



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, March 27, 2012

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, March 27, 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 6:07 p.m. Tuesday, March 27, 2012 at the Sacramento City Hall Council Chamber.

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

Pledge of Allegiance led by Youth @ City Council, Jack Parrish.

Closed Session Report-None.

Special Presentations/General Communications

a. Recognizing Sacramento Housing Redevelopment Agency Advisory Committees

Action: Presented by LaShelle Dozier, Executive Director SHRA.

b. Recognizing Cesar Chavez March and Day of Service and Learning

Action: Presented by Member Kevin McCarty.

c. Recognizing the 75th Anniversary of McClatchy High School

Action: Presented by Members Darrell Fong and Jay Schenirer

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual: 17 minutes)

1. Woman of the Year-Angelique Ashby
 - a. Dr. Richard Pan
2. Entertainment and Sports Complex
 - a. James Battles
 - b. Jeff Johnson
 - c. Ron Loutzenhiser
 - d. Mike Tavares
3. Oak Park Issues
 - a. Ron Emslie
4. NAACP
 - a. Mac Worthy
5. Senior Issues
 - a. Bill Grant
6. Occupy Sacramento-Homelessness
 - a. Sean Thompson
 - b. Susan Bush
 - c. Niki
7. Rose Garden
 - a. Jesse Alexander
8. Trevon Martin
 - a. Kevin Carter

Consent Calendar (Items 1 - 22) Estimated Time: 5 minutes (Actual: 32 minutes)

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

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 Successor Agency Oversight Board Appointments

Report # 2012-00317

Location: Citywide

Action: Passed **Motion 2012-070** confirming appointments to the Successor Agency Oversight Board: 1) Councilmember Jay Schenirer as the City of Sacramento's representative; and 2) La Shelle Dozier as representative of the largest represented unit of former employees of the redevelopment agency.

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

**2. Purchase of Copiers/Multi-Function Device (MFD) Services [2/3 Vote Required]
[To Be Delivered]**

Report # 2012-00276

Location: Citywide

Action: Passed **Motion 2012-071**: 1) determining that it is in the best interests of the city to suspend competitive bidding for the purchase of copiers/multi-function device (MFD) services; 2) suspending competitive bidding for the purchase of copiers/multi-function device (MFD) services; and 3) authorizing the use of an alternative Request for Proposal (RFP) solicitation process for a copier/multi-function device (MFD) services provider.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office; Craig Lymus, Procurement Manager, (916) 808-5524, General Services Department

3. February 2012 Monthly Investment Transactions Report

Report # 2012-00270

Location: Citywide

Action: Received and filed.

Contact: John Colville, Chief Investment Officer, Office of the City Treasurer, (916) 808-8297, Office of the City Treasurer

**4. Agreement: Water Service Agreement for the East Natomas Education Complex
Report # 2011-00704**

Location: District 1

Action: Moved/Seconded: Member Angelique Ashby/Sandy Sheedy

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

Public comment heard from Nick Avdis and passed **Motion 2012-072** authorizing the City Manager or the City Manager's designee to execute a Water Service Agreement with the Twin Rivers Unified School District.

Contact: Dan Sherry, Supervising Engineering, (916) 808-1419; Robert Armijo, Senior Engineer, (916) 808-1411, Department of Utilities

- 5. Contract Award: Reconstruction of Miscellaneous Sewer Manholes 2012 (X14110400)**
Report # 2012-00266
Location: Citywide
Action: Passed **Motion 2012-073** approving the contract plans and specifications for the Reconstruction of Miscellaneous Sewer Manholes 2012 project, and awarding the contract to Navajo Pipelines Inc., for an amount not-to-exceed \$103,150.
Contact: Bill Busath, Interim Engineering, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413 - Department of Utilities
- 6. Contract Award: Rehabilitation of Well 134, 154, 156, 159 [2/3 Vote Required]**
Report # 2012-00267
Location: Citywide
Action: Passed **Resolution 2012-075** 1) rejecting all bids for the Rehabilitation of Well 134, 154, 156 and 159 contract; 2) suspending competitive bidding in the best interests of the City; and 3) approving the contract plans and specifications and awarding the contract to Layne Christensen Company, for an amount not to exceed \$539,809.
Contact: Bill Busath, Interim Engineer Manager, (916) 808-1434; Dan Sherry, Supervising Engineering, (916) 808-1419, Department of Utilities
- 7. Contract Award: Sump 112 Electrical Improvements Project**
Report # 2012-00274
Location: District 7
Action: Passed **Motion 2012-074** approving the contract plans and specifications for the Sump 112 Electrical Improvements Project, and awarding the contract to JR Sharp Construction, for an amount not to exceed \$155,990.
Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Dave Hansen, Supervising Engineer, (916) 808-1421, Department of Utilities
- 8. Contract: S Street Brick Sewer Replacement - 14th to 17th Street (X14010036)**
Report # 2012-00218
Location: District 4
Action: **Moved/Seconded:** Member Bonnie Pannell/Steve Cohn
Yes: Members Angelique Ashby, Steve Cohn Darrell Fong, Robert King Fong, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson
Abstain: Member Kevin McCarty
Passed **Motion 2012-075** approving the contract plans and specifications for the S Street Brick Sewer Replacement, 14th to 17th Street Project (X14010036), and awarding the contract to Florez Paving, for an amount not to exceed \$794,353.50.
Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

