



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

Minutes

**Tuesday, February 22, 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

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

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.

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Minutes

Tuesday, February 22, 2011

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, February 22, 2011 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson. Member Kevin McCarty arrived at 6:10 p.m.

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

Closed Session Report – None.

Special Presentations/General Communications

a. **LEED Certification**

Action: Brian Sehnert presented award plaques to City Council.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 18 minutes)

1. Citizen Auditor
 - a. Bill Grant
2. Kings and Chickens
 - a. Nikola Maccafani
3. Homeless
 - a. Dale Jones
 - b. James Gilland
 - c. Eric Wymer
4. Special Coin – History for Sacramento
 - a. Kevin Carter
5. Prison Ministries
 - a. Pastor James Carr

Consent Calendar (Items 1 - 19) **Estimated Time: 5 min** (Actual Time: 30 minutes)

Action: Moved/Seconded: Member Robert King Fong /Member Darrell Fong

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 Confirmation of Boards/Commissions Appointments

Report ID: Report-2011-00236

Location: Citywide

Action: Confirmed board/commission appointments to the: 1) 65th Street Redevelopment Advisory Committee (Districts 3 and 6 nominees): William Motmans (Category C, community-based organization), Owen Jones (Category C, residential owner/tenant), Jeff Donlevy (Category D, Joint D3/D6 Appointee); 2) Stockton Boulevard Redevelopment Advisory Committee (City Districts 5 & 6 and County District 1 nominees): Steven Williams (Category A, residential tenant from Colonial Heights), Terrence Johnson (Category E, business owner); Marichal Brown (Category E, business owner) and Elaine Abelaya (Category F, community-based organization); and 3) Sacramento Youth Commission (District 2 nominee): Juan De Luna.

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

2 Memorandum of Understanding to Fund Operations at the Comprehensive Alcohol Treatment Center

Report ID: Report-2011-00132

Location: Citywide

Action: Adopted **Resolution No. 2011-090** authorizing the Interim City Manager to execute a Memorandum of Understanding with Sacramento County to fund operations at the Comprehensive Alcohol Treatment Center for Fiscal Year 2010/2011.

Contact: Derrick Lim, Manager, (916) 808-2260, Parks and Recreation Department

3 Sale of City-owned Property to Chrysler

Report ID: Report-2011-00101

Location: Business 80 at Fulton Avenue (District 2)

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

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

Public comment given by Jonathan Rewers; a motion **passed** to adopt **Resolution No. 2011-091** 1) authorizing the negotiated sale of 5.119± acres of vacant land located at 3701 Fulton Avenue to Chrysler Group Realty Company, LLC ("CRC"); 2) authorizing the City Manager to execute the "Agreement for Sale of Real Property" between the City of Sacramento and CRC ; 3) authorizing the City Manager to execute such additional necessary documents and to take such additional necessary actions to implement the Agreement; and 4) authorizing reimbursement from sale proceeds to appropriate City Departments, for costs related to processing the sale.

Contact: Diana Sasser, Project Manager, (916) 808-5519, Department of Economic Development

- 4 (Council/Financing Authority) Deletion of Property from Master Lease Program**
Report ID: Report-2011-00161
Location: District 2 and 6
Action: Adopted 1) **City Resolution No. 2011-092** authorizing the City Treasurer to execute and deliver amendments to the Master Lease Program, thereby removing two properties from the program, and approving certain other actions in connection therewith; and 2) a **Sacramento City Financing Authority Resolution No. 2011-006** authorizing the Treasurer to execute and deliver amendments to the Master Lease Program, thereby removing two properties from the program, and approving certain other actions in connection therewith.
- Contact:** Janelle Gray, Debt Manager, Office of the City Treasurer, (916) 808-8296
- 5 Sacramento Convergence Deposit**
Report ID: Report-2011-00085
Location: Railyards and Natomas (District 1)
Action: Adopted **Resolution No. 2011-093** approving the refund of unallocated deposits received from the Sacramento Convergence LLC.
- Contact:** Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Department of Economic Development
- 6 Agreement: Parking Citation Hearing Officer Services**
Report ID: Report-2011-00129
Location: Citywide
Action: Adopted **Resolution No. 2011-094** authorizing the City Manager or designee to execute a two-year Supplemental Agreement to existing Professional Services Agreement 2007-0775 for parking citation hearing officer services.
- Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance
- 7 35th Avenue Repair and Fabrication Building (W14004200) - Authorization to Use Design-Build Delivery Approach (2/3 Vote Required)**
Report ID: Report-2011-00138
Location: 1391 35th Avenue (District 6)
Action: Adopted **Resolution No. 2011-095** suspending competitive bidding as in the best interest of the City, and approving the use of the design-build alternative project delivery approach for the 35th Avenue Repair and Fabrication Building.
- Contact:** Kirk Thompson, Associate Architect, (916) 808-8431; Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432; Department of General Services

8 Contract: Ford Crown Victoria Police Interceptor Vehicles

Report ID: Report-2011-00103

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, Jay Schenirer and Mayor Kevin Johnson.

