



**Meetings of Sacramento
City Council
Redevelopment Agency
Housing Authority
Financing Authority**

DRAFT Minutes

Tuesday, July 27, 2010

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

CITY COUNCIL

Kevin Johnson, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Lauren Hammond, District 5
Kevin McCarty, District 6
Robbie Waters, Vice Mayor, District 7
Bonnie Pannell, District 8

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)

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DRAFT Minutes

Tuesday, July 27, 2010

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 6:02 p.m. Tuesday, July 27, 2010 at the Sacramento City Hall Council Chamber.

Members Present: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty Bonnie Pannell, Sandy Sheedy, Robbie Waters and Mayor Kevin Johnson.

Absent: Member Ray Tretheway.

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

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognizing the 30th Anniversary of D.A.R.T Team**

Action: Presented to Ron Roberts

- b. **Recognizing the NAACP Rhythm and Blues Festival**

Action: Withdrawn

- c. **Recognizing the Annual Fabric of Society Essay Competition De La Rosa and Company- 20th Anniversary Scholarship-Luther Burbank High School Student**

Action: Withdrawn

- d. **Recognizing the Volunteer Mentors**

Action: Withdrawn

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Public Comments-Matters Not on the Agenda (2 minutes per speaker)(Actual Time: 30 minutes)

- | | |
|---------------------------------------|--------------------------------|
| 1. Safeguard and Homelessness | 4. Local 39 Negotiations |
| a. Tracie Lee Bailey | a. Jenci Smith |
| 2. Utilities Rate Rollback Initiative | b. Luby Mitrovich |
| a. Craig Powell | c. Don Cook |
| b. Greg Hatfield | 5. Illegal Dumping |
| c. Ken Payne | a. Max Mendoza |
| d. Bob Blymer | 6. Storm Drainage |
| e. Rick Stevenson | a. Lee Middleton |
| 3. Senior Issues | 7. Layoffs/Demotions in Police |
| a. Bill Grant | a. Aaron Donato |

Consent Calendar (Items 1 - 19) Estimated Time: 5 minutes (Actual Time: 46 minutes)

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Robbie Waters and Mayor Kevin Johnson.

Absent: Member Ray Tretheway.

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

1. (City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for July 13, 2010.

Location: (Citywide)

Action: **Continued to 8-5-10** to approve the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for July 13, 2010.

Contact: Shirley Concolino, City Clerk (916) 808-7200, Office of the City Clerk.

2. Confirmation of Board and Commission Appointments

Location: (Citywide)

Action: Confirmed board/commission appointments to: 1) Animal Care Services – Meghan Hertel (Category C); 2) Ethel MacLeod Hart Advisory Committee – Diane Balter, Kathleen Lane and Peggy Roark; 3) Sacramento Heritage, Inc. Board of Directors – Richard Deutsch (Category A-5); 4) Sacramento Sports Commission – Pamela Johns (Category A) and Michael Ault (Category A) and 5) Sacramento Youth Commission – TreShawn Weatherspoon (Category A2), Riley Fricke and T’Keyah Greer (Category A4), Jessica Whelchel and Margarita Aguilar (Category A6) and Georgia Tate (Category B1)

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

3. Supplemental Agreement: Army Depot Master Lease

Location: Former Army Depot Site (District 6)

Action: Adopted **Resolution No. 2010-436** 1) approving and authorizing the City Manager or his designee to execute Amendment 8-a to the “Industrial Development Lease and Option to Purchase” (Master Lease), City Agreement No. 94-194, between the City of Sacramento and US Depot Lands, LLC.

Contact: Melissa Anguiano, Senior Economic Development Project Manager, (916) 808-5864, Economic Development Department.

4. **Agreement: Purchase of HealthEMS electronic Pre-Hospital Care Report (ePCR) System [2/3 Vote Required]**

Location: (Citywide)

Action: Adopted **Resolution No. 2010-437** 1) suspending competitive bidding in the best interests of the City for the purchase of Sansio-HealthEMS ePCR and 2) authorizing the City Manager, or his designee, to execute the HealthEMS Subscription Agreement, attached hereto as Exhibit A and incorporated by reference, for the purchase of Sansio-HealthEMS ePCR system in an amount of up to \$50,000 per year up for three years for a total of \$150,000 through June 30, 2013, with the option to renew for two additional one-year terms for a total expenditure not to exceed \$250,000, and authorize the City Manager, or his designee, to authorize such renewal(s), provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).

Contact: Joseph A. D. Jackson, Assistant Chief, (916) 264-8100, Fire Department.