9. **(Pass for Publication) Ordinance Amendments: Local Business Enterprise (LBE) Program and Procurement Streamlining**
Report # 2012-00304
Location: Citywide
Action: 1) Reviewed an Ordinance amending Sections 3.56.020, 3.60.020, and Article VIII of Chapter 3.60 of the Sacramento City Code, relating to the Local Business Enterprise (LBE) Program; 2) reviewed an Ordinance amending Section 3.54.040 of Chapter 3.54 of the Sacramento City Code, relating to non-discrimination in the provision of benefits; and 3) passed for publication the ordinance titles as required by Sacramento City Charter 32(c), to be adopted on April 3, 2012.
Contact: Melissa Anguiano, Economic Development Manager, (916) 808-5864, Economic Development Department
10. **Resolution of Intention: Sacramento Tourism Marketing District No. 2012-07**
Report # 2012-00243
Location: Citywide
Action: Passed 1) **Resolution 2012-076** of Intention establishing Sacramento Tourism Marketing District No. 2012-07; and 2) **Resolution 2012-077** requesting consent of the County of Sacramento to establish the Sacramento Tourism Marketing District 2012-07
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
11. **Fiscal Year 2010/11 Audit of Federal Grants and Report to City Council**
Report # 2012-00237
Location: Citywide
Action: Passed **Resolution 2012-078** 1) accepting the Fiscal Year (FY) 2010/11 Single Audit Report and 2) accepting the FY 2010/11 Auditor's Report to the City Council.
Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843; Leyne Milstein, Director of Finance, (916) 808-8491, Department of Finance
12. **(Pass for Publication) Ordinance Amendment: Medical Marijuana Dispensaries Permit Processing Changes (Title 5 and 17) [To Be Delivered]**
Report # 2012-00278
Location: Citywide
Action: **Moved/Seconded:** Member Sandy Sheedy/Steve Cohn
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
Public comment heard from Lanette Davies and 1) Reviewed an Ordinance amending Sections 5.150.040, 5.150.070, and 5.150.110 of Sacramento City Code relating to medical marijuana dispensaries; 2) reviewed an interim Title 17 ordinance relating to medical marijuana dispensaries; and 3) passed for publication the ordinance title, as required by Sacramento City Charter section 32(c) to be adopted on April 3, 2012.
Contact: Brad Wasson, (916) 808-5724, Finance; Joy Patterson, (916) 808-5607, Community Development

13. **Approval of Modifications to the Sacramento Employment and Training Agency Operating Budget, Fiscal Year 2011-2012 [To Be Delivered]**
Report # 2012-00260
Location: Citywide
Action: Passed **Resolution 2012-079** approving the Fiscal Year 2011-2012 Modified Operating Budget for the Sacramento Employment and Training Agency in the amount of \$89,055,604.
Contact: Roy Kim, Fiscal Department Chief, (916) 263-3814, Sacramento Employment and Training Agency
14. **Agreement: Rio Tierra Baseball Fields Renovation project (L19270000)**
Report # 2012-00271
Location: 3201Northstead Drive, District 3
Action: **Moved/Seconded:** Member Steve Cohn/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
- Public Comment heard from Vince O'Brien and passed **Motion 2012-076** 1) authorizing the City Manager, or City Manager's designee, to execute a Memorandum of Understanding between the City of Sacramento and Twin Rivers Unified School District; 2) establishing a new capital project for the Rio Tierra Baseball Fields Renovation project; and 3) appropriating \$1,300,000 from the South Natomas Community Infrastructure Fund (SNCIF) to the project.
Contact: Tim Hopper, Administrative Officer, (916) 808-8173; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation
15. **Grant Application: Proposition 1C Housing Related Parks Program**
Report # 2012-00281
Location: Citywide
Action: Passed **Resolution No. 2012-080** approving a grant application to the California Department of Housing and Community Development for the Proposition 1C Housing Related Parks Program.
Contact: Camille Wise, Resource Development Specialist (916) 808-8830 Department of Parks and Recreation
16. **McKinley Park Rose Garden License Agreement**
Report # 2012-00272
Location: 3330 McKinley Boulevard, District 3
Action: **Moved/Seconded:** Member Steve Cohn/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
- Removed by Member Sandy Sheedy and passed **Motion 2012-077** authorizing the City Manager, or his designee, to execute a License Agreement with the Friends of East Sacramento for the exclusive operation, maintenance, and programming of the McKinley Park Rose Garden with the **condition of 3 successive 5 year options if mutually agreed upon.**

