November 2012 ballot; and 2) a modified version of the Checks & Balances Act of 2012 (3.0) for discussion of placement on the November 2012 ballot.**

12. **Presentation on Checks and Balances Act of 2012 [Oral Report]**

Report # 2012-00081 Estimated Time: 30 Minutes

Location: Citywide

Action: See above.

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

13. **Proposed Charter Revision Analysis [To Be Delivered]**

Report # 2012-00042 Estimated Time: 60 Minutes

Location: Citywide

Actions: See above.

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

Supplemental Consent Item

14. **Agreement and Payment Authorization: 5th Street and 6th Street Roadway Project Memorandum of Understanding with IA Sacramento Holdings and Final Payment Authorization for 6th Street Bridges Design (T15098800)**

Report ID: 2012-00054

Location: Downtown Railyards, District 3

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

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

Passed 1) **Motion No. 2012-017** authorizing the City Manager or his designee to execute a memorandum of understanding (MOU) with IA Sacramento Holdings, L.L.C. (IA Holdings) regarding the 5th Street and 6th Street roadway project and 2) **Resolution No. 2012-031** increasing the authorized funding for 6th Street Bridges design work by \$4,069 for a total authorization of \$1,158,740 to account for additional design costs and authorizing payment to Quincy Engineering, Inc. in an amount not to exceed \$4,069.

Contact: Bill Spencer, Administrative Officer, (916) 808-8130, Department of Transportation

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

a. Park and Recreation Commission

1. Jonathan Rewers (District 2)

Adjourned at 11:40 pm in memory of Theresa Rankin and Sam Len.