



**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 16, 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
William H. Edgar, 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.

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DRAFT Minutes

Tuesday, August 16, 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 6:03 p.m. Tuesday, August 16, 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 Nick Soliz, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (Actual Time: 150 minutes)

1. Council Redistricting
 - a. Jimmie Yee
 - b. Betty Williams
 - c. Pastor Linwood Gordon
 - d. Pastor Isaac Cotton
 - e. Sherwood Carthean
 - f. Fred Millar
 - g. Robin Datel
 - h. Alice Perez
 - i. Julian Lawrence
 - j. Mike Barnbaum
 - k. Robert Waste
 - l. Joany Titherington
 - m. Kristina Smith
 - n. Inmam DB Abdullah
 - o. Lea Allen
 - p. Tim Jordan
 - q. Joe Debbs
 - r. Katie Roberts
 - s. Sam Allen
 - t. Michael Boyd
 - u. Melinda Guzman
 - v. Julie Mumma
 - w. Ben Phillips-Lesenan
 - x. Raymundo Lujan
 - y. A Ray Parr
 - z. Susan McKee
 - aa. Shane Singh
 - bb. Joan Barden
 - cc. Empress Nontsikelelo
 - dd. Maureen Wanket
 - ee. Bonnie DeAngelis
 - ff. Jessica Brewer
 - gg. Janera Montano
 - hh. Michael Parilo
 - ii. Pastor Wayne Sheppard
 - jj. Kimberley Calton
 - kk. Henry Harry
 - ll. Chris Nielson
 - mm. Ron Emslie
 - nn. KD Weldon
 - oo. Deirdre Perkins-Moore
 - pp. Stuart Eldridge
 - qq. Mac Worthy
 - rr. Ronald Yokle
 - ss. Erika Bjork
 - tt. Lynette Hall
 - uu. Janet Maira
 - vv. Tyrone Netters
 - ww. Tim Boyd
 - xx. Michelle Parilo
 - yy. Ed Clark
 - zz. Alana Mathews-Davis
 - aaa. Dannelta Garcia
 - bbb. Pastor Efraim Williams

Consent Calendar (Items 1 - 16) Estimated Time: 5 minutes (Actual Time: 3 minutes)

Action: **Moved/Seconded:** Member Bonnie Pannell/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.

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

1. Confirmation of Board/Commission Appointments

Report # 2011-00734

Location: Citywide

Action: Confirmed board/commission appointment(s): 1) Community Racial Profiling Commission – Jerome Chapel (Category D-8); 2) Ethel MacLeod Hart Advisory Committee – Gloria J. Harmon (Category C); 3) Sacramento Sports Commission – Lizz Barringer-Lagomarsino (Category A) and Rhonda Smira (Category A-1); 4) Utilities Rate Advisory Commission – Steven Scott Archibald and Karen D. McBride (Category A).

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

2. City of Sacramento Investment Policy and Delegation of Investment Authority

Report # 2011-00558

Location: Citywide

Action: Adopted **Resolution No. 2011-467** 1) approving the Investment Policy governing the investment of City treasury pooled funds; and 2) delegating investment authority to the City Treasurer.

Contact: Russell T. Fehr, City Treasurer, (916) 808-5832, Bob Tokunaga, Senior Investment Officer, (916) 808-5340, Office of the City Treasurer

3. (Pass for Publication) Northwest Land Park (P10-039)

Report # 2011-00600

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: 1) Reviewed a) an Ordinance 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), b) an Ordinance approving a Development Agreement between the City Of Sacramento and Northwest Land Park, LLC; the CHY Company; CHY II; and Cousins Market, c) Resolution No. 2011- certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program for the Northwest Land Park Project, d) Resolution No. 2011- amending the City of Sacramento Bikeway Master Plan for Northwest Land Park, e) Resolution No. 2011- establishing the Northwest Land Park Planned Unit Development and approving Guidelines and Schematic Plan, and f) Resolution No. 2011- approving the Northwest Land Park Project's Phase 1 Tentative Map, Subdivision Modification, and Special Permit ; and 2) Passed for publication the Ordinance titles as required by Sacramento City Charter 32c and continue to **August 23, 2011** for adoption.