5. **Contract Supplements: Purchase and Installation of Diesel Particulate Filters**

Location: (Citywide)

Action: **Continued to 8-10-10** to adopt a Resolution 1) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-228 with A-Z Bus Sales, Inc. in an amount not to exceed \$340,000 for a revised total contract amount not to exceed \$740,000; 2) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-229 with Cummins West, Inc. in an amount not to exceed \$500,000 for a revised total contract amount not to exceed \$1 million; and 3) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-230 with Iron Man Parts and Services in an amount not to exceed \$314,000 for a revised total contract amount not to exceed \$664,000.

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

6. **Basin 55 I & I Reduction Project (X14000800)**

Location: Residential areas in the City of Sacramento (District 4 and 7)

Action: Adopted **Resolution No. 2010-439** rejecting the single bid received for the Basin 55 I&I Project.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

7. **Personnel Resolution Covering Unrepresented Officers and Employees**

Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/Member Lauren Hammond

Yes: Members Steve Cohn, Lauren Hammond, Robbie Waters and Mayor Kevin Johnson.

No: Members Robert King Fong, Kevin McCarty, Bonnie Pannell and Sandy Sheedy.

Absent: Member Ray Tretheway.

Removed from Consent Calendar by Member Sandy Sheedy and a **substitute motion failed** adopting a Resolution a) approving the amended Personnel Resolution covering general administrative provisions, hours of work, and other terms and conditions of employment for unrepresented officers and employees; and b) adopting the FY 2010-11 salary schedules for unrepresented exempt management, exempt management support, administrative/confidential and non-career employees.

Contact: Geri Hamby, Director of Human Resources, (916) 808-7173, Tosha Cherry, Support Services Manager, (916) 808-5498, Human Resources Department.

Action: Moved/Seconded: Member Sandy Sheedy/Member Kevin McCarty

Yes: Members Robert King Fong, Kevin McCarty, Bonnie Pannell and Sandy Sheedy.

No: Members Steve Cohn, Lauren Hammond, Robbie Waters and Mayor Kevin Johnson.

Absent: Member Ray Tretheway.

A **motion failed** adopting a Resolution as amended **removing section 3.6** a) approving the amended Personnel Resolution covering general administrative provisions, hours of work, and other terms and conditions of employment for unrepresented officers and employees; and b) adopting the FY 2010-11 salary schedules for unrepresented exempt management, exempt management support, administrative/confidential and non-career employees.

Staff directed to return with data on the percentage of total represented employees that are currently eligible for the 5% increase and mandatory furlough; as well as the total number that would be eligible and are currently furloughed.

8. Purchase / Cooperative Agreements: Food For Recreation Programs [2/3 Vote Required]

Location: Multiple locations within and outside the City Limits

Action: Adopted **Resolution No. 2010-441** 1) authorizing the City Manager or the City Manager's designee to execute the application required for the City to renew its membership in the Mountain View Food Purchasing Cooperative (MVFPC); 2) approving use of cooperative purchasing agreements between MVFPC and Sysco Food Services of Sacramento (Sysco), The Danielsen Company (Danielsen), and West Coast Paper through July 31, 2011, for the Sacramento START snack program, The 4th "R" Child Care program, Camp Sacramento, Access Leisure camps and the Summer/Year-Round Food program as advantageous to the City; 3) authorizing the City Manager or the City Manager's designee to issue the required purchase orders under the referenced cooperative purchasing agreements in an amount not to exceed a total of \$980,426 through July 31, 2011; 4) suspending competitive bidding, in the best interests of the City by approving supplemental food purchases at Wal Mart Corporate, Costco, Smart and Final, and Raley's Family of Fine Foods in an amount not to exceed a total of \$344,250 through July 31, 2011; 5) authorizing the Department of Parks and Recreation to make purchases at local retail grocery providers with a purchase order or with purchase cards for all recreation programs.

Contact: David Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Recreation Manager, (916) 808-8958, Parks and Recreation Department.

9. Contract: Cover the Kids Program: County of Sacramento, Department of Human Assistance

Location: (Citywide)

Action: Adopted **Resolution No. 2010-442** authorizing the City Manager, or a designated representative, to execute a three-year agreement and any amendments thereto with the County of Sacramento, Department of Human Assistance to provide outreach, enrollment, retention and utilization of Medi-Cal services to children for the Fiscal Years (FY)2010/11, FY2011/12, and FY2012/13 for an amount not to exceed \$223,786

Contact: David Mitchell, Operations Manager, (916) 808-6076, Jennifer Kwan, Program Manager, (916) 808-3800, Parks and Recreation Department.

10. Cover the Kids Program: Child Action, Inc.

Location: (Citywide)

Action: Adopted **Resolution No. 2010-443** authorizing the City Manager, or a designated representative, to execute a three-year professional services agreement and any amendments thereto with Child Action, Inc. to provide outreach, enrollment, retention and utilization of healthcare services to children up to six years of age for the Fiscal Year (FY)2010/11, FY2011/12, and FY2012/13 for an amount not to exceed \$232,624.

