



**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, January 11, 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
Gus Vina, Interim 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)

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, January 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 Mayor Kevin Johnson at 6:07 p.m. Tuesday, January 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, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Pledge of Allegiance—led by Roman Phillips, student participant in Youth @ City Council Program.

Closed Session Report – None.

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

1. Safeguard and Homelessness
 - a. Raquel Pena
2. Citizen Auditor
 - a. Bill Grant
3. Code Enforcement
 - a. Doug Petersen
4. Health of Sacramento
 - a. Michael Harris
5. Youth Violence
 - a. Rhonda Erwin
6. Arrest Complaint
 - a. Lamont Houze
7. Arena Issues
 - a. Doug Tatara

Consent Calendar (Items 1- 15) Estimated Time: 5 minutes (Actual Time: 2 minutes)

Action: Moved/Seconded: Member Robert King Fong /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. 2011 Mayoral Appointments to Council Standing Committees and Regional Authorities, Agencies and Committees

Report ID #: 2011-00024

Location: (Citywide)

Action: Adopted 1) **Resolution No. 2011-007** confirming the Mayor's appointment of Councilmembers to Council standing committees, and various regional authorities, agencies and committees; and 2) **Resolution No. 2011-008** confirming the Mayor's appointment of Councilmembers to the Sacramento Regional County Sanitation District and Sacramento Area Sewer District Boards as required by SB1663.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

2. November 2010 Monthly Investment Transactions Report

Report ID #: 2011-00022

Location: (Citywide)

Action: Received and filed.

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Office of the City Treasurer.

3. Council Rules of Procedure (CRP) (Continued from 1-4-11)

Report ID #: 2011-00089

Location: Citywide

Action: Adopted **Resolution No. 2011-009 as amended** to include the agreed upon Council Norms and Expectations as discussed at Council's January 6, 2011 workshop; approving the Council Rules of Procedure modifying the Board and Commission vacancy announcement process.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

4. Heliport Approval Authority

Report ID #: 2011-00076

Location: (Citywide)

Action: Adopted 1) **Resolution No. 2011-010** delegating to the City Planning Commission authority to approve the plan of construction for new heliports; 2) **Resolution No. 2011- 011** approving the plan for construction of a helistop at Kaiser South Sacramento Hospital.

Contact: Lindsey Alagozian, Senior Planner, (916)808-2659, Community Development

5. **Contract: Title Report Search Services**
Report ID #: 2011-00014
Location: (Citywide)
Action: **Continued to January 18, 2011** a Resolution 1) awarding a contract for title report search services to Placer Title Company; and 2) authorizing the Interim City Manager or his designee to execute the Non-Professional Service Agreement with Placer Title Company for an amount not to exceed \$595,000.
Contact: Ron O' Connor, Operations Manager, (916) 808-8183, Community Development Department.

6. **Ordinance Amendment: Shovel Ready Investment Protection Ordinance (M10-020)** (Passed for publication on 1-4-11; Published on 1-7-11)
Report ID #: 2011-00026
Location: (Citywide)
Action: Adopted **Ordinance No. 2011-001** amending and pertaining to the three year extension of certain land use entitlements and building permits.
Contact: Sandra Yope, Senior Planner, (916) 808-715, David Kwong, Planning Manager, (916) 808-2691, Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

7. **Appropriation of Funds for Settlement Agreement Related to Fire Stations 20 and 30**
Report ID #: 2011-00023
Location: (Districts 1 and 2)
Action: Adopted **Resolution No. 2011-013** amending the FY2010/11 Capital Improvement Program (CIP) budget by appropriating \$200,000 in 2002 CIP Bond Funds (Fund 3002) contingency to the North Sacramento Fire Station Project (Fire Station 20, F13000600).
Contact: Reina J. Schwartz, Director, (916) 808-7195, Department of General Services.

8. **Amendment to Personnel Resolution Covering Unrepresented Officers and Employees**
Report ID #: 2011-00072
Location: Citywide
Action: Adopted **Resolution No. 2011-014** amending the Personnel Resolution Covering Unrepresented Officers and Employees in order to correct an error and omission.
Contact: Tosha Cherry, Support Services Manager, (916) 808-5498, Department of Human Resources.

9. New FY 2010/11 Ethel MacLeod Hart Trust Fund Projects

Location: (Citywide)

Action: Adopt **Resolution No. 2011-015** approving the following new Ethel MacLeod Hart Trust Fund projects for FY2010/11: a) the Ethel MacLeod Hart Fun Pass Program, in the amount of \$60,000; and b) programs, events, publications and facility enhancements commemorating the 50th Anniversary of the Hart Senior Center, in the amount of \$10,650.

Contact: Sylvia Fort, Recreation Manager (916) 808-8381, Department of Parks and Recreation.

10. El Camino Avenue Sidewalk Improvements (T15075203)

Report ID #: 2011-00012

Location: District 2

Action: Adopted **Resolution No. 2011-016** 1) establishing the El Camino Avenue Sidewalk Improvements Project (T15116300); and 2) transferring \$149,667 (Fund 3004) of District 2 CRCIP funds to the project.

Contact: Cecilyn Foote, Associate Civil Engineer, (916) 808-6843, Ryan Moore, Supervising Engineer, (916) 808-8279, Department of Transportation.

