



**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, August 23, 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  
William H. Edgar, Interim 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, August 23, 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.

Regular session called to order by Mayor Kevin Johnson at 6:02 p.m. Tuesday, August 23, 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 Raymond Robertson, student participant in Youth @ City Council Program.

**Closed Session Report** – None.

**Public Comments-Matters Not on the Agenda** (Actual Time: 15 minutes)

1. Gentrification
  - a. Henry Harry
2. California Admission Day
  - a. Michael Harris
3. Kevin McCarty
  - a. Kimberley Moen
4. Sacramento Events
  - a. Terrence Johnson
  - b. Mike Barnbaum
5. Public Crosswalk
  - a. Annette Deglow
6. Oak Park Issues
  - a. David Wheat

**Consent Calendar (Items 1-14 and 19)** **Estimated Time: 5 minutes** (Actual Time: 18 minutes)

**Action:** **Moved/Seconded:** Member Bonnie Pannell/Steve Cohn

**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. Designation of Voting Delegate for League of California Cities Annual Conference**  
**Report # 2011-00749**  
**Location:** Citywide  
**Action:** Designated Kevin McCarty as voting delegate and Robert King Fong as alternate voting delegate to the 2011 League of California Cities Annual Conference.  
**Contact:** Shirley Concolino, City Clerk (916) 808-5442, Office of the City Clerk
- 2. Minutes Approval**  
**Report # 2011-00750**  
**Location:** Citywide  
**Action:** Approved City Council, Financing Authority, Housing Authority and Redevelopment Agency Minutes for July 12, July 19, and July 26, 2011.  
**Contact:** Shirley Concolino, City Clerk (916) 808-5442, Office of the City Clerk
- 3. Approval of Sacramento Employment and Training Agency (SETA) Operating Budget for Fiscal Year 2011-2012**  
**Report # 2011-00716**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-485** approving the Fiscal Year 2011-2012 Operating Budget for SETA in the amount of \$86,695,393.  
**Contact:** Roy Kim, Fiscal Department Chief, (916) 263-3814, Sacramento Employment and Training Agency
- 4. Contract Amendment: Barrett Sports Group, LLC**  
**Report # 2011-00760**  
**Location:** District 1  
**Action:** Adopted **Resolution No. 2011-486:** 1) approving a sole source contract with Barrett Sports Group, LLC for professional services in an amount not to exceed \$20,000; 2) authorizing the City Manager, or City Manager's designee, to execute the contract with Barrett Sports Group, LLC; and 3) authorizing the City Manager, or City Manager's designee, to transfer \$65,000 from the City's General Fund Administrative Contingency to the City Manager's Office Operating Budget.  
**Contact:** John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager
- 5. Recognition of Lesbian Gay Bisexual & Transgender Community of Interest**  
**Report # 2011-00751**  
**Location:** Citywide  
**Action: Moved/Seconded:** Member Robert King Fong/Sandy Sheedy  
**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson  
Removed from Consent Calendar by Member Robert King Fong and for public comment heard by Darrick Lawson; a motion **passed** adopting **Resolution No. 2011-487** recognizing Sacramento's Lesbian, Gay, Bisexual & Transgender community as a Community of Interest.  
**Contact:** Scot Mende, Principal Planner, (916) 808-4756, Community Development Department

