



**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 18, 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
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 Action; 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 18, 2011

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 6:00 p.m. Tuesday, October 18, 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, and Jay Schenirer and Mayor Kevin Johnson..

Pledge of Allegiance - led by Aloni Onodera, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 7 minutes)

1. Water Fluoridation
 - a. Amy Kozak
2. Senior Issues
 - a. Bill Grant

Consent Calendar (Items 1-17) **Estimated Time: 5 minutes** (Actual Time: 25 minutes)

Action: **Moved/Seconded:** Member Robert King Fong/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 # 2011-00892

Location: Citywide

Action: Confirmed board/commission appointment(s): 1) Sacramento Youth Commission – Christopher Crump and Janeicia Sanchez (Category A-8); Angela Thao, Laron Robinson, Jamil Ameer Barron and Diandra Dazzlen Escobedo (Category B-2).

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

2. **Minutes Approval**
Report # 2011-00889
Location: Citywide
Action: Approved City Council, Financing Authority, Housing Authority and Redevelopment Agency Minutes for August 23, August 30, September 6, September 13, September 20 and September 27, 2011.
Contact: Shirley Concolino, City Clerk (916) 808-5442, Office of the City Clerk
3. **Approval of 2012 Council Meeting Calendar**
Report # 2011-00666
Location: Citywide
Action: Adopted **Resolution No. 2011-565** as amended 1) approving the 2012 meeting schedule for the City Council, Financing Authority, Housing Authority, and Redevelopment Agency; and 2) designating four weeks in which regular meetings will not be held.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
4. **(Pass for Publication) Signs for Multi-Family Developments**
Report # 2011-00460
Location: Citywide
Action: **Moved/Seconded:** Member Bonnie Pannell/Angelique Ashby
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy, and Mayor Kevin Johnson.
Removed from the Consent Calendar for public comment heard from Mac Worthy and 1) Reviewed: a) a Resolution declaring the project exempt from environmental review; b) an Ordinance amending the Sign Code (City Code Title 15.148) relating to sign regulations for multi-family developments; c) Resolution No. 2011- setting fees under Title 15.08.050 of the Sacramento City Code relating to multi-family signs; and 2) passed for publication the Ordinance title as required by the Sacramento City Charter 32c to be **adopted October 25, 2011**.
Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department
5. **Agreement Addendum: Pre-Construction Services for the Community Center Theater Renovation Project**
Report # 2011-00866
Location: District 4
Action: Adopted **Resolution No. 2011-566** authorizing the City Manager or his designee to execute Supplemental Agreement No. 1 to City Agreement 2010-0678 with Kitchell CEM, Inc. to extend the term of the contract to October 30, 2012, and to amend the method of compensation to compensate Kitchell on a flat-rate basis for the remaining items to be completed within the scope of services, without increasing Kitchell's total compensation.
Contact: Tina McCarty, Administrative Officer, (916) 808-8220, Convention Culture and Leisure

6. **(Pass for Publication) Ordinance: Repeal Chapter 2.54 of the Sacramento City Code, Relating to the Small Business Development and Employment Advisory Board**
 Report # 2011-00874
 Location: Citywide
Action: Reviewed an Ordinance repealing Chapter 2.54 of the Sacramento City Code, related to the Small Business Development and Employment Advisory Board (SBDEAB) and passed for publication the Ordinance title as required by the Sacramento City Charter (32c) to be **adopted on November 1, 2011**.
Contact: Diana Sasser, Project Manager, (916) 808-5519, Economic Development Department
7. **First Amendment to Reimbursement Agreement for North 7th Street Electrical Undergrounding Project**
 Report # 2011-00865
 Location: River District (District 1)
Action: Adopted **Resolution No. 2011-567:** 1) repealing Section 2 of Resolution 2011-363; and 2) authorizing the City Manager or his designee to execute a first amendment to the reimbursement agreement with the Sacramento Regional Transit District for the construction of the North 7th Street Utility Underground Project (City Agreement 2010-1015) to increase the contract amount by \$31,702.
Contact: Diana Sasser, Project Manager, (916) 80-5519, Economic Development Department
8. **(Pass for Publication) Ordinance Amendment: Cardroom Ordinance Changes**
 Report # 2011-00883
 Location: Citywide
Action: **Moved/Seconded:** Member Steve Cohn/Angelique Ashby
Yes: Members Steve Cohn, Jay Schenirer, Sandy Sheedy, and Mayor Kevin Johnson.
No: Members Angelique Ashby, Robert King Fong, Kevin McCarty, Darrell Fong, and Bonnie Pannell.
 Pulled from consent calendar for public comment heard from Cheryl Schmit, James Butler, Tracey Buck-Walsh, and Mac Worthy; and 1) Reviewed an ordinance amending Chapter 5.32 of the Sacramento City Code, relating to cardroom operations and licenses, and 2) **a motion failed** passing for publication the ordinance title as required by Sacramento City Charter section 32(c) to be adopted October 25, 2011.
Contact: Brad Wasson, Revenue Manager, Finance Department (916) 808-5844; Matthew Ruyak, Supervising Deputy City Attorney (916) 808-5346
9. **FY2011/12 Staffing Realignment**
 Report # 2011-00905
 Location: citywide
Action: Adopted **Resolution No. 2011-568** authorizing 1) proposed staffing changes to address department's operational requirements, and 2) clarification of the use and classification of Staff Aides resulting from the implementation of the SCXEA bargaining units.
Contact: John Green, Labor Relations Manager, (916) 808-5095; Ken Cosgrove, Human Resources Manager, (916) 808-7473, Department of Human Resources