11. Approval to Submit Application for Urban Forestry and Urban Greening Leading Edge Projects Grant

Report ID #: 2011-00020

Location: (Citywide)

Action: Adopted **Resolution No. 2011-017** authorizing staff to submit an application to the State of California, Department of Forestry and Fire Protection for an Urban Forestry and Urban Greening Leading Edge Grant.

Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Department of Transportation.

12. Agreement: Legal Services for Water Supply, Water Resources and Water Rights Issues and Proceedings

Report ID #: 2011-00013

Location: (Citywide)

Action: Adopted **Resolution No. 2011-018** authorizing the City Attorney to: 1) enter into a Legal Services Agreement with Lennihan Law, a professional corporation, for Martha Lennihan to continue providing specialized legal services to the City with respect to water supply, water resources and water rights issues and proceedings, for an annual amount not to exceed \$150,000; and 2) renew the agreement after the initial one year term for up to four successive one-year renewals, provided that sufficient funds have been allocated in the City Council's annual budget appropriation for the applicable fiscal year(s).

Contact: Marty Hanneman, Director, (916) 808-7508, Department of Utilities, Joe Robinson, Senior Deputy City Attorney (916) 808-2009, Office of the City Attorney

13. **Agreement: Interstate 5 Corridor Landscape Design Phase 2**
Report ID #: 2011-00016
Location: (District 1)
Action: Adopted **Resolution No. 2011-019** authorizing the City Manager to execute the agreement with The HLA Group for design of the Interstate 5 Corridor Landscape Project – Phase 2, for a not to exceed amount of \$135,235.
Contact: Bill Busath, Interim Eng Manager, (916) 808-1434, Rick Batha, Supervising Eng, (916) 808-1448, Department of Utilities.
14. **Grant: Application and acceptance of California Emergency Management Agency's (CALEMA) Project Safe Neighborhood (PSN) Program Grant (#G11008800)**
Location: (Citywide)
Action: Adopted **Resolution No. 2011-020** 1) authorizing the City Manager or the City Manager's designee to apply for and accept \$56,000 in federal grant funding through the California Emergency Management Agency's Project Safe Neighborhood Program; 2) establishing a new grant project for the Project Safe Neighborhood Program; and 3) adjust the necessary grant revenue and expense budgets to implement the Project Safe Neighborhood Program (#G11008800).
Contact: David Johnson, Lieutenant, (916) 808-0652, Police Department.
15. **Railyards Proposition 1C Grant Agreement Assignment: 5th Street Extension Project (To Be Delivered)**
Report ID #: 2011-00003
Location: Railyards (District 1)
Action: **Continued to January 18, 2011** a Resolution 1) affirming approval of the agreement and General Release of Claims with the State Department of Housing and Community Development (HCD), S. Thomas Enterprises of Sacramento, LLC ("Thomas"), I.A. Sacramento Rail, L.L.C. ("Inland Rail") and IA Sacramento Development, L.L.C. ("Inland Development"), and Affirming Approval of the Contractor Release and Hold Harmless Agreements with Kimley-Horn and Associates, MCM Construction, Inc., Quincy Engineering, Inc., Teichert Construction, TKW Consulting, and Vali Cooper & Associates, Inc. to allow for payment of Transit Oriented Development (TOD) grant funds for work performed for the 5th Street Extension Project (T15029050); 2) ratifying the Letter Agreement with HCD and Inland Rail; 3) terminating the Assignment and Assumption Agreement for the TOD Contract between City and Thomas (City Agreement 2009-0905); 4) approving the Amendment to Standard Agreement and the Disbursement Agreement (City Agreement No. 2009-0904, the "TOD Contract") with HCD and Inland Development for the Railyards TOD grant; and 5) Approving the TOD Grant Assignment and Assumption Agreement with Inland.
Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Department of Transportation.

Public Hearings (Items 16- 18)

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

16. **Estimated Time: 1 hour**
Call-Up of New Residence of Alley at 2207 C Street (Noticed on 12-30-10)
Report ID #: 2011-00019
Location: (District 3)
Action: Moved/Seconded: Member Bonnie Pannell/Member Steve Cohn
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 continue to February 1, 2011.
Contact: David Hung, Associate Planner, (916) 808-5530, Community Development Department.
17. **Estimated Time: 5 minutes (Actual Time: 2minutes)**
Annexation No. 19 to the Neighborhood Park Maintenance Community Facilities District (CFD) No. 2002-02 (Noticed on 12-17-10)
Report ID #: 2011-00010
Location: (District 3)
Action: Moved/Seconded: Member Steve Cohn /Member Robert King Fong
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 no public comment; and upon conclusion a motion **passed** adopting **Resolution No. 2011-022** establishing the CFD annexation, providing for Levy of Special Tax and calling for a Special Election on January 28, 2011.
Contact: Diane Morrison, Program Specialist, (916) 808-7535, Finance Department.
18. **Estimated Time: 5 minutes (Actual Time: 2 minutes)**
Neighborhood Park Maintenance CFD 2002-02 Unanimous Consent Process
(Noticed on 12-8-10)
Report ID #: 2011-00011
Location: (Citywide)
Action: Moved/Seconded: Member Bonnie Pannell /Member Steve Cohn
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 no public comment; and upon conclusion a motion **passed** adopting **Resolution No. 2011-023** establishing the future annexation area and levying a special tax within annexed areas.
Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports – None.

Adjourned – 6:45p.m. in memory of Eleni (Helen) Angelidas, Kyle Caluya, Jan Marcus, Carol Martinez and General Vang Pao.