- 6. Agreement: Cost Sharing FY2012-14 Water Forum Successor Effort**  
**Report # 2011-00683**  
**Location: Citywide**  
**Action:** Adopted **Resolution No. 2011-488** authorizing the City Manager or his designee to execute an Inter-Agency Funding Agreement with the El Dorado County Water Agency for cost sharing the FY2012-FY2014 Revenue Budget of the Water Forum Successor Effort in the amount of \$9,009.  
**Contact:** Sarah Foley, Program Manager, (916) 808-1997; Kathy Howard, Administrative Analyst, (916) 808-1995; City/County Office of Water Planning, Department of Utilities
- 7. Lower American River Salmonid Contracts: Spawning Gravel Augmentation Project (G14000200)**  
**Report # 2011-00714**  
**Location: Citywide**  
**Action:** Adopted **Resolution No. 2011-489** authorizing the City Manager or his designee to execute the necessary contracts and purchase orders for equipment rental with: 1) Holt of California dba The CAT Rental Store in the amount of \$94,885, plus \$7,000 for unanticipated damages and wear and tear to equipment and 2) with Hertz Equipment Rental Corporation in the amount of \$5,152, plus \$500 to cover unanticipated damages and wear and tear to equipment, for work associated with the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning.  
**Contact:** Sarah Foley, Program Manager, (916) 808-1997, Department of Utilities
- 8. Agreements: Sacramento Enterprise Zone**  
**Report # 2011-00682**  
**Location: Citywide**  
**Action:** Adopted **Resolution No. 2011-490** 1) certifying the Negative Declaration; 2) approving the Memorandum of Understanding with the State of CA Housing & Community Development Department ; and 3) approving the Interagency Memorandum of Understanding for the Sacramento Enterprise Zone.  
**Contact:** Dean Peckham, Senior Project Manager, (916) 808-7063, Economic Development Department
- 9. Sewer Credits- Northwest Land Park- Phase 1**  
**Report # 2011-00705**  
**Location:** 2570 3rd Street, District 4  
**Action:** Adopted **Resolution No. 2011-491**, awarding a total of 150.75 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to Northwest Land Park, LLC, for the project known as "Northwest Land Park- Phase 1."  
**Contact:** Jennifer Witz, Project Coordinator, (916) 808-2796, Economic Development Department

**10. Contract and Cooperative Purchase Agreements: Refuse Trucks**

**Report # 2011-00657**

**Location:** Citywide

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

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

Public comment heard from Craig Powell and a motion **passed** adopting **Resolution No. 2011-492:** 1) awarding a three-year contract to Sacramento Truck Center for the purchase of up to 53 refuse truck chassis in an amount not to exceed \$8,865,883; 2) approving the use of the Texas Buy Board cooperative purchase agreement (Contract No. 357-10) and the Houston-Galveston Area Council cooperative purchase agreement (Contract No. RC08-10) for the purchase of up to 53 side loading refuse truck bodies from Equipment Southwest, Inc. and Scranton Manufacturing Company, Inc., respectively, in an amount not to exceed \$6,968,307 through August 30, 2013 or until the contracts are no longer available for use; 3) authorizing the Interim City Manager or the Interim City Manager's designee to execute the contract and purchases specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s); 4) authorizing the City Treasurer to secure funding for the acquisition of up to 18 refuse truck chassis and bodies ("complete units"), and approve, execute, and deliver related financing documents; and 5) authorizing the Finance Director to amend the Solid Waste and Fleet Management expenditure budgets to reflect truck procurement and financing for up to 18 of the 53 complete units as secured by the Office of the City Treasurer.

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

**11. (Pass for Publication) Ordinance Amendment: Keeping of Hen Chickens**

**Report # 2011-00689**

**Location:** Citywide

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

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

Public comment heard from Andrew Baumbach, Charles Luce, Sarah Weaver, Victoria Aiken, Anthony Lew, Susan Ballew, Joe Calavita, and Darrel Ng; and a motion **passed** 1) Reviewing an Ordinance amending Section 9.44.340 and adding Article XI to Chapter 9.44 of the Sacramento City Code, relating to the keeping of chickens; 2) passing for publication the Ordinance title as required by Sacramento City Charter Section 32(c), to be adopted **August 30, 2011**, and to take effect on **November 1, 2011**; and 3) reviewing the proposed Rules and Regulations for the keeping of hen chickens.