Contact: David Mitchell, Operations Manager, (916) 808-6076, Jennifer Kwan, Program Manager, (916) 808-3800, Parks and Recreation Department.

11. Contract: Cover the Kids Program: Healthy Kids Healthy Future

Location: (Citywide)

Action: Adopted **Resolution No. 2010-444** 1) authorizing the City Manager, or his designated representative, to execute an agreement and any extensions or amendments related thereto with Healthy Kids Healthy Future, to provide staff services for this regional children's health initiative project; and 2) establishing revenue and expenditure grant budgets in the amount of \$100,334 to support the project from July 1, 2010, through June 30, 2011.

Contact: David Mitchell, Operations Manager, (916) 808-6076, Jennifer Kwan, Program Manager, (916) 808-3800, Parks and Recreation Department.

12. Grant/Agreement: Cover the Kids Program: First 5 Sacramento Commission

Location: (Citywide)

Action: Adopted **Resolution No. 2010-445** 1) accepting a grant for a total amount not to exceed \$6,007,000 from First 5 Sacramento Commission for the City's Cover the Kids (CTK) Program; and 2) authorizing the City Manager, or a designated representative, to execute all agreements and any extensions, amendments, re-applications or other documents related thereto with the First 5 Sacramento Commission as necessary for the City to accept a three-year First 5 grant with two, one-year renewal options for the purpose of providing the City's CTK program with approximately \$1,221,400 in each fiscal year (FY) for FY2010/11, FY2011/12, FY2012/13, FY2013/14, and FY2014/15.

Contact: David Mitchell, Operations Manager, (916) 808-6076, Jennifer Kwan, Program Manager, (916) 808-3800, Parks and Recreation Department.

13. Grant: Acceptance of 2010 Urban Area Security Initiative Funds

Location: Sacramento Regional Urban Area

Action: Adopted **Resolution No. 2010-446** 1) authorizing the City Manager, or the Chief of Police, as his designee, to accept \$3,157,829 in Urban Area Security Initiative grant funding from the California Emergency Management Agency; 2) authorizing the City Manager, or the Chief of Police, as his designee, to establish a project for the 2010 Urban Area Security Initiative (G11007400) grant; 3) authorizing the City Manager, or the Chief of Police, as his designee, to increase the necessary Police Department grant revenue and expense budgets to implement the 2010 Urban Area Security Initiative grant; and 4) authorizing the City Manager, or the Chief of Police, as his designee, to enter into agreements or memorandums of understanding, as necessary, to implement the 2010 Urban Area Security Initiative.

Contact: Stephen Quinn, Lieutenant, (916) 874-2172, Police Department.

14. **Contract: Tree Pruning and Removal Services** (Continued from 7-13-10; 7-20-10)
Location: (Citywide)
Action: Moved/Seconded: Member Lauren Hammond/Member Robbie Waters
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Robbie Waters and Mayor Kevin Johnson.
No: Members Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.
Absent: Member Ray Tretheway
Removed from consent Calendar for public comment heard from Marcia Mooney and a motion passed adopting **Resolution No. 2010-447** 1) awarding a one-year contract with four one-year renewal options to George Salinas Tree Preservation for tree pruning and removal services in a total amount not to exceed \$2,153,900 for the potential maximum five year term; and 2) authorizing the City Manager or the City Manager's designee to execute the contract and renewal options specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).
Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Sonny Eboigbe, Procurement Analyst, Procurement Services, (916) 808-7432, Transportation Department.
15. **Program Supplement: Streetcar Planning Study Project (T15115800)**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-448** 1) establishing the project; 2) appropriating \$310,000 in federal funds (Fund 3703) and transferring \$90,000 in local funds (Fund 2001) from the Major Street Improvements Project (T15108000) to the Streetcar Project; and 3) authorizing the City Manager to execute a Program Supplement with Caltrans.
Contact: Azadeh Doherty, Principal Planner, (916) 808-3137, Transportation Department.
16. **Howe Avenue Bridges Maintenance Project (T15115700); and I Street, J Street, and Jibboom Street Viaducts Maintenance Project (T15115600)**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-449** 1) establishing the Howe Avenue Bridges Maintenance Project; 2) transferring funds in the amount of \$1,005,900 to the Howe Avenue Bridges Maintenance Project; 3) establishing I Street, J Street, and Jibboom Street Viaducts Maintenance Project; and 4) transferring funds in the amount of \$610,000 to the I Street, J Street, and Jibboom Street Viaducts Maintenance Project .
Contact: Josh Werner, Assistant Engineer, (916) 808-8158, Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.

