



# Meetings of Sacramento City Council Financing Authority Housing Authority

## CITY COUNCIL

Kevin Johnson, Mayor  
Angelique Ashby, Vice-Mayor, 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, District 8

# DRAFT Minutes

**Tuesday, November 20, 2012**

**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

Sandra Talbott, Interim 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 Recommendation; 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, November 20, 2012

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 Mayor Kevin Johnson at 6:00 p.m., Tuesday, November 20, 2012 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 Boy Scout Troop 50

**Closed Session Report** – None.

## **Special Presentations/General Communications**

### a. Introduction of Jinan China Delegation

**Action:** Member Steve Cohn welcomed and introduced

## Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time:13 minutes)

1. Homeless/Housing
  - a. Sandra Strong
  - b. Irene Cardenas
2. Transparency
  - a. Tim Boyd
  - b. Mac Worthy
3. Oak Park
  - a. Joan Emslie
  - b. Ron Emslie

## Consent Calendar (Items 1 - 8) **Estimated Time: 5 minutes** (Actual Time: 1 minute)

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

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

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

- 1. Minutes Approval**  
**Report # 2012-00636**  
**Location:** Citywide  
**Action:** Passed **Motion No. 2012-275** approving the Draft Minutes for September 4, September 11, September 18, September 27, October 2, October 9, October 16, October 23 and October 30, 2012.  
**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
- 2. (Pass for Publication) Ordinance Amendment: Journey Level Plumbers and The Board of Plumbing Examiners**  
**Report # 2012-00857**  
**Location:** Citywide  
**Action:** 1) Reviewed an Ordinance repealing Chapter 5.36 and adding Chapter 5.36 of the Sacramento City Code relating to Journey Level Plumbers and The Board of Plumbing Examiners; and 2) Passed for Publication the Ordinance title as required by Sacramento City Charter § 32(c) to be adopted on November 27, 2012.  
**Contact:** Steve Gorman, Deputy Building Official, (916) 808-8951; Elise Gumm, Administrative Analyst, (916) 808-1927, Community Development Department
- 3. (Pass for Publication) Ordinance Amendment: Construction Code Board Consolidation**  
**Report # 2012-00920**  
**Location:** Citywide  
**Action:** 1) Reviewed an Ordinance amending Section 2.16.100 and Section 2.40.030 of; repealing chapters 2.48, 2.49 and 2.50 of; adding chapter 2.48 to the Sacramento City Code relating to the construction code board of appeals; and repealing chapter 2.52 relating to the joint city/county disabilities appeal board; and 2) Passed for Publication the Ordinance title as required by Sacramento City Charter § 32(c) to be adopted on November 27, 2012.  
**Contact:** Ryan DeVore, Chief Building Official, 916-808-8860; Elise Gumm, Administrative Analyst, 916-808-1927
- 4. Agreement: Greenberg Traurig LLP Federal Legislative Services**  
**Report # 2012-00855**  
**Location:** Citywide  
**Action:** Passed **Motion No. 2012-276 as amended** authorizing the City Manager or the City Manager's designee to sign a Professional Services Agreement with Greenberg Traurig to provide federal legislative services for a period of one year, in an amount not to exceed \$121,837.50.  
**Contact:** Bill Busath, Interim Engineering Manager, (916) 808-1434 - Department of Utilities