Contact: David Hung, Associate Planner, (916) 808-5530, Community Development Department; Gregory Bitter, Principal Planner, (916) 808-7816, Community Development Department

4. Funding Agreement: Lower American River Salmonid Spawning Gravel Augmentation Project (G14000200)

Report # 2011-00708

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn/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

A motion **passed** adopting **Resolution No. 2011-468:** 1) authorizing the City Manager or designee to execute Modification No. 1 to Cooperative Agreement No. 81332AJ004 with the U.S. Department of the Interior Fish and Wildlife Service to accept \$253,773.00 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 \$253,773.00 to reflect the reimbursements from the U.S. Fish and Wildlife Service.

Contact: Sarah Foley, Program Manager, (916) 808-1997; Kathy Howard, Administrative Analyst, (916) 808-1995, Department of Utilities

5. (Redevelopment Agency) 800 K and L Streets ERN Extension

Report # 2011-00706

Location: 8th and K/L Street, District 1

Action: Withdrawn by staff to adopt a **Redevelopment Agency Resolution:** authorizing the Executive Director or her designee, on behalf of the Redevelopment Agency, to 1) execute an amendment and extend by six months the term of the Exclusive Right to Negotiate Agreement (ERN) with 800 K Street, LLC (David S. Taylor Interests, Inc., and CIM Group) for the redevelopment of 800 to 816 K Street and 2) execute an amendment and extend by six months the term of the Exclusive Right to Negotiate Agreement (ERN) with 8th and L Partners, LP (David S. Taylor Interests, Inc., and Domus Development) for 809 to 815 L Street.

Contact: Sheri Smith, Project Manager, (916) 808-7204, Economic Development Department

6. Audit of City Revenue Collection [To Be Delivered]

Report # 2011-00721

Location: Citywide

Action: Accepted the City Auditor's Audit of City Revenue Collection.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the Mayor/City Council

7. Audit of Citywide Policies and Procedures [To Be Delivered]

Report # 2011-00722

Location: Citywide

Action: Accepted the City Auditor's Audit of Citywide Policies and Procedures.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the Mayor/City Council

8. **Contract: Camellia Park Community Garden and Phase 2 Improvements (L19202001 / L19202101)**
Report # 2011-00692
Location: 6650 Cougar Drive (District 6)
Action: Adopted **Resolution No. 2011-469:** 1) approving the contract plans and specifications for the project; (2) awarding the contract to JM Slover, Inc. for improvements in the park for an amount not to exceed \$142,230; and 3) authorizing the City Manager, or City Manager's designee, to execute the contract with JM Slover, Inc. for the project.
Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
9. **Supplemental Agreement: Cover the Kids Program**
Report # 2011-00712
Location: Citywide
Action: Adopted **Resolution No. 2011-470:** 1) authorizing the City Manager or designee to execute the Supplemental No. 1 to City Agreement No. 2010-0610 with First 5 Sacramento Commission (First 5) for the Cover the Kids Program to reduce the grant amount from \$6,007,000 to \$2,449,750 and to eliminate the two one-year renewal options; 2) authorizing the City Manager or his designee to enter into any additional amendments of the Cover the Kids program agreement with First 5, subject to approval as to form by the City Attorney, which may change the grant amount and/or agreement term as long as the amendment increases the maximum payment to the City by no more than \$500,000 or decreases the maximum payment by any amount, and any additional services by the Cover The Kids program can be fully funded with the additional compensation; and 3) authorizing the City Manager to adjust the necessary operating and grant revenue and expenditure budgets to implement the First Amendment and any subsequent amendments.
Contact: Murray Levison, Administrative Officer, (916) 808-6195, Dave Mitchell, Operations Manager, (916) 808-6076, Department of Parks and Recreation
10. **Grant: Justice Assistance Grant (JAG) (G11009100)**
Report # 2011-00672
Location: Citywide
Action: Adopted **Resolution No. 2011-471** authorizing the Interim City Manager, or the Interim City Manager's designee, to: 1) accept on behalf of the City of Sacramento a \$422,032 Edward Byrne Memorial Justice Assistance Grant (JAG) from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance (BJA); 2) establish a JAG Project; and 3) adjust the necessary revenue and expense budgets to implement the \$422,032 grant award.
Contact: James Beezley, Lieutenant, Fiscal Division, (916) 808-0854, Police Department.