Contact: James L. Combs, Director, (916) 808-8526, Department of Parks and Recreation

17. **Agreement: Sacramento Regional Terrorism Threat Assessment Center Report # 2012-00265**
Location: Citywide
Action: Passed **Motion 2012-078** authorizing the City Manager, or the City Manager's designee, to: 1) enter into an one year agreement with the Sacramento County Sheriff's Department to support law enforcement terrorism prevention oriented activities from March 27, 2012 through June 30, 2013, in an amount not to exceed \$800,000; and 2) upon mutual agreement with the Sacramento County Sheriff's Department amend the agreement for two additional years through June 30, 2015.
Contact: Jim Hendrickson, Lieutenant, Homeland Security, (916) 874-2172, Police Department.
18. **(Council/Housing Authority) Approval of Bond and Financing Documents for Kelsey Village**
Report # 2012-00292
Location: 2830 Stockton Boulevard, District 5
Action: Passed 1) **Housing Authority Resolution 2012-004** a) approving documents authorizing up to \$4,000,000 in tax-exempt bonds to finance new construction of the 20-unit Kelsey Village development and, b) authorizing the Executive Director or her designee to execute all necessary documents associated with the transaction; 2) **Housing Authority Resolution 2012-005** a) authorizing the Executive Director or her designee to execute a carry back acquisition loan in the amount of \$295,000 with Satellite Housing, Inc., or related entity and, b) authorizing the Executive Director or her designee to execute all necessary documents associated with the transaction; 3) **City Resolution 2012-081** a) authorizing the Sacramento Housing and Redevelopment Agency (Agency) to execute an Agency loan with the Satellite Housing, Inc., or related entity, of up to \$2,100,000 comprised of up to \$1,600,000 City Home Investment Partnership (HOME) funds and up to \$500,000 City Housing Trust Fund (HTF) funds, and b) authorizing the Agency to execute all necessary documents associated with the transaction.
Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353; Jeree Glasser-Hedrick, Program Manager, Development Finance, (916) 440-1302, Sacramento Housing and Redevelopment Agency
19. **(Council/Redevelopment Agency Successor Agency) Repeal of Project Area Committee (PAC) and Redevelopment Advisory Committee (RAC) Guidelines and Election Procedures and Dissolution of RACs**
Report # 2012-00290
Location: Districts 2, 3, 4, 5, and 6
Action: **Moved/Seconded:** Member Sandy Sheedy/Jay Schenirer
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 Mac Worthy and passed 1) **City Resolution 2012-082:** a) repealing the Guidelines on Definition and Functions of Project Area Committees (PACs) and Redevelopment Advisory Committees (RACs) and Procedures for the Election of Members of the Redevelopment Project Area Committees; and b) Dissolving the existing

Redevelopment Advisory Committees; and 2) **Redevelopment Agency Successor Agency Resolution 2012-003** a) repealing the Guidelines on Definition and Functions of Project Area Committees (PACs) and Redevelopment Advisory Committees (RACs) and Procedures for the Election of Members of the Redevelopment Project Area Committees; and b) Dissolving the existing Redevelopment Advisory Committees.

Contact: Chris Pahule, Assistant Director, (916) 440-1350, Celia Yniguez, Redevelopment Manager, (916) 449-6255, Sacramento Housing and Redevelopment Agency

20. (Housing Authority) Housing Authority Participation in the Renewal of the Greater Broadway and Midtown Sacramento Property and Business Improvement Districts Report # 2012-00291

Location: Broadway between 5th Avenue and 29th Street and Midtown Sacramento, District 4

Action: Passed **Housing Authority Resolution 2012-006** a) delegating signatory authority to the Executive Director, or her designee, for Housing Authority properties included in the proposed Greater Broadway and Midtown Sacramento Property and Business Improvement Districts; b) authorizing the Executive Director, or her designee, to pay the annual assessment fees from Conventional Housing funds.

