



**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, October 11, 2011**

**6:00 p.m.**

**City Hall-915 I Street, 1<sup>st</sup> 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

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**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.

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# DRAFT Minutes

Tuesday, October 11, 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 Vice-Mayor Bonnie Pannell at 6:07 p.m. Tuesday, October 11, 2011 at the Sacramento City Hall Council Chamber.

**Members Present:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.

**Members Absent:** Member Jay Schenirer and Mayor Kevin Johnson.

**Pledge of Allegiance** - led by Boy Scout Troop 8.

**Closed Session Report** – None.

## **Special Presentations/General Communications**

### a. **Recognizing Friends of Camp Sacramento**

**Action:** Resolution presented by Member Steve Cohn.

## Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 56 minutes)

1. Occupy Sacramento
  - a. Sean Thompson
  - b. Mark Bradley
  - c. Amy Anderson
  - d. Arya Rashid
  - e. Sarah Thomas
  - f. David Berger
  - g. David Watkin
  - h. John Reiger
  - i. Kevin Carter
  - j. Rick Mines
  - k. Christina Kay Plumb
  - l. Joel Ussery
  - m. Jenny Barei
  - n. Jeff Kravitz
  - o. Dan Bacher
  - p. Nick Castillo
  - q. Richard Seyman
  - r. GP Bailey
  - s. Mac Worthy
  - t. Tracie Rice Bailey
  - u. Loreen Willenberg
  - v. Henry Harry
  - w. Scot Rogers
2. Police Issues
  - a. Robert Lee Booth
  - b. Marlene Murphy
3. Vending Machines
  - a. Empress Montisikelelo

**Consent Calendar (Items 1 - 21) Estimated Time: 5 minutes (Actual Time: 1 minute)**

**Action:** **Moved/Seconded:** Member Steve Cohn/Angelique Ashby

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

**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

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

**1. Confirmation of Boards/Commission Appointments**

**Report # 2011-00871**

**Location:** Citywide

**Action:** Confirmed board/commission appointment(s): 1) Code Enforcement Hearing Examiners – Terry A. Reed and Barbara Thalacker; 2) Sacramento Heritage, Inc. Board of Directors – William A. Burg (Category A-1) and 3) Sacramento Youth Commission – Charlie Tschudin and Olivia Godby (Category A-3).

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

**2. Confirmation of Boards/Commission Appointments**

**Report # 2011-00879**

**Location:** Citywide

**Action:** Duplicate of Item No. 1; no additional action.

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

**3. (Pass for Publication) NMCI Medical Clinic (P11-032)**

**Report # 2011-00823**

**Location:** 3325 J Street, District 3

**Action:** 1) Reviewed a) Resolution determining Project is Exempt from review under the California Environmental Quality Act, b) an Ordinance rezoning 0.16 acres from Multi-Family Special Planning District (R-4-SPD) zone To Limited Commercial Special Planning District (C-1-SPD) zone; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c and **to be adopted on October 25, 2011.**

**Contact:** David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department

**4. (Pass for Publication) 2011A Regulatory Improvement Zoning Code and Related Code Changes (M11-002)**

**Report # 2011-00729**

**Location:** Citywide

**Action:** 1) Reviewed an Ordinance amending various sections of Title 17 (Zoning Code) and Title 8 of the Sacramento City Code relating to development application processing and code maintenance; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) **to be adopted on October 25, 2011.**

**Contact:** Sandra Yope, Senior Planner, (916) 808-7158, Community Development Department, Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

5. **Agreement: Disposal of Drinking Water Treatment Residual Solids**  
**[2/3 Vote Required]**  
**Report # 2011-00655**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-547** 1) suspending competitive bidding for the disposal of drinking water treatment plant residual solids, and 2) authorizing the City Manager or the City Manager's designee to execute a Landfill Services Agreement with Yolo County to dispose of drinking water treatment plant residual solids for a five year period, for a total amount not to exceed \$350,245.  
**Contact:** Dave Phillips, Water Sewer Superintendent, (916) 808-5652; Mary Krizanosky, Plant Operator (916) 808-1311, Department of Utilities
  
