



# Meetings of Sacramento City Council Financing Authority Housing Authority

## CITY COUNCIL

Kevin Johnson, Mayor  
Angelique Ashby, Vice-Mayor, District 1  
Allen Warren, District 2  
Steve Cohn, District 3  
Steve Hansen, District 4  
Jay Schenirer, District 5  
Kevin McCarty, District 6  
Darrell Fong, District 7  
Bonnie Pannell, District 8

# DRAFT Minutes

**Tuesday, January 29, 2013**

**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

James Sanchez, 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 recommendations; 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](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 29, 2013**  
**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 Angelique Ashby at 6:03 p.m. Tuesday, January 29, 2013 at the Sacramento City Hall Council Chamber.

**Members Present:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren

**Absent:** Steve Hansen and Mayor Kevin Johnson

**Pledge of Allegiance**– led by Youth at City Council representative Chinaly Sourivong.

**Closed Session Report** – None.

**Special Presentations/General Communications**

**a. Top Ten Digital Cities in America Award from Digital Cities**

**Action:** Recognition received by Gary Cook, City of Sacramento CIO

**b. Recognizing Tom Kirrene and Ray Warren**

**Action:** Resolutions presented by Member Darrell Fong

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

1. Accountability/Transparency
  - a. Tim Boyd
  - b. Dave Jenest
  - c. Mac Worthy

2. Measure U
  - a. George Raya
3. Homelessness
  - a. Irene Cardenas

**Consent Calendar (Items 1 - 10)** **Estimated Time: 5 minutes** (Actual Time: 1 minute)

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren

**Absent:** Steve Hansen and Mayor Kevin Johnson

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

- 1. 2013 Updated Conflict of Interest Code**  
**Report # 2013-00032**  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2013-0023:** 1) adopting the Conflict of Interest Code for the City of Sacramento; and 2) repealing Resolution 2011-663.  
**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Holly Charléty, Deputy City Clerk, (916) 808-7605, Office of the City Clerk
- 2. Contract Award: Florin Reservoir Pump Engine Repair and Reconditioning [2/3 Vote Required]**  
**Report # 2013-00033**  
**Location:** Citywide  
**Action:** Passed: 1) **Resolution No. 2013-0024** suspending competitive bidding, in the best interests of the City, for the repair and reconditioning of the Florin Reservoir Caterpillar pump engines, and 2) **Motion No. 2013-0025** awarding a nonprofessional service contract to Holt of California for the purchase of Caterpillar factory certified engine parts and factory trained and certified labor, for a term extending through June 30, 2015, and for a total amount not to exceed \$450,000 for the repair and reconditioning of all three Caterpillar engines.  
**Contact:** Pete Millino, Water & Sewer Superintendent, (916) 808-5173 - Department of Utilities
- 3. Contract Award: H/I Alley Sewer Replacement, 22nd-23rd Street Project**  
**Report # 2013-00044**  
**Location:** District 4  
**Action:** Passed **Motion No. 2013-0026** approving the contract plans and specifications for the project, and awarding the contract to Navajo Pipelines, Inc., for an amount not to exceed \$103,390.  
**Contact:** Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413 - Department of Utilities
- 4. Lease Agreement: Navin's Clothiers, Inc. (324 K Street)**  
**Report # 2013-00081**  
**Location:** 324 K Street/District 4  
**Action:** Passed **Motion No. 2013-0027:** 1) determining that, pursuant to City Code Section 3.68.110, the leasing of 324 K Street without bidding is in the best interest of the City; 2) authorizing the City Manager to execute a 6-year lease agreement with Navin's Clothiers, Inc. for retail space at 324 K Street; and 3) authorizing the City Manager to execute minor lease amendments in accordance with City Code Section 3.68.120.  
**Contact:** Denise Malvetti, Senior Project Manager, Economic Development Department, (916) 808-7064
- 5. Fiscal Year 2011/12 Sacramento City Employees Retirement System Annual Financial Report**  
**Report # 2013-00082**  
**Location:** Citywide  
**Action:** Received and filed.  
**Contact:** Dennis Kauffman, Finance Manager, (916) 808-5843, Finance Department

6. **Fiscal Year 2011/12 Child Development Program Audit Report  
Report # 2013-00083**  
Location: Citywide  
**Action:** Received and filed.  
Contact: Dennis Kauffman, Finance Manager, (916) 808-5843, Finance Department
  
7. **Fiscal Year 2011/12 Transportation Development Act Fund Audit Report  
Report # 2013-00084**  
Location: Citywide  
**Action:** Received and filed.  
Contact: Dennis Kauffman, Finance Manager, (916) 808-5843, Finance Department
  
8. **Campus Common Street Lighting Project (T15073303)  
Report # 2013-00045**  
Location: University Avenue, District 6  
**Action: Continued a Motion** 1) approving plans and specifications for the project; and 2) awarding the construction contract to M&M Electric in the amount of \$406,390 and authorizing the City Manager to execute the contract.  
Contact: Kaleb Haile, Senior Engineer, (916) 808-7020; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
  
9. **Sewer Credit Approval: Capitol Lofts  
Report # 2013-00092**  
Location: District 4  
**Action:** Passed: **Resolution No. 2013-0025** awarding 34.08 Treatment Capacity Bank Credits to the Capitol Lofts Project located at 1108 R Street (District 4).  
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department
  
