



**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, June 14, 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 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, June 14, 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.

Open Session - 6:00 p.m.

Regular session called to order by Mayor Kevin Johnson at 6:20 p.m. Tuesday, June 14, 2011 at the Sacramento City Hall Council Chamber.

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

Pledge of Allegiance- led by Bayyinnah Drones, Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

10th Annual Juneteeth "A Celebration of Freedom" Weekend

Report # 2011-00568

Estimated Time: 5 Minutes (Actual Time: 4 minutes)

Location: Citywide

Contact: Lisa Serna Mayorga, Operations Manager, (916) 808-5407, Office of the Mayor/Council Office

Action: Presented by Member Bonnie Pannell.

Recognizing Olympic Day

Estimated Time: 5 Minutes (Actual Time: 8 minutes)

Report # 2011-00543

Location: Citywide

Contact: Lisa Serna Mayorga, Operations Manager, (916) 808-5407, Office of the Mayor/Council Office

Action: Presented by Member Robert King Fong.

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

1. Senior Issues
 - a. Bill Grant
 - b. Marlene Murphy
2. Farm Worker Mobilization
 - a. Bill Camp
3. Fluoride Concerns
 - a. Kim Glazzard
 - b. Dr. Michael Powell
4. Community Service Officers
 - a. Mark Tyndale

Consent Calendar (Items 1 - 20) Estimated Time: 5 minutes (Actual Time: 8 minutes)

Action: **Moved/Seconded:** Member Robert King Fong/Darrell 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 Repeal and Adoption of the Employer-Employee Relations Policy
Report # 2011-00588 [To Be Delivered]**

Location: Citywide

Action: Adopted **Resolution No. 2011-333** repealing Resolution No. 2010-095 and adopt the Employer-Employee Relations Policy (EERP) creating two new representation units and modifying existing representation units to effect alignment with current City classification specifications.

Contact: John Green, Labor Relations Manager, Department of Human Resources, (916) 808-5095, Human Resources Department

**2 Funding for the K Street Streetscape Project (B18217000)
Report # 2011-00567 [To Be Delivered]**

Location: District 1

Action: Adopted **Resolution No. 2011-334 as amended** authorizing the City Manager to increase the revenue and expenditure budget for Tax Increment Funds (Fund 3701) of \$50,000 for the K Street Streetscape Project (B18217000).

Contact: Katrina Morgan, Administrative Officer, (916) 808-8646, Economic Development Department

- 3 (Pass for Publication) Annexation No. 01 - Del Paso Nuevo Landscaping Community Facilities District (CFD) No. 2006-06 - Mail Ballot Election Results and Pass for Publication an Ordinance to Levy a Special Tax**
Report # 2011-00341
Location: District 2
Action: 1) Adopted **Resolution No. 2011-335** determining the results of the Special Mail Ballot Election; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on June 21, 2011.
Contact: Diane Morrison, Program Specialist, Finance Department, (916) 808-7535; Mark Griffin, Fiscal Manager, Finance Department, (916) 808-8788
- 4 Fiscal Year (FY) 2011/12 Annual Proceedings: Downtown Sacramento Property and Business Improvement District (PBID)**
Report # 2011-00218
Location: District 1 and 3
Action: Adopted **Resolution No. 2011-336** approving the Downtown Sacramento PBID Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY) 2011/12.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department
- 5 Fiscal Year (FY) 2011/12 Annual Proceedings: North Franklin Property and Business Improvement District (PBID)**
Report # 2011-00220
Location: District 5
Action: Adopted **Resolution No. 2011-337** approving the North Franklin PBID Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY) 2011/12.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, (916) 808-8788, Finance Department
- 6 Midtown Sacramento Property and Business Improvement District (PBID)–Fiscal Year (FY) 2011/12 Annual Proceedings**
Report # 2011-00234
Location: District 1, 3, 4
Action: Adopted **Resolution No. 2011-338** approving the Midtown Sacramento PBID Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY) 2011/12.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788 Finance Department,
- 7 Annual Report: Laguna Creek Maintenance District**
Report # 2011-00228
Location: North of Sheldon Road between Franklin Boulevard and Bruceville Road, District 8
Action: Adopted **Resolution No. 2011-339** adopting the Laguna Creek Maintenance District Engineers Annual Report, annual budget and levy the assessment for Fiscal Year (FY) 2011/12.
Contact: Diane Morrison, Administrative Officer, (916) 808-7535; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department