- 10. Grant: Acceptance of State Homeland Security Grant Program (SHSGP) Funding**
Report # 2011-00869
Location: Citywide
Action: Adopted **Resolution No. 2011-569:** authorizing the City Manager, or the City Manager's designee, to 1) accept \$563,187 in funding from the State Homeland Security Grant Program (SHSGP); 2) establish the SHSGP Project (#G11009300, #G11009310, #G11009320, G11009330; 3) establish and adjust the necessary grant revenue and expenditure budgets (#G11009300, #G11009310, #G11009320, #G11009330) to implement the SHSGP Project; 4) participate in the Federal Public Safety Procurement Program (PSPP) (also known as the Certified 1122 Program through California Emergency Management Agency [CalEMA]).
Contact: Alisa Buckley, Police Sergeant, (916) 808-0832, Police Department
- 11. J & Folsom, Lane Conversion Project (T15125400)**
Report # 2011-00821
Location: J Street (42nd Street to 56th Street) and Folsom Boulevard (34th Street to 47th Street), District 3
Action: Adopted **Resolution No. 2011-570:** 1) Establishing the J & Folsom, Lane Conversion Project (T15125400); and 2) Transferring \$300,000 from the FY12 Overlay and Seal Program (R15122000) to the J & Folsom, Lane Conversion Project (T15125400).
Contact: Mehrdad Nazeri, Associate Engineer (916) 808-7460; Nicholas Theocharides, Engineering Services Manager (916) 808-5065
- 12. Lease Agreement: 1003 L Street**
Report # 2011-00851
Location: 1003 L Street/District 4
Action: Moved/Seconded: Member Robert King Fong/Sandy Sheedy
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy, and Mayor Kevin Johnson.
Removed from consent calendar by Member Robert King Fong; and a motion **passed** adopting **Resolution No. 2011-571:** 1) finding that, pursuant to City Code Section 3.68.110, the leasing of 1003 L Street without bidding is in the best interests of the City; and 2) authorizing the City Manager to execute a 3-year lease agreement with Grebitus & Sons, Inc. for retail space located in Capitol Garage.
Contact: Paul Sheridan, Program Analyst, (916) 808-6817, Department of Transportation
- 13. Supplemental Agreement: Combined Sewer System Regulatory Compliance Support Services (I14120600)**
Report # 2011-00849
Location: Districts 3, 4, 5 and 6
Action: Adopted **Resolution No. 2011-572** authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 1 to City Agreement No. 2010-0969 with Larry Walker Associates, Inc., to provide Combined Sewer System Regulatory Support Services for FY2011/2012, for an amount not to exceed \$363,585.
Contact: Dave Brent, Engineering Manager, (916) 808-1420, Department of Utilities

14. **Contract: Interstate 5 Freeway Corridor Landscaping - Phase 2 (W1404100)**
Report # 2011-00693
Location: District 1
Action: Adopted **Resolution No. 2011-573** approving the plans and specifications for the project, and awarding the contract to Olympic Landscaping, for an amount not to exceed \$826,941.37.
Contact: Brett Grant, Supervising Engineer, (916) 808-1413; Mark Elliott, Associate Engineer, (916) 808-8894, Department of Utilities
15. **Gas Lease Termination and Settlement Agreement**
Report # 2011-00717
Location: District 3
Action: Adopted **Resolution No. 2011-574** authorizing City Manager or his designee to execute the Gas Lease Termination Agreement and Settlement Agreement with Gas Recovery Systems, LLC.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Marty Strauss, Superintendent (916) 808-4934, Department of Utilities
16. **Funding Agreement: Lower American River Salmonid Spawning Gravel Augmentation Project (G14000200)**
Report # 2011-00850
Location: Citywide
Action: Adopted **Resolution No. 2011-575:** 1) authorizing the City Manager or designee to execute Modification No. 2 to Cooperative Agreement No. 81332AJ004 with the U.S. Department of the Interior Fish and Wildlife Service to accept \$99,000 in additional funding for the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning; and 2) increasing Fund 7104 revenue and expense budgets for G14000200 \$99,000 to reflect the reimbursements from the U.S. Fish and Wildlife Service.
Contact: Kathy Howard, Admin Analyst, (916) 808-1995, Department of Utilities
17. **(Pass for Publication) Floodplain Management and Risk Notification Ordinance**
Report # 2011-00893
Location: Citywide
Action: 1) Reviewed the Flood Management and Risk Notification Ordinance repealing Chapter 17.156, and amending Chapters 15.104 and 15.108, of the Sacramento City Code, and 2) passed for publication the Ordinance title as required by Sacramento City Charter Section 32c to be **adopted on October 25, 2011.**
Contact: Connie Perkins, (916) 808-1914, Department of Utilities