- 11. Funding and Payment Authorization: 6th Street Bridges (T15098800)**
Report # 2011-00498
Location: District 1
Action: Adopted **Resolution No. 2011-472:** 1) increasing the authorized funding for the 6th Street Bridges design work by \$21,944 for a total authorization of \$1,154,671 to account for additional design costs; and 2) authorizing the City Manager or his designee to make final payment to Kimley-Horn and Associates, Inc., in an amount not to exceed \$75,526 and to Quincy Engineering, Inc., in an amount not to exceed \$9,811 for the preparation of final design plans for the 6th Street Bridges.
Contact: Hinda Chandler, Senior Architect, (916) 808-8422, Department of Transportation; Fran Halbakken, Railyards Development Project Manager, (916) 808-7194, Office of the City Manager
- 12. Ben Ali Neighborhood Traffic Management Program Project**
Report # 2011-00665
Location: The Ben Ali neighborhood is generally bound by Marconi Circle and Marconi Avenue on the north, Business 80 Freeway on the east, El Camino Avenue on the south and Auburn Boulevard on the west, District 3.
Action: Adopted **Resolution No. 2011-473** approving the Ben Ali Neighborhood Traffic Management Program (NTMP) Project - Phase 1 Traffic Calming Plan.
Contact: Debb Newton, Program analyst, (916) 808-6739; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Transportation
- 13. Annexation of a Portion of 55th Street into the Sutter Hospital Residential Permit Parking Area**
Report # 2011-00678
Location: Both sides of 55th Street, from H Street to J Street/Council District 3
Action: Adopted **Resolution No. 2011-474** annexing both sides of 55th Street, from H Street to J Street, into the Sutter Hospital Residential Permit Parking Area (A) and regulate with "Two Hour Parking, Except with Permit."
Contact: Matt Winkler, Operations General Supervisor, (916) 808-5579, Department of Transportation
- 14. Sacramento Area Council of Governments (SACOG) Bi-Annual Federal Programming Call for Projects**
Report # 2011-00687
Location: Citywide
Action: Adopted **Resolution No. 2011-475** approving the submission of projects to Sacramento Area Council of Governments (SACOG) for federal funding.
Contact: Ryan Moore, Supervising Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation
- 15. Freeport Boulevard Bike Lanes Project (K15125100)**
Report # 2011-00636
Location: Districts 4 and 5
Action: Adopted **Resolution No. 2011-476:** 1) establishing the project; 2) transferring \$200,000 from the 2012 Overlay and Seals Program (R15122000) to the project; and 3) transferring \$100,000 from the Bikeway Program (K15120000) to the project.
Contact: Cecilyn Foote, Associate Civil Engineer, (916) 808-6843; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

16. Parking Restrictions on Portions of U and V Streets

Report # 2011-00703

Location: North side of V Street from 45th Street to 48th Street and both sides of U Street from 45th to 48th Street, District 6

Action: Moved/Seconded: Member Kevin McCarty/Bonnie Pannell

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

Absent: Member Jay Schenirer

A motion **passed** adopting **Resolution No. 2011-477** modifying parking restrictions on portions of U and V Streets from "No Parking 8:00 a.m. to 6:00 p.m., Except with Permit " to "No Parking Any Time, Except with Permit."