- 8 Annual Report: Northside Subdivision Maintenance District
Report # 2011-00227**
Location: Main Avenue between Rio Linda Boulevard and Marysville Boulevard,
District 2
Action: Adopted **Resolution No. 2011-340** adopting the Northside Subdivision
Maintenance District Annual Budget and Levy Assessment for Fiscal Year (FY) 2011/12.
Contact: Diane Morrison, Administrative Officer, (916) 808-7535; Mark Griffin, Fiscal
Manager, (916) 808-8788, Finance Department
- 9 Fiscal Year (FY) 2011/12 Annual Proceedings: Del Paso Property and Business
Improvement District (PBID)
Report # 2011-00226**
Location: District 2
Action: Moved/Seconded: Member Robert King Fong/Darrell Fong

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong,
Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.
Recused: Member Sandy Sheedy
A motion **passed** adopting **Resolution No. 2011-341** approving the Del Paso
Boulevard PBID Annual Report, establishing a budget and levying an assessment for
Fiscal Year (FY) 2011/12.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal
Manager, (916) 808-8788, Finance Department
- 10 Fiscal Year (FY) 2011/12 Annual Proceedings: River District Property and
Business Improvement District (PBID)
Report # 2011-00225**
Location: District 1
Action: Adopted **Resolution No. 2011-342** approving the River District PBID Annual
Report, establishing a budget and levying an assessment for Fiscal Year (FY)
2011/12.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal
Manager, (916) 808-8788, Finance Department
- 11 Greater Broadway Property and Business Improvement District (PBID)–Fiscal
Year (FY) 2011/12 Annual Proceedings
Report # 2011-00235**
Location: Districts 4, 5
Action: Adopted **Resolution No. 2011-343** approving the Greater Broadway PBID
Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY)
2011/12.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program
Manager, (916) 808-8788, Finance Department

- 12 Agreement: Revenue Audit and Business Tax System (2/3 Vote Required)**
Report # 2011-00541
Location: Citywide
Action: Adopted 1) **Resolution No. 2011-344** suspending competitive bidding and authorizing the Director of Finance to execute a new revenue audit, recovery services, and business tax system agreement with MuniServices, LLC for a new three-year term, and 2) **Resolution No. 2011-345** designating MuniServices, LLC as the authorized City representative to examine sales and use tax records.
Contact: Brad Wasson, Revenue Manager (916) 808-5844, Finance Department
- 13 (City Council/Redevelopment Agency) 14th Avenue Extension Project**
Report # 2011-00575
Location: 14th Avenue between Power Inn Road and Florin Perkins Road; Army Depot Redevelopment Project Area; District 6.
Action: Adopted: 1) **City Resolution No. 2011-346** a) amending the 14th Avenue Master Plan Capital Improvement Project (T15098600) for additional scope items, including but not limited to, final design, federal environmental clearance and construction work; b) amending the 2010/11 Capital Improvement Program by appropriating \$3,500,000 in Army Depot Tax Increment, Tax Exempt and Taxable Bond funds to the 14th Avenue Extension Project (T15098600); c) amending the 2010/11 Capital Improvement Program by transferring \$200,000 from the Major Street Improvements Program (T15098000) to the 14th Avenue Extension Project (T15098600); d) resetting the Interim City Manager's administrative authority for the Major Street Improvement Project (T15098000); e) authorizing the Interim City Manager, or his designee, to amend the Individual Project Agreement with the Redevelopment Agency to accept \$3,500,000 in Army Depot Tax Increment, Tax Exempt and Taxable Bond funds, and carry out the Project; f) approving the preliminary design; g) adopting the Mitigated Negative Declaration; and h) making related findings; 2) **City Resolution No. 2011-347** adopting the Mitigated Negative Declaration and the Mitigated Monitoring Program for the 14th Avenue Project, and 3) **Redevelopment Agency Resolution No. 2011-028** a) amending the 2011 Sacramento Housing and Redevelopment Agency budget to defund \$88,099 from Army Depot Tax Exempt Elder Creek Road Feasibility Project funds, \$1,381,854 from Army Depot Development Assistance Taxable Bond funds and \$2,030,047 from Army Depot Development Assistance Tax Increment funds and appropriate \$3,500,000 to the 14th Avenue Extension Project; b) authorizing the Executive Director, or her designee, to amend the Individual Project Agreement for additional scope items and funding in the amount not to exceed \$3,500,000 with the City of Sacramento Department of Transportation to carry out the Project; and c) making related findings.
Contact: Chris Pahule, Assistant Director, (916) 440-1350, Celia Yniguez, Redevelopment Manager, (916) 449-6255; Sacramento Housing and Redevelopment Agency; Ryan Moore, Supervising Engineer, (916) 808-8279. Department of Transportation