Public Hearings (Item 18)

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

- 18. Urban Water Management Plan** (Noticed on 8/8/11 & 8/19/11) (Continued from 10/4/11)
Report # 2011-00596 **Estimated Time: 5 minutes** (Actual Time: 5 minutes)
Location: Citywide

Action: Moved/Seconded: Member 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.

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Resolution No. 2011-576** adopting the City's 2010 Urban Water Management Plan update.

Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

Discussion Calendar (Item 19 - 22)

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

- 19. First Year of the New Crocker Museum** (Oral Report)
Report # 2011-00836 **Estimated Time: 10 minutes** (Actual Time: 0 minutes)
Location: Citywide

Action: Continued to October 18, 2011.

Contact: Lial A. Jones, Executive Director, Crocker Art Museum; Barbara Bonebrake, Director, (916) 808-7733, Convention, Culture and Leisure Department

- 20. Entertainment & Sports Complex - Project Schedule**
Report # 2011-00910 **Estimated Time: 15 minutes** (Actual Time: 12 minutes)
Location: Districts 1, 3

Action: Received with public comment heard from Mac Worthy.

Contact: John Dangberg, Assistant City Manager, (916) 808-1222, City Manager's Office

- 21. Sacramento River Crossing**
Report # 2011-00880 **Estimated Time: 45 minutes** (Actual Time: 48 minutes)
Location: Various locations along the Sacramento River (District 4)

Action: Moved/Seconded: Member Robert King Fong/Sandy Sheedy

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 Christopher Cabaldon, Susan Bush, Larry Greene, Mark Abrahams, Kevin Greene, Tricia Hedahl, Matt Carpenter, Maureen Pascoe, Michael Faust, Conny Anderson, Hilda Martinez, Anne Geraghty, James Randlett, Patty Kleinknect; and a motion **passed** adopting **Resolution No. 2011-577:** 1) accepting the Sacramento River Crossings Alternatives Study Report; 2) endorsing the stakeholder process; 3) accepting the definition for a Neighborhood Friendly Bridge; 4) directing staff to seek funding for a feasibility study in order to identify preferred crossing locations; and 5) directing staff to eliminate a river crossing at Sutterville Road/Linden Road from further consideration.

Contact: Ryan Moore, Supervising Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065

22. Occupy Sacramento Update (Oral Report)

Report # 2011-00913 **Estimated Time: 45 minutes** (Actual Time: 123 minutes)

Location: District 1

Action: Received with public comment heard from John Krantz, Jan Rein, Laurie Funaroff, Lewis Redable, Tim Boyd, Kevon Lipscomb, Robert Arriaga, Brendan Bishop, Teri Sheets, Mark Sitton, Timothy Reeder, Scot Rogers, Russell Rawlings, Angie Bottomley, Kathleen Horton, Mac Worthy, Jeanie Keltner, Chelsea Villegas, Cesar Aguire, Nathaniel Mills, Christina Kay Plumb, Mark Bradley, Joel Ussery, Matt Woliver, Tracie Rice-Bailey, Hilary Brumley, Karen Bernal, Tiffany Clark, Cindy Sheehan, Kevin Carter, Anthony Gallardo, Jeff Kravitz, Sean Lahey, Arta Rashid, Patrick O’Kane, David Witkin, Sean Thompson, Ralph Hickman, Matt Joye and Jenny Barei.

Contact: Ken Bernard, Captain, Central Command, Field Services (916) 808-7267, Police Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Jay Schenirer

1. End of Year-Anti-gang activity and all prevention programs

b. Member Kevin McCarty

1. Local company preferences

2. Board/Commission Appointments

a. Sacramento Youth Commission

1. Scott Newman (District 7)

2. Nina Ngoc-Tien G. Pham (District 7)

Adjourned at 9:45 p.m.