5. **Contracts: Valley Elderberry Longhorn Beatle (VELB) Mitigation and Budget Augmentation for Water Treatment Plants Rehabilitation Project**  
**Report # 2012-00876**  
**Location:** District 1  
**Action:** Passed **Resolution No. 2012-391:** 1) amending the Water Treatment Plants Rehabilitation Project (Z14000600) by a transfer of \$650,000 (Water Fund 6005) from the Water Based CIP Reserve Project (Z14000700), and 2) Passed **Motion No. 2012-277:** a) awarding a contract to Wildlands Inc. to transplant 18 elderberry bushes, in the amount of \$22,605, b) awarding a contract to Sacramento River Ranch LLC for the purchase of 69 VELB conservation credits, in the amount of \$241,500, and c) authorizing the City Manager or the City Manager's designee to sign all documents necessary to implement the contracts.  
**Contact:** Bill Busath, Interim Engineering Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
6. **(Redevelopment Agency Successor Agency/City Council) Assignment of the Master Owner Participation Agreement and Agency Funding Agreement (MOPA) and 1012-1022 K Street Project Agreements, Transfer of the Sheraton Proceeds and Establishment of the Sheraton MOPA Fund**  
**Report # 2012-00707**  
**Location:** Downtown/District 4  
**Action:** Passed 1) **Redevelopment Agency Successor Agency Resolution No. 2012-007** a) assigning the Master Owner Participation Agreement and Agency Funding Agreement (MOPA) and 1012-1022 K Street Project Agreements with Taylor/CIM Redevelopment Company LLC to City of Sacramento (City), and b) authorizing Transfer of the Sheraton Proceeds to the City; and 2) **City Council Resolution No. 2012-392** a) accepting Assignment of the MOPA and 1012-1022 K Street Project Agreements and the transfer of the Sheraton Proceeds, (b) Establishing the Sheraton MOPA Fund, and c) authorizing the City Manager or his designee to establish a revenue and expenditure budget for the Sheraton MOPA Fund.  
**Contact:** Leslie Fritzsche, Senior Project Manager, (916) 808-5450, Economic Development Department
7. **Contract: Four-Wheel Drive Tractor/Mower and Trailer**  
**Report # 2012-00911**  
**Location:** Citywide  
**Action: Withdrawn** a Resolution: 1) authorizing the City Manager or the City Manager's designee to: a) decrease the expenditure reimbursement budget for the Department of Utilities in the North Natomas Lands CFD 3 Fund (Fund 2230) in the amount of \$96,975; b) increase the expenditure budget in the Department of Utilities multi-year operating project for replacement vehicles and equipment (106013143, North Natomas Lands CFD 3 Fund, Fund 2230) in the amount of \$96,975; c) increase the expenditure and revenue budgets in the Department of General Services (Fleet Fund, Fund 6501) in the amount of \$96,975; 2) resetting the City Manager's administrative authority for modifications to all revenue and expenditure budgets specified above; 3) awarding a contract to Contour Sierra AEBI Terratrak LLC for the purchase of one replacement four-wheel drive tractor/mower and trailer in an amount not to exceed \$217,079; 4) authorizing the City Manager or the City Manager's designee to execute the contract specified above.  
**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department

**8. 65th Street Bike Lane Project (K15135000)**

**Report # 2012-00903**

**Location:** 65th Street between 4th Avenue and Folsom Boulevard, Districts 3 and 6.

**Action:** Passed **Resolution No. 2012-394:** 1) establishing the 65th Street Bike Lane Project (K15135000) as a new Capital Improvement Program project; 2) appropriating \$303,000 (Fund 3704) to the 65th Street Bike Lane Project (K15135000); 3) transferring \$150,000 (Fund 2025) from the Bikeway Program (T15100000 - \$46,376 and K15120000 - \$103,624) to the 65th Street Bike Lane Project (K15135000); and 4) authorizing the City Manager to execute the State-Local Agency Funding Agreement.

**Contact:** Lucinda Willcox, Program Manager, (916) 808-5052; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**Public Hearings (Item 9)**

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

**9. Temporary Street Closure and Restrictions of 5 Alleys Located in Council District 2**

[Noticed on 11-8-12]

(Actual Time: 3 minutes)

**Report # 2012-00787**

**Location:** District 2

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

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

**Absent:** Member Jay Schenirer and Mayor Kevin Johnson

Conducted a public hearing and upon conclusion passed 1) **Resolution No. 2012-395** authorizing the temporary closure of the four alleys bounded between El Camino Avenue, Arden Way, Western Avenue and Boxwood Street to through vehicular and pedestrian traffic and removing the restriction to vehicular and pedestrian traffic for the alley bounded by Del Paso Boulevard, Fairfield Street, Calvados Avenue and Oxford Streets previously authorized pursuant to resolution 2004-122; and 2) **Resolution No. 2012-396** authorizing the restriction of vehicular and pedestrian traffic through the alley bounded by Dixieanne Ave, El Camino Ave, Boxwood and Empress Streets within Council District 2 residential community.

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

**Discussion Calendar (Items 10 - 15)**

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

**10. Medical Marijuana Cultivation (M12-008)**

**Report # 2012-00908**      **Estimated Time: 60 Minutes** (Actual Time: 63 minutes)

**Location:** Citywide

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

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

**No:** Members Jay Schenirer and Steve Cohn

**Absent:** Mayor Kevin Johnson

Public comment given by Richard Miller, Courtney Sheats, Michael Backes, James Anthony, Jim Burris, Linda Burris, Mac Worthy, Sherry Jackson-Curtis, Ron Emslie, Estella Drake, Ryan Landers, Mark Brouillet, George Mull, rev. Kerif Lawrence, Kimberley Cargile, Sioux Colombe, Ron Bullins and Lanette Davies; **passed Ordinance No. 2012-045** amending Chapter 8.04.100 and add Chapter 8.132 to Title 8 of the Sacramento City Code related to Medical Marijuana Cultivation.