Contact: Matt Winkler, Operations General Supervisor, (916) 808-5579, Department of Transportation

Public Hearings (Item 17 - 19)

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

17. Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens

(Noticed on 6-22-2011)

Report # 2011-00552 **Estimated Time: 5 Minutes** (Actual Time: 1 minute)

Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/Bonnie Pannell

Yes: Members Angelique Ashby, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy and Mayor Kevin Johnson

Absent: Members Steve Cohn and Jay Schenirer

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Resolution No. 2011-478 as amended** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183, Community Development Department

18. Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 7-13-11) **[To Be Delivered]**

Report # 2011-00590 **Estimated Time: 5 Minutes** (Actual Time: 1 minute)

Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/Bonnie Pannell

Yes: Members Angelique Ashby, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy and Mayor Kevin Johnson

Absent: Members Steve Cohn and Jay Schenirer

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Resolution No. 2011-479 as amended** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Robert Rose, Code Enforcement Manager, (916) 808-5947, Community Development Department

19. Solar Facilities Zoning Code Update (Noticed on 8-4-11; Passed for Publication on 8-9-11, Published on 8-12-11)

Report # 2011-00452 **Estimated Time: 5 Minutes** (Actual Time: 1 minute)

Location: Citywide

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

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

Absent: Member Jay Schenirer

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Ordinance No. 2011-036** amending various sections of Title 17 of the Sacramento City Code (Zoning Code) relating to commercial solar energy systems.

Contact: Sandra Yope, Senior Planner, (916) 808-7158, Community Development Department; Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

Discussion Calendar (Item 20 - 23)

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

20. Climate Action Plan [To Be Delivered]

Report # 2011-00604 **Estimated Time: 20 Minutes** (Actual Time: 12 minutes)

Location: Citywide

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

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 on Item 20, 21, and 22 heard from Joseph Hurley, Erick Rasmusson, John Ellison, Rick Bettis, Keith Roberts, Scott Whyte, Bruce Monighan, Martha Turner, Robert Chase; and a motion **passed** adopting **Resolution No. 2011-480** 1) adopting greenhouse gas reduction targets for 2020, 2030 and 2050; 2) adopting performance goals and specific greenhouse gas reduction measures identified to meet the 2020 target; and 3) Directing staff to prepare a Draft Climate Action Plan for public review based on the adopted targets, goals and reduction measures framework.

Contact: Tom Pace, Planning Manager, (916) 808-6848; Erik de Kok, Senior Planner, (916) 808-2022; Helen Selph, Assistant Planner, (916) 808-7852, Community Development Department

21. Green Development Code Update

Report # 2011-00606 **Estimated Time: 20 Minutes** (Actual Time: 10 minutes)

Location: Citywide

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

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

A motion **passed** adopting 1) **Resolution No. 2011-481** initiating the Green Development Code and directing staff to prepare a comprehensive update to the city's zoning, subdivision and other development regulations; 2) **Resolution No. 2011-482:** authorizing the City Manager to submit an application for grant funding under the State Sustainable Communities Planning Grant Program in the amount of \$1,000,000; and 3) **Resolution No. 2011-483** authorizing the City Manager to submit an application for grant funding under the Federal Community Challenge Planning Grant Program to secure funding in the amount of \$1,000,000.

Contact: Tom Pace, Planning Manager, (916) 808-6848; Jim McDonald AICP, CFM, Senior Planner, (916) 808-5723, Community Development Department

22. Green Building Program

Report # 2011-00605 **Estimated Time: 20 Minutes** (Actual Time: 10 minutes)

Location: Citywide

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

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

A motion **passed** adopting **Resolution No. 2011-484 as amended** to 1) Draft an ordinance adopting "Tier 1" of the California Green Building Standards Code, Title 24, Part 11 (CALGreen) as the City's green building standard; and 2) initiate a comprehensive planning and building permit fee study and report back to Council in early 2012.

Contact: Tom Pace, Planning Manager, (916) 808-6848; Erik de Kok, Senior Planner, (916) 808-2022; Jamie Cutlip, Assistant Planner, (916) 808-8684, Community Development Department

23. Urban Land Institute Report [To Be Delivered]

Report #2011-00752 **Estimated Time: 20 Minutes** (Actual Time: 25 minutes)

Location: Citywide

Action: Received with public comment heard from Mike Barnbaum and Mac Worthy; and filed.

Contact: John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Jay Schenirer

1. Analysis of the Cohn "Neighborhood Together 2.0" map to return on August 23rd with Medical Center and Oak Park Neighborhood put back in district 5
2. Volunteers and Prevailing Wage Ordinance re-adoption because of Dec 2010 Sunset

2. Board/Commission Appointments

None.

Adjourned at 9:40 pm