6. **Contract: South Land Park Main Replacement Phase 5 Project (Z14010052)**  
**Report # 2011-00759**  
**Location:** District 4  
**Action:** Adopted **Resolution No. 2011-548** 1) approving the contract plans and specifications for the project, and 2) awarding the contract to United Building Contractors, for an amount not to exceed \$2,064,005.  
**Contact:** Bill Busath, Interim Engineering Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
  
7. **Agreement: National Pollutant Discharge Elimination System (NPDES) Program Stormwater Monitoring Services (I14010200)**  
**Report # 2011-00808**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-549** authorizing the City Manager or City Manager's designee to 1) execute a Professional Services Agreement with Larry Walker Associates, Inc., to provide Stormwater Monitoring Services for FY2011/2012 for an amount not to exceed \$815,863, and 2) amend the FY10-FY14 NPDES Program (I14010200) Revenue and Expenditure Budgets (Fund 6211), for the reimbursement from the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the FY 2011/2012 Stormwater Monitoring Program costs in the total amount of \$519,316.  
**Contact:** Bill Busath, Interim Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455 - Department of Utilities
  
8. **Downtown Sacramento Revitalization Corporation Bylaw Amendment**  
**Report # 2011-00846**  
**Location:** Downtown, River District and Railyards, Districts 3 and 4  
**Action:** Adopted **Resolution No. 2011-550 as amended** consenting to an amendment to Article IV of the Bylaws of the Downtown Sacramento Revitalization Corporation to expand the Board from five to seven members.  
**Contact:** Denise Malvetti, Senior Project Manager, (916) 808-7064, Economic Development Department

**9. Natomas Central Community Facilities District No. 2006-02**

**Report # 2011-00829**

**Location:** District 1

**Action: Moved/Seconded:** Member Steve Cohn/Angelique Ashby

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, and Bonnie Pannell.

**No:** Member Sandy Sheedy.

**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

A motion **passed** adopting **Resolution No. 2011-551** appropriating \$1.1 million from special taxes collected for Natomas Central Community Facilities District No. 2006-02 (CFD 2006-02) to allow for reimbursement of eligible costs to the developer, K. Hovnanian.

**Contact:** Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

**10. Amendment to the FY2011/12 Budget: Community Facilities District No. 3**

**Report # 2011-00852**

**Location:** District 1

**Action: Moved/Seconded:** Member Steve Cohn/Angelique Ashby

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, and Bonnie Pannell.

**Abstain:** Member Sandy Sheedy.

**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

A motion **passed** adopting **Resolution No. 2011-552** amending the revenue and expenditure budget of the Community Facilities District No. 3 for FY2011/12.

**Contact:** Mark Griffin, Program Manager, (916) 808-8788, Finance Department

**11. Donation: Surplus Equipment**

**Report # 2011-00818**

**Location:** Citywide

**Action:** Adopted **Resolution No. 2011-553** approving the donation of two surplus 2001 Dodge Ram trucks (equipment numbers 8779 and 9075) and one surplus Polaris Neptune 350 boat and accompanying trailer (equipment number 8436) to the Sacramento Drowning Accident Rescue Team (DART).

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

**12. Proposed Contract Audit of the Department of Utilities' Billing Processes**

**Report # 2011-00723**

**Location:** Citywide

**Action:** Approved the City Auditor's issuance of a Request for Proposal (RFP) to engage a contractor to complete an audit of the Department of Utilities' Billing Processes as outlined in the City Auditor's approved 2011-12 Audit Plan.

**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the Mayor/City Council

**13. Lease Agreement: Southside Clubhouse**

**Report # 2011-00867**

**Location:** 2051 6th Street, District 4

**Action:** Adopted **Resolution No. 2011-554:** 1) authorizing the City Manager or his designee to execute lease agreement with Target Excellence for the Southside Clubhouse; 2) authorizing the City Manager to establish revenue and expenditure budgets as required within the Parks and Recreation Department, Teen and Community Recreation Division General Fund Budget for the Southside Clubhouse; and 3) authorizing the City Manager or his designee to execute such additional documents and to take such additional actions as necessary to implement the lease agreement.