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

**11. Agreement: Sacramento Sports Commission**

**Report # 2012-00877**      **Estimated Time: 20 Minutes** (Actual Time: 15 minutes)

**Location:** Citywide

**Action:**      Moved/Seconded: Member Jay Schenirer /Member Angelique Ashby  
**Yes:**           Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy and Jay Schenirer.  
**Absent:**       Mayor Kevin Johnson

Public comment given by Mac Worthy and Jason Briggs; **passed 1) Ordinance No. 2012-046** Repealing Chapter 2.88 of the Sacramento City Code Relating to the Sacramento Sports Commission; and 2) **Resolution No. 2012-397** authorizing the City Manager or his designee to (a) execute a ten-year agreement with the Sacramento Convention and Visitors Bureau to provide sports marketing and event production within the Sacramento region at a cost of \$141,600 annually to the City, with reimbursement to the City for the right to perform the services totaling \$400,000 by May 1, 2017; (b) establish budgets to fund \$141,600 for sports marketing and events to be managed by the SCVB and to transfer any remaining balance of the Sports Commission Fund (Fund 7108) to the SCVB and eliminate the Sports Commission Fund (Fund 7108); (c) terminate City Agreement 2006-0257 (Memorandum of Understanding Between the City of Sacramento and the Sacramento Convention and Visitors Bureau Regarding the Sacramento Sports Commission; and (d) terminate City Agreement 2010-0546 (Memorandum of Understanding between the City of Sacramento and the Sacramento Region Sports Education Foundation).

**Contact:** Barbara E. Bonebrake, Director (916), 808-7733, Convention Culture and Leisure

**12. Establishment of the City's Pool of Underwriters and Investment Bankers for Fiscal Years 2012/13 Through 2016/17**

**Report # 2012-00900**      **Estimated Time: 10 Minutes** (Actual Time: 10 minutes)

**Location:** Citywide

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

Passed **Resolution No. 2012-398** 1) a) approving a pool of firms to provide underwriting and investment-banking services to the City for a period of five years for fiscal years 2012/13 through 2016/17 and, b) authorize the City Treasurer to select firms from the pool to participate on City financing projects; and 2) directed staff to prepare a report regarding theater and community center bond issuance as it relates to the General Fund.

**Contact:** Russell T. Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer; Janelle Gray, Debt Manager, (916) 808-8296, Office of the City Treasurer

**13. Utility Rate Assistance Program**

**Report # 2012-00658**      **Estimated Time: 15 Minutes** (Actual Time: 7 minutes)

**Location:** Citywide

**Action:** Received and filed with direction to staff.

**Contact:** Dave Brent, Interim Director, (916) 808-1420; Jamille Moens, Business Services Manager, 808-5988, Department of Utilities

**14. Ordinance: Authorizing Amendment to the California Public Employees' Retirement System Contract** (Passed for Publication October 30, 2012, published on 11-2-12)

**Report # 2012-00929**      **Estimated Time: 5 Minutes** (Actual Time: 2 minutes)

**Location:** Citywide

**Action:**      Moved/Seconded: Member Jay Schenirer /Member Sandy Sheedy

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

**Absent:**      Mayor Kevin Johnson

Passed **Ordinance No. 2012-047** amending the contract between the Board of Administration California Public Employees' Retirement System and the City of Sacramento

**Contact:** Geri Hamby, Director of Human Resources, (916) 808-7173; Denise Deprato, Support Services Manager, (916) 808-8249, Department of Human Resources

**15. (Housing Authority) Selection of a Development Team to serve as Master Developer for the Proposed Revitalization of the Marina Vista and Alder Grove Conventional Public Housing Sites**

**Report # 2012-00861**      **Estimated Time: 40 Minutes** (Actual Time:145 minutes)

**Location:** District 4

**Action:**      Moved/Seconded: Member Robert King Fong /Member Kevin McCarty

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

**Absent:**      Mayor Kevin Johnson

Public comment given by Dan Hood, Charlotte Delgado, David Mogavero, William Harren, Barbara Stanton, Mark Abrahams, Ron Emslie, Tim Boyd, Thomas Davis, Glen Walter Brinkly, Jeff Setzer, James Murar, Tina Thomas, Diana Gin, Mark Meeks, Lina Braunstein, Luree Stetson, James McMurray, Michelle Johnston, Craig Chaffee, Susan Manuel, Koreen Martone, Nicole Amador, Carl Huppert, Mark Davenport and Mac Worthy; and passed **Motion No. 2012-301** to direct Housing Authority Executive Director LaShelle Dozier to work with City Manager John Shirey to develop a community engagement process and to return on January 8 with the defined process and continue the approval of the selection of the master developer until the community engagement process has been agreed upon.

**Contact:** Chris Pahule, Program Manager, (916) 440-1350; Nick Chhotu, Assistant Director, (916) 440-1334, Sacramento Housing and Redevelopment Agency

**Council Comments-Ideas, Questions and Meeting/Conference Report - None.**

**Adjourned – 10:22 p.m.**