17. **Agreement: Solid Waste Collection Services**
Location: Various (Districts 1 and 3)
Action: Adopted **Resolution No. 2010-450** authorizing the City Manager or designee to execute an agreement and any amendments thereto with the California Parks Department, Capital District for the City to provide solid waste collection services for an annual amount not to exceed \$36,477.
Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, David Levine, Support Services Manager, (916) 808-7943, Utilities Department.
18. **Agreement: Solid Waste Collection Services**
Location: 1515 K Street (District 1)
Action: Adopted **Resolution No. 2010-451** authorizing the City Manager or designee to execute an agreement and any amendments thereto with the California Department of Corporations for the City to provide solid waste collection services for an annual amount not to exceed \$2,635.
Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, David Levine, Support Services Manager, (916) 808-7943, Utilities Department.
19. **Supplemental Agreement: FY 2010/11 Stormwater Monitoring Services (I14010200)**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-452** 1) authorizing the City Manager to execute Supplemental Agreement No. 2 to City Agreement No. 2008-0873 with Larry Walker Associates, Inc. (LWA), to provide Stormwater Monitoring Services for FY2010/11 for an amount not to exceed \$606,902 and 2) amending the FY2010/11 Revenue and Expenditure Budgets (Fund 6011) for the FY10-FY14 NPDES Program (I14010200) for reimbursement from the County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the costs in the amount of \$403,589.83.
Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Sherill Huun, Supervising Engineer, (916) 808-1455, Utilities Department.

Public Hearings (Items 20 and 21)

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

20. **Estimated Time: 10 minutes (Actual Time: 2 minutes)**
Village Garden Landscape Maintenance District No. 2010-03
Location: Includes Village Garden North Subdivision, Units 1 through 5 (District 2)
Action: Moved/Seconded: Member Sandy Sheedy/Member Robert King Fong
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Robbie Waters and Mayor Kevin Johnson.
Absent: Member Ray Tretheway.
 Conducted a public hearing with no public comment, and upon conclusion, a motion **passed** directing the City Clerk to 1) tabulate the assessment ballots submitted and not withdrawn before the hearing closed; and 2) report back as a Consent item on **August 5, 2010**, with the tabulation results.

Contact: Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

21. **Estimated Time: 5 minutes** (Actual Time: 2 minutes)
Mack Road Property and Business Improvement District (PBID) No. 2010-02
Location: Mack Road Commercial Corridor (District 8)
Action: Moved/Seconded: Member Bonnie Pannell/Member Lauren Hammond
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Robbie Waters and Mayor Kevin Johnson.

Absent: Member Ray Tretheway.

Conducted a public hearing with no public comment, and upon conclusion, a motion **passed** directing the City Clerk to 1) tabulate the assessment ballots submitted and not withdrawn before the hearing closed; and 2) report back as a Consent item on **August 5, 2010**, with the tabulation results.

Contact: Sini Makasini, Administrative Analyst, (916) 808-8243, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

Discussion Calendar/Staff Reports (Item 22)

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

22. **Estimated Time: 2 hours** (Actual Time: 1 hour and 8 minutes)
Ordinance: Medical Cannabis Dispensing Operations [To Be Delivered]
Location: (Citywide)
Action: Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Robbie Waters and Mayor Kevin Johnson.

Absent: Member Ray Tretheway.

Action: 1) Reviewed with public comment heard from Joy Cole, Richard Lester, Sarah Sinclair, Michael Aberle, Jeanne Larsson, Michael Melner, Larry Bell, Ryan Landers, Andre Gayett, Caleb Countis, Max Del Real, Jessica Swanson, George Mull, James Anthony, Mike Klein, and a motion **passed** approving the key components of the proposed Ordinance regulating Medical Cannabis Dispensing Operations and directing staff to 1) draft an ordinance incorporating: a) Option 3-Citywide Special Permits b) the 8 key components resolved by the Law & Legislation Committee, and c) options for the Zoning Administrator to expedite special permits for existing dispensaries who meet all the criteria, including no neighborhood complaints, above average security etc.; and 2) begin working on land use criteria for cultivation.

Contact: Michelle Heppner, Special Project Manager, (916) 808-1226, Office of the City Manager.

Information Reports (Item 23)

These items are for information only and are not eligible for action at this time.

23. Report Back: Department of Transportation Emergency Contract

Location: (Citywide)

Action: Received and filed.

Contact: Josh Werner, Assistant Engineer, (916) 808-8158, Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Lauren Hammond

1. Update on solid waste and damaged/broken cans during July 2010.

b. Member Kevin McCarty

1. Add a support position to Law and Legislation Committee log for AB 1998 (Solid waste: single-use carryout bags)

2. Board/Commission Appointments

None.

Adjourned – 8:45 p.m.