**Contact:** Reina Schwartz, Director, (916) 808-7195, Department of General Services

12. **Naming Redding Avenue Park (Park Site FB1) “Mae Fong Park”**  
**Report # 2011-00726**  
**Location:** 3004 Redding Avenue, District 6  
**Action: Moved/Seconded:** Member Kevin McCarty/Robert King Fong  
**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson  
 Removed from Consent Calendar by Member Kevin McCarty and a motion **passed** adopting **Resolution No. 2011-493** naming Redding Avenue Park (Park Site FB1) “Mae Fong Park”.  
**Contact:** Nell Hessel, Program Analyst, (916) 808-5732; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
13. **Contract: McKinley Park Rose Garden Rehabilitation (L19137300) Project**  
**Report # 2011-00728**  
**Location:** 601 Alhambra Boulevard, District 3  
**Action:** Adopted **Resolution No. 2011-494:** 1) rejecting all bids received on April 27, 2011, for the project; 2) approving the contract plans and specifications for the project; 3) appropriating \$35,000 of Park Development Impact Fees (PIF), Fund 3204, to the project; 4) awarding the contract to Green Valley Landscape for improvements in the park for an amount not to exceed \$238,105; and 5) authorizing the City Manager, or City Manager’s designee, to execute the contract with Green Valley Landscape for the project.  
**Contact:** Dennis Day, Associate Landscape Architect, (916) 808-7633; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
14. **Contract: I to J Street from 20th to 27th Streetlight Installation Project (T15115300)**  
**Report # 2011-00707**  
**Location:** District 3  
**Action:** Adopted **Resolution No. 2011-495:** 1) approving plans and specifications for the project; 2) awarding the construction contract to All Phase Excavating in an amount not to exceed \$295,775; and 3) authorizing the City Manager to execute a contract with All Phase Excavating in an amount not to exceed \$295,775.  
**Contact:** John Matoba, Associate Engineer, (916) 808-7891; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Transportation

**Public Hearings (Item 15)**

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

15. **Northwest Land Park (P10-039)** (Noticed on 8-10-2011, Passed for Publication on 8-16-11, Published on 8-19-11)  
**Report # 2011-00613** **Estimated Time: 45 Minutes** (Actual Time: 35 minutes)  
**Location:** Area bounded by Broadway on the north, 5th Street on the east, McClatchy Way on the south, and I-5 on the west, District 4  
**Action: Moved/Seconded:** Member Robert King Fong/Sandy Sheedy  
**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson

Public comment heard from Applicant James Murar, Kevin Smith, Tina Thomas, Chris Holm and Teresa Rocha; and a motion **passed** adopting Conducted a public hearing and upon conclusion, a motion passed adopting 1) **Ordinance No. 2011-037** rezoning certain real property from Heavy Commercial (C-4) (1.4 acres), Light Industrial (M-1) (16.15 acres), Heavy Industrial (M-2) (10.65 acres) and Heavy Industrial Review (M-2-R) (3.5 acres) to Limited Commercial PUD (C-1-PUD) (1 acre), General Commercial PUD (C-2-PUD) (1.4 acres) and Multi-Family PUD (R-4-PUD) (29.3 acres), 2) **Ordinance No. 2011-038** approving a Development Agreement between the City Of Sacramento and Northwest Land Park, LLC; the CHY Company; CHY II; and Cousins Market, 3) **Resolution No. 2011-496** certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program for the Northwest Land Park Project, 4) **Resolution No. 2011-497** amending the City of Sacramento Bikeway Master Plan for Northwest Land Park, 5) **Resolution No. 2011-498** establishing the Northwest Land Park Planned Unit Development and approving Guidelines and Schematic Plan, and 6) **Resolution No. 2011-499** approving the Northwest Land Park Project's Phase 1 Tentative Map, Subdivision Modification, and Special Permit.  
**Contact:** David Hung, Associate Planner, (916) 808-5530, Gregory Bitter, Principal Planner, (916) 808-7816, Community Development Department

### Discussion Calendar (Item 16 - 18)

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

#### 16. Regional Delta Issues Strategy

**Report # 2011-00629 Estimated Time: 15 Minutes (Actual Time: 11 minutes)**

**Location:** Citywide

**Action: Moved/Seconded:** Member Robert King Fong/Angelique Ashby

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

Received an update on the Delta planning activities and a motion **passed** adopting **Resolution No. 2011-500** setting forth common principles for a Delta solution.