10. **Authorization: Natomas Levee Improvement Program  
Report # 2013-00137**  
Location: Citywide  
**Action:** Passed: **Resolution No. 2013-0026** in support of federal authorization for the Natomas Levee Improvement Program.  
Contact: Randi Knott, Intergovernmental Relations Officer, (916) 808-5771, City Manager's Office

### Public Hearings (Item 11-13)

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

11. **Zoning Code Ordinance Amendment - Location of Medical Marijuana Dispensaries in Relation to Parks and K-12 Schools (M12-006)** (Noticed on 1-10-13; Passed for Publication on 1-22-13, Published on 1-25-13)  
**Report # 2013-00002** **Estimated Time: 30 Minutes** (Actual Time: 85 minutes)  
Location: Citywide  
**Action:** Moved/Seconded: Member Allen Warren /Member Jay Schenirer  
**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren  
**Absent:** Steve Hansen and Mayor Kevin Johnson

Conducted a public hearing with public heard from Tim Boyd, Shelby Lucero, Tom Korby, Bishop Ron Allen, Marvell Wilson, Ron Mullins, Sioux Colombe, Mac Worthy, Kevai Floyd, Jason Miller, Irene Cardenas, Lanette Davies, Mark Brouillett, Henry Harry, Richard Miller, Sherry Martinez, Pam Martini, Kimberly Cargile and Jennifer Stock; and upon conclusion, **continued an Ordinance to February 19, 2012** amending Section 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) relating to location requirements for medical marijuana dispensaries.

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

**12. Natomas Basin Habitat Conservation Plan Fee Adjustment** (Published on 1-11-13)  
**Report # 2013-00030** **Estimated Time: 15 Minutes** (Actual Time: 5 minutes)

**Location:** North & South Natomas, Districts 1, 3 and 4

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren

**Absent:** Steve Hansen and Mayor Kevin Johnson

Conducted a public hearing and upon conclusion passed **Resolution No. 2013-0027** adjusting the amount of the Natomas Basin Habitat Conservation Plan (HCP) fee, to be effective in 60 days.

**Contact:** Scot Mende, New Growth Manager, (916) 808-4756; Community Development

**13. Vacation of the Public Alley Bounded by 20th, 21st, C and B Streets North of Blues Alley** (Published on 1-15-13 and 1-23-13)

**Report # 2013-00042** **Estimated Time: 10 Minutes** (Actual Time: 3 minutes)

**Location:** District 4

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

**Absent:** Steve Hansen and Mayor Kevin Johnson

Conducted a public hearing and upon conclusion, passed **Resolution No. 2013-0028** vacating a portion of the public alley located north of C Street between 20th and 21st Streets.

**Contact:** Thomas Adams, Engineering Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

## Discussion Calendar (Item 14 - 16)

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

- 14. Fiscal Year FY2011/12 Comprehensive Annual Financial Report (CAFR)**  
**Report # 2013-00050**    **Estimated Time: 10 Minutes** (Actual Time: 17 minutes)  
**Location: Citywide**

**Action:**    Moved/Seconded: Member Allen Warren /Member Kevin McCarty  
**Yes:**        Members Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren  
**No:**         Angelique Ashby  
**Absent:**    Steve Hansen and Mayor Kevin Johnson

Passed **Resolution No. 2013-0029** accepting the FY2011/12 Comprehensive Annual Financial Report.  
**Contact:** Dennis Kauffman, Accounting Manager, (916) 808-5843, Department of Finance
  
- 15. Fiscal Year (FY) 2012/13 Midyear Budget Report**  
**Report # 2013-00051**    **Estimated Time: 60 Minutes** (Actual Time: 10 minutes)  
**Location: Citywide**

**Action:**    Moved/Seconded: Member Allen Warren /Member Kevin McCarty  
**Yes:**        Members Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren  
**No:**         Angelique Ashby  
**Absent:**    Steve Hansen and Mayor Kevin Johnson

Public comment heard from Mac Worthy, Tim Boyd, David Jenest, Henry Harry and Daryl Parker; passed **Resolution No. 2013-0030** 1) amending the FY2012/13 Approved Budget as necessary to implement the City's financial plan for the remainder of the year; and 2) authorizing the Director of Finance to implement the approved budget adjustments.  
**Contact:** Leyne Milstein, Director, (916) 808-8491, Department of Finance
  
- 16. Audit of Citywide Purchase Card Use**  
**Report # 2013-00072**    **Estimated Time: 5 Minutes** (Actual Time: 5 minutes)  
**Location: Citywide**

**Action:**    Moved/Seconded: Member Jay Schenirer /Member Darrell Fong  
**Yes:**        Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren  
**Absent:**    Steve Hansen and Mayor Kevin Johnson

Public comment heard from Mac Worthy; passed **Motion No. 2013-0029** approving the Auditor's Audit of Citywide Purchase-Card Use.  
**Contact:** Jorge Oseguera, City Auditor (916) 808-7270, Mayor/Council

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

### 1. Information Requests

#### a. Member Allen Warren

1. Agendize weekly updates on Kings' negotiations

### 2. Board/Commission Appointments

#### a. Planning and Design Commission

1. Rommel Declines (D8)

Adjourned – 8:55 p.m. in memory of Artivo Guerrero.