**Contact:** Vincene Jones, Division Manager, (916) 808-5172; Jim Combs, Director, (916) 808-8526, Parks and Recreation Department

**14. Grant: Gang Violence Suppression Grant Augmentation**

**Report # 2011-00834**

**Location:** Citywide

**Action:** Adopted **Resolution No. 2011-555** authorizing the City Manager, or the City Manager's designee, to: 1) accept on behalf of the City of Sacramento, a \$199,965 augmentation to the Gang Violence Suppression grant (GVS) from the California Emergency Management Agency (Cal EMA) and 2) adjust the necessary grant revenue and expense budgets for Project #G11006600 to implement the \$199,965 grant augmentation.

**Contact:** Scott LaCosse, Captain, Office of Investigations, (916) 808-0551, Police Department

**15. Grant: FY2011-14 Mercy General Hospital Neighborhood Policing Grant Program**  
**Report # 2011-00857**

**Location:** Citywide

**Action:** Adopted **Resolution No. 2011-556:** 1) authorizing the City Manager, or his designee, to accept on behalf of the City of Sacramento grant funding in the amount of \$1,141,664 for a two-year, eight month time period for Neighborhood Policing Services for the Mercy General Hospital Campus and immediate area. One grant in the amount of \$710,940 will be awarded to support a one-year, eight month time period from October 16, 2011 to June 30, 2013. An additional grant in the amount of \$430,724 will be awarded to support Neighborhood Policing Services for the period of July 1, 2013 through June 30, 2014, with a total not to exceed amount of \$1,141,664; 2) authorizing the City Manager or his designee to execute on behalf of the City of Sacramento, an Agreement with the City and Catholic Healthcare West to continue Neighborhood Policing Services; 3) authorizing the City Manager or his designee to continue the grant project (#E11006100) for the Mercy General Policing Grant; 4) authorizing the City Manager or his designee to increase the appropriate grant revenue and expense budget adjustments by \$1,141,664; 5) authorizing the City Manager or his designee to adjust revenue and expense budgets based on actual services rendered to Catholic Healthcare West on an annual basis.

**Contact:** Katherine Lester, Acting Captain, Contract Services, (916) 808-0800, Police Department.

16. **Grant: Juvenile Accountability Block Grant (JABG) Program Funding**  
**Report # 2011-00855**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-557** authorizing: 1) the City Manager or the City Manager's designee, to accept a grant award in the amount of \$35,750 from the Department of Corrections and Rehabilitation - Corrections Standards Authority (CDCR/CSA); and 2) the City Manager or the City Manager's designee, to direct the Sacramento Police Department to manage the JABG Program.  
**Contact:** Katherine Lester, Acting Captain, Contract Services, (916) 808-0800, Police Department.
17. **American River Crossing Alternatives Study**  
**Report # 2011-00810**  
**Location:** District 3  
**Action:** Adopted **Resolution No. 2011-558** 1) establishing a Capital Improvement Project (CIP) for the American River Crossings Alternatives Study (T15125300); 2) authorizing the execution of a subrecipient agreement with the Sacramento Area Council of Governments (SACOG); and 3) appropriating \$270,000 in Federal funds to the project.  
**Contact:** Fedolia Harris, Senior Planner (916) 808-2996; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Transportation
18. **Annexation of 63rd Street into the Sutter Hospital Residential Permit Parking Area**  
**Report # 2011-00833**  
**Location:** Both sides of 63rd Street, Elvas Avenue to Folsom Boulevard, District 3  
**Action:** Adopted **Resolution No. 2011-559** annexing 63rd Street, both sides, from Elvas Avenue to Folsom Boulevard, into the Sutter Hospital Residential Permit Parking Area (A) and regulate with "Two Hour Parking, Except with Permit."  
**Contact:** Matt Winkler, Operations General Supervisor (916) 808-5579; Howard Chan, Parking Manager (916) 808-7488, Department of Transportation

#### Public Hearings (Item 19 - 20)

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

19. **Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 8-29-11)**  
**Report # 2011-00553** **Estimated Time: 5 Minutes** (Actual Time: 2 minutes)  
**Location:** Citywide  
**Action: Moved/Seconded:** Member Sandy Sheedy/Kevin McCarty  
**Yes:** Members Angelique Ashby, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.  
**Absent:** Members Steve Cohn, Jay Schenirer and Mayor Kevin Johnson.  
Conducted a public hearing with comment heard from Mac Worthy; and upon conclusion a motion passed adopting **Resolution No. 2011-560 as amended** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