- 14 Partial Salary Continuation and Benefit Coverage Program** (Continued from 6/7/2011)
Report # 2011-00495
Location: Citywide
Action: Adopted **Resolution No. 2011-348:** 1) extending the Partial Salary Continuation and Benefit Coverage program for Military Leave until June 30, 2012, 2) authorizing the City Manager to extend the program annually at his discretion.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173; Denise Deprato, Administrative Analyst, (916) 808-8249, Department of Human Resources
- 15 Supplemental Agreement: Lease of 8178 Belvedere Avenue #A**
Report # 2011-00409
Location: District 6
Action: Adopted **Resolution No. 2011-349:** 1) authorizing the City Manager or the City Manager's designee to execute the Supplemental No. 1 to City Agreement 2008-0291 to Standard Industrial/Commercial Multi-Tenant Lease-Gross ("First Amendment") with the English Family Revocable 2002 Trust for the warehouse space to extend the term for five years, adjust the base rate schedule, and add an early termination clause.
Contact: Bernadette Cheek, Administrative Analyst (916) 808-6097, Dave Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Division Manager, (916) 808-8958, Department of Parks and Recreation
- 16 Agreement: Sacramento Regional Transit Police Services**
Report # 2011-00510
Location: Citywide
Action: Adopted **Resolution No. 2011-350:** 1) authorizing the Interim City Manager, or the Interim City Manager's designee, to enter into a three-year agreement with the Sacramento Regional Transit District (SRT) for the provision of law enforcement services from July 1, 2011 through June 30, 2014, with two optional one-year extensions, in a total amount not to exceed amount of \$13,612,381; 2) authorizing the Interim City Manager, or the Interim City Manager's designee, to establish an Externally Funded Program (EFP) for the SRT agreement (#E11006000); and 3) increasing the SRT EFP (#E11006000) revenue and expenditure budgets up to \$13,612,381.
Contact: Lieutenant Mark Greenlee, Regional Transit, (916) 321-2903, Police Department
- 17 Robla Elementary Safe Routes to School Project (T15085700)**
Report # 2011-00554
Location: District 2
Action: Adopted **Resolution No. 2011-351:** 1) authorizing the transfer of \$100,000 from the Major Street Improvements Project (T15118000) (Fund 2007) to the Robla Elementary Safe Routes to School Project (T15085700), and 2) resetting the City Manager's administrative authority for the Major Street Improvement Project (T15118000) and the Robla Elementary Safe Route to School Project (T15085700).
Contact: Matthews Johns, Assistant Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Division Manager, (916) 808-5065, Department of Transportation