**Contact:** Marty Hanneman, Director, (916) 808-7508, Department of Utilities

#### 17. Project Development Team Options for the Entertainment & Sports Complex [Oral Report]

**Report # 2011-00768 Estimated Time: 15 Minutes (Actual Time: 8 minutes)**

**Location:** District 1

**Action:** Received and filed.

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

**18. (Pass for Publication) Council Redistricting**

Report # 2011-00669 **Estimated Time: 30 Minutes** (Actual Time: 300 minutes)

Location: **Citywide**

**Action: Moved/Seconded: Member**

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

Public Comment heard from Michael Boyd, Tim Jordan, Jimmie Yee, Cyril Shah, Joany Titherington, Andie Corso, J. Montano, Kristin A Smith, Pastor Robert Jones, Kevin S Carter, Empress Nontsikelelo, Margo Rose Brunson, Sylviana Moore, Ashley Berito, Milton Bowens, Carl A McLaney, Rosa Escutia, Reverend Gloria Clemins-White, KD Weldon, Alice Perez, Lea Allen, Sam Allen, Lyneete Hall, Mike Barnbaum, Pastor Wayne Sheppard, Robin Tatum, Heather Zenone, Marti Walker, Candy Pulliam, George Godfrey, Glen Korengold, Nicholas Lazzarini, Jeff Simon, Kerry Berg, Mike Bucho, Laura Badeker, Gordon Olson, Kathy Winkleman, Scott Berg, Eric Guerra, Terri Barron, Bill Motman, Wanda Brown, Fred Millar, Joan Barden, Dr. Jazz Kaur, Katie Roberts, A Ray Parr, David Deluz, Betty Williams, Marcia Ann Jones-Wylie, Joe Debbs, Cactus Ray, Tyrone Netters, Robert Tran, Julie Mumma, Enoch Woodhouse, Craig Powell, Sean Donahoe, James Patterson, Reverend Don Patterson, Jaseph Montoya, Alana Mathews-Davis, Russell Rawlings, Chris Nielson, David Covin, Jessie Ryan, Arsenio Mataka, Robin Datel, Stuart Eldridge, Dannetta Garcia, Derrell Roberts, Jon Marshack, Mark Rentz, Mac Worthy, Lea Crosey, Jason Griest, Ed Clark, Tim Boyd, Pastor Isaac Cotton, Quonzeles Byrd, Monica Hernandez, Genere Villacres;

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

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

**No:** Members Angelique Ashby, Jay Schenirer, and Mayor Kevin Johnson

Reviewed an Ordinance amending City Council District Boundaries and a **substitute motion passed**, passing for publication the Ordinance title as required by Sacramento City Charter Section 32c and including 1) Map D-Stockton Blvd clarifying Fruitridge Manor sliver district 3/district 6 boundary, 2) Sacramento High School in district 5, and 3) UC Davis Medical Center in district 6; to be adopted on **September 6, 2011**.

**Contact:** Scot Mende, Principal Planner, (916) 808-4756; Community Development Department Maria MacGunigal, IT Manager, (916) 808-7998, Information Technology Department

**19. Sacramento City Exempt Employees Association as the Exclusive Representative of Representation Unit 01**

**Report # 2011-00767**

**Location:** Citywide

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

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

Public comment heard from Murray Levinson and a motion **passed** adopting **Resolution No. 2011-502: 1)** acknowledging recognition of the Sacramento City Exempt Employees Association (SCXEA) as the exclusive representative of Representation Unit 01, Exempt Management; 2) authorizing the Interim City Manager or his designee to meet and confer with SCXEA regarding wages, hours and terms and conditions of employment of the employees in Unit 01 consistent with the City of Sacramento Employer-Employee Relations Policy and the Meyers-Milias Brown Act; and 3) amending the City of Sacramento Employer-Employee Relations Policy to move employees in Representation Unit 01 from an unrepresented group to a represented group.

**Contact:** John Green, Labor Relations Manager, (916) 808-5095, Department of Human Resources

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

**1. Report Back**

None.

**2. Board/Commission Appointments**

- a. Sacramento Metropolitan Arts Commission
  - 1. Heather Hutcheson (Category A-1, Incumbent)
  - 2. Carlin Naify (Category A-2, Incumbent)
- b. Sacramento Disabilities Advisory Commission
  - 1. Dawn Correia (Incumbent)
  - 2. Jessica Springer (Incumbent)
  - 3. Tina Beth Johnson
- c. Utility Rate Advisory Commission
  - 1. John Donlevy (Category B)
  - 2. Kevin Schubert (Category B)

**Adjourned** at 12:25 am.