**Contact:** Ron O' Connor, Director of Operations, (916)808-8183, Community Development Department

- 20. Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 9-9-11)**  
**Report # 2011-00742**      **Estimated Time: 5 Minutes** (Actual Time: 5 minutes)  
**Location:** Citywide

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

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

**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion a motion passed adopting **Resolution No. 2011-561 as amended** placing liens on the properties for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

**Contact:** Robert Rose, Code Enforcement Manager, (916) 808-5947, Community Development Department

### Discussion Calendar (Item 21 - 25)

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

- 21. Grant: Acceptance of Fiscal Year 2011 COPS Hiring Program Funding**  
**Report # 2011-00888**      **Estimated Time: 10 Minutes** (Actual Time: 9 minutes)  
**Location:** Citywide

**Action: Moved/Seconded:** Member Angelique Ashby/Steve Cohn

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

**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

Public comment heard from Henry Harry, David Jenest; and a motion passed adopting **Resolution No. 2011-562:** 1) authorizing the City Manager, or the City Manager’s designee, to accept \$8,102,450 in grant funding from the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for the Fiscal Year 2011 COPS Hiring Program (CHP) grant, including any future extensions, agreements, modifications, or attachments thereof; 2) authorizing the City Manager, or the City Manager’s designee, to establish a CHP grant project (#G11009700); 3) authorizing the City Manager, or the City Manager’s designee, to adjust the necessary revenue and expenditure budgets by \$8,102,450 to implement the CHP Grant Project; 4) authorizing the City Manager or the City Manager’s designee to increase the Police Department’s authorized staffing by twenty-five (25) full-time equivalent (FTE) police officer positions.

**Contact:** Alisa Buckley, Legal Staff Assistant, (916) 808-0832, Police Department

- 22. Central City Alley Names**  
**Report # 2011-00819**      **Estimated Time: 15 Minutes** (Actual Time: 13 minutes)  
**Location:** District 4  
**Action: Moved/Seconded:** Member Steve Cohn/Angelique Ashby  
**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.  
**Absent:** Members Jay Schenirer and Mayor Kevin Johnson.

A motion passed adopting 1) **Resolution No. 2011-563** amending the City of Sacramento addressing Standards relating to naming the Central City alleys, and 2) **Resolution No. 2011-564** approving a master list of names for the Central City alleys; and direction to staff to review remaining names or consistency.  
**Contact:** Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department

- 23. Wastewater Workshop** (Continued from 9-27-11)  
**Report # 2011-00684**      **Estimated Time: 30 Minutes** (Actual Time: 43 minutes)  
**Location:** Citywide  
**Action:** Workshop on the City's two wastewater systems presented for Council information, discussion with public comment heard from Mac Worthy.  
**Contact:** Bill Busath, Interim Engineering Manager, 808-1434 - Department of Utilities
- 24. 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.** (Continued from 9-20-11)  
**Report # 2011-00802**      **Estimated Time: 30 Minutes** (Actual Time: 0 minutes)  
**Location:** Citywide  
**Action: Continued.**  
**Contact:** Dave Brent, Engineering Manager, (916) 808-1420; Steve Harriman, Integrated Waste General Manager, 808-4949, Department of Utilities

- 25. Legislative Update [Oral Report]**  
**Report # 2011-00873**      **Estimated Time: 30 Minutes** (Actual Time: 7 minutes)  
**Location:** Citywide  
**Action:** End of Session legislative update presented by contract lobbyist, David Jones of Emanuels Jones & Associates.  
**Contact:** Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager

## Council Comments-Ideas, Questions and Meeting/Conference Reports

### 1. Report Back

- a. Member Kevin McCarty and Angelique Ashby
  - 1. New Orleans study mission with Chamber of Commerce regarding flood control, rebuilding, transformation and infrastructure challenges (AB1234)
- b. Member Steve Cohn
  - 1. Agendize anti-camping ordinance and the parameters surrounding the City Manager's ability to grant exceptions.
- c. Member Kevin McCarty
  - 1. Mobile application for citizen interaction such as available downtown parking and reporting municipal issues (code complaints).
  - 2. Briefing on solar and permitting process.
- d. Member Sandy Sheedy
  - 1. Medical marijuana fee extension discussion to bypass Law and Legislation.

Adjourned at 8:57 pm.