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

21. Roseville Road Bridge Replacement Project (T15068500) Report # 2012-00255

Location: The Roseville Road Bridge Replacement project is located on Roseville Road over Arcade Creek, between Haggin Oaks Golf Course and the Union Pacific Railroad Tracks, District 2

Action: Passed 1) **Resolution 2012-083:** a) approving the preferred design alternative, and b) approving the preferred construction method; and 2) **Resolution 2012-084** adopting the Mitigated Negative Declaration and Mitigation Reporting Program for the project.

Contact: Matthew Johns, Assistant Civil Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

22. 2012 Caltrans Transportation Planning Grant Applications Report # 2012-00264

Location: Districts 2, 3, 4 and 5

Action: Passed **Resolution 2012-085 as amended:** 1) directing staff to submit an application for a Community-Based Transportation Planning Grant for the Broadway Complete Streets Plan for an amount up to \$300,000; 2) directing staff to submit an application for an Environmental Justice Grant for the North 12th Complete Streets Plan for an amount up to \$250,000; 3) directing staff to submit an application for Environmental Justice Grant for the Marconi Avenue Overcrossing Improvement Plan for an amount up to \$250,000; and 4) authorizing the City Manager to accept the award of grant funding from Caltrans following the selection of any or all of the projects.

Contact: Fedolia "Sparky" Harris, Senior Planner, (916) 808-2996; Hector Barron, City Traffic Engineer, (916) 808 2669, Department of Transportation

Discussion Calendar (Item 23 - 25)

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

23. Middle Class Scholarship Act

Report # 2012-00302 **Estimated Time: 10 Minutes** (Actual: 5 minutes)

Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/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

Public comment heard from Dr. Richard Pan and passed **Resolution No. 2012-099** supporting the Middle Class Scholarship Act.

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

24. City Auditor's Report for Establishing a Whistleblower Hotline

Report # 2012-00311 **Estimated Time: 15 Minutes** (Actual: 35 minutes)

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn/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

Public comment heard from Tim Boyd, Craig Powell, and Mac Worthy; and passed **Motion 2012-079** 1) accepting the Auditor's Assessment for Establishing a Whistleblower Hotline; 2) continuing the discussion regarding the City Auditor establish a City Whistleblower Hotline to budget hearings; 3) continuing discussion of management identification of a funding source to budget hearings; 4) directing the City Attorney's Office to draft a whistleblower resolution and non-retaliation resolution for adoption by Council; 5) directing the City Attorney and City Manager to establish a Citywide Code of Ethics.

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

25. Ordinance Amendment: City's Fee and Charge Report for Water and Wastewater Utility Service Rates (Passed for Publication on 2-21-12, Published on 2-24-12)

Report # 2012-00131 **Estimated Time: 60 Minutes** (Actual: 175 minutes)

Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Jay Schenirer

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

No: Members Sandy Sheedy and Bonnie Pannell

Public comment heard from Greg Hatfield, Tim Boyd, Ronald Stork, Robert Roscoe, Bill Camp, Kenneth Ventura, Matt Kelly, Tom Gohring, Mac Worthy, Patty Kleinknecht, Bruce Booher, James Battles, Cory Koehler, Ron Ashley, Greg Jung, Rick Brebrick, Theresa Wagner, Clyde MacDonald, Ray Garcia, Gale Morgan, Ken Payne, J Bolton Phillips, D Akoglund, Susan Bush, Sarah Foster, Roger Niello, Karen Klinger, Kim Sloan, Dennis Neufeld, James Clark, Rick Stevenson, Lisa Garcia, Gerald Lunley, Michael Ault, Erik Smitt, Craig Powell, James Felton; and 1) passed **Ordinance 2012-010** increasing water

and wastewater utility service rates for three years, consisting of an increase of 10% per year for three years for water rates, and an increase of 16%, 15% and 14%, respectively, for three years for wastewater rates, and 2) directing staff to include the additional Utility Rate Advisory Commission recommendations with the establishment of a low-income rate assistance program to be part of the budget discussion.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Steve Cohn

1. AB1234 Report out on Washington DC trip with SAFCA and flood control issues

Adjourned at 11:25 pm.