- 18 Supplemental Agreements and Change Order: Sacramento Intermodal Facility, Track Relocation Project (T15029000)**
Report # 2011-00497
Location: District 1
Action: Adopted **Resolution No. 2011-352:** 1) authorizing the City Manager or his designee to execute a change order to the track relocation construction contract with Granite Construction Company (City Agreement No. 2011-0467) to include soil remediation and removal of buried objects and debris in an amount not to exceed \$2,050,000; 2) authorizing the City Manager or his designee to execute Supplemental Agreement No. 2 to City Agreement No. 2011-0468 with Vali Cooper & Associates, Inc. to include construction management of the track relocation remediation activities in an amount not to exceed \$494,950; and 3) authorizing the City Manager or his designee to execute Supplemental Agreement No. 1 to City Agreement No. 2011-0469 with TranSystems Corporation for additional design services in an amount not to exceed \$60,000.
Contact: Hinda Chandler, Senior Architect, (916)808-8422; Fran Halbakken, Operations Manager (916) 808-7194, Department of Transportation
- 19 Contract and Agreement: Jessie Avenue Frontage Improvements Project (T15085800)**
Report # 2011-00504
Location: District 2
Action: Adopted **Resolution No. 2011-353:** 1) approving Plans and Specifications for the Jessie Avenue Frontage Improvements Project (T15085800), and 2) awarding the contract to Navajo Pipelines, Inc. for an amount not to exceed \$484,294.
Contact: Greg Smith, Associate Civil Engineer, (916) 808-8364; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation.
- 20 Supplemental Agreement: Sacramento Intermodal Facility Track Relocation Project (T15029000) - West Pedestrian Tunnel**
Report # 2011-00569
Location: Downtown near Sacramento Valley Station, between I Street Bridge and 7th Street, District 1
Action: Adopted **Resolution No. 2011-354:** 1) authorizing the City Manager or his designee to execute Supplemental Agreement No. 19 to City Agreement No. 2008-0034 with TranSystems in an amount not to exceed \$151,000 for redesign of the Track Relocation's West Tunnel Ramps (T15029005), and 2) ratifying Supplemental Agreement Nos. 15 through 18 to City Agreement No. 2008-0034 with TranSystems Corporation and resetting the City Manager's authority to issue supplemental agreements for City Agreement No. 2008-0034.
Contact: Hinda Chandler, Senior Architect, (916) 808-8422, Department of Transportation

Public Hearings (Item 21 - 23)

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

21 Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 4-21-2011)

Report # 2011-00153

Estimated Time: 5 Minutes (Actual Time: 3 minutes)

Location: Citywide

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

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 with public comment heard from John Louie; and upon conclusion a motion **passed** adopting **Resolution No. 2011-355 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: Randy Stratton, Code Enforcement Manager, (916) 808-6497, Community Development Department

22 Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 4-21-11)

Report # 2011-00413

Estimated Time: 5 Minutes (Actual Time: 2 minutes)

Location: Citywide

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

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. 2011-356 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

23 Citywide Fees and Charges Update (Noticed on 5/3/10 and 5/10/11) (Continued from 5-31-11)

Report # 2011-00430

Estimated Time: 20 Minutes (Actual Time: 13 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer/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 with public comment heard from Rob Kerth; and upon conclusion a motion **passed** adopting **Resolution No. 2011-357 as amended** approving proposed new fees and fee increases with direction to staff to work with and incentivize small businesses.

Contact: Jason Bader, Senior Management Analyst (916) 808-5817, Finance Department.

Discussion Calendar (Item 24 - 26)

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

- 24 Personnel Resolution Covering Unrepresented Officers and Employees**
Report # 2011-00571 **Estimated Time: 10 Minutes** (Actual Time: 2 minutes)
[To Be Delivered]
Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/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** adopting **Resolution No. 2011-354 as amended** 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 2011-12 salary schedules for unrepresented exempt management, exempt management support, administrative/confidential and non-career employees.

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

- 25 FY2011/12 Budget Hearing: FY2011/12 Proposed Budget Information and Technical Adjustments** **Estimated Time: 15 Minutes** (Actual Time: 14 minutes)

(To Be Delivered)
Report # 2011-00437
Location: Citywide

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

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

No: Members Angelique Ashby, Steve Cohn, and Mayor Kevin Johnson

Received additional budget information and a motion **passed** adopting an intent motion to approve technical adjustments as proposed.

Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

26 Redistricting Progress Report

Report # 2011-00579 **Estimated Time: 15 Minutes** (Actual Time:15 minutes)

Location: Citywide

Action: Received the Sacramento Redistricting Citizens Advisory Committee report.

Contact: Scot Mende, Principal Planner, (916) 808-4756; Maria MacGunigal, IT Manager, (916) 808-7998, Information Technology Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Sandy Sheedy

1. Letter from City opposing AB 1158 (Calderon)California Deferred Deposit Transaction Law

b. Member Kevin McCarty

1. Agendize for 6-21-2011 a Resolution in Support of the Fair Treatment of Farmworkers Act (SB 104-Steinberg)

2. Board/Commission Appointments

a. Housing Code Advisory and Appeals Board

1. Kevin McKinley (Incumbent)

2. Kayla Christoffersen

Adjourned at 7:40 pm.