Removed from the Consent Calendar by Member Jay Schenirer after which a motion passed to adopt **Resolution No. 2011-096** 1) awarding a contract to Downtown Ford for the purchase of Ford Crown Victoria Police Interceptor vehicles in an amount not to exceed \$1.6 million through June 30, 2012; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Marc Robles, Program Analyst, (916) 808-6343; Craig Lymus, Acting Procurement Manager, (916) 808-5524; Department of General Services

9 Agreement: Supplemental Agreement for Counseling Services for Attendance Resource Centers

Report ID: Report-2011-00096

Location: Citywide

Action: Adopted **Resolution No. 2011-097** 1) authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 2 to City Contract 2009-1097 with Panacea Services, Inc., to increase the not-to-exceed amount of the contract from \$200,000 to \$384,917 for services from July 1, 2010, through July 31, 2011; and, 2) ratify payments previously made to Panacea Services, Inc., for services rendered in the amount of \$16,374, which were in excess of the not-to-exceed amount of City Contract 2009-1097.

Contact: Denise Curl, Administrative Analyst, (916) 808-6204; Lori Harder, Support Services Manager, (916) 808-5172, Department of Parks and Recreation

10 Granite Regional Park: Accept Phase II Park Improvements and Conveyance of Two Parcels to Regional Park General

Report ID: Report-2011-00151

Location: 8141 Cucamonga Avenue (District 5)

Action: Adopted **Resolution No. 2011-098** 1) accepting Granite Regional Park Phase II park improvements valued at \$1,677,090 to be credited against Regional Park General's park development obligation of \$9.2 million (plus inflation); 2) authorizing the City Manager or City Manager's designee to execute a Third Amendment to the Lease Agreement related to Granite Regional Park Agreement Number 2005-0110-2 between the City of Sacramento and Granite Construction Company; and 3) authorizing the City Manager or City Manager's designee to execute all other documents necessary to convey Assessor Parcel Numbers (APN's) 079-0430-010 and -011 to Regional Park General.

Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Dept. of Parks and Recreation; Rhonda R. Lake, Facilities and Real Property Superintendent, (916) 808-7902, Dept. of General Services

11 Contract: Tree Pruning and Removal Services (Continued from 1-25-11, 2-1-11 and 2-8-11)

Report ID # 2011-00043

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn /Member Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Jay Schenirer and Mayor Kevin Johnson.

No: Bonnie Pannell and Sandy Sheedy.

Public comment given by Marcia Mooney and Linda Norman after which a motion **passed** to adopt **Resolution No. 2011-099** 1) awarding a one-year contract with four one-year renewal options to Jensen Tree Services, Inc. for tree pruning and removal services in a total amount not to exceed \$3,748,650 for the potential maximum five year term; and 2) authorizing the Interim City Manager or the Interim City Manager's designee to execute the contract with Jensen Tree Services, Inc and exercise the renewal options specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Sonny Eboigbe, Procurement Analyst, (916) 808-7432, Craig Lymus, Acting Procurement Manager, (916) 808-5524, Department of General Services.

12 FY2010/11 Citizens Option for Public Safety Grant

Report ID: Report-2011-00146

Location: Citywide

Action: Adopted **Resolution No. 2011-100** 1) authorizing the Interim City Manager or the Interim City Manager's designee to accept \$584,661 in grant funding from the State of California for the Fiscal Year 2010/11 COPS program; 2) establishing a grant project (#G11008700) for the COPS program; 3) increasing the necessary Police Department grant revenue and expense budgets to implement the COPS program.

Contact: James Beezley, Lieutenant, 916-808-0854, Police Department

13 Funding: Sacramento Intermodal Transportation Facility (T15029000)

Report ID: Report-2011-00087

Location: Downtown near Sacramento Valley Station, between I Street Bridge and 7th Street (District 1)

Action: Adopted **Resolution No. 2011-101** 1) appropriating an additional \$1,447,897 in federal funds for Track Relocation Project; 2) appropriating an additional \$1,700,000 in reimbursable funds for Track Relocation Project; 3) appropriating \$1,521,000 million in federal funds for the Intermodal Phase 2 design and approving a funding agreement with Regional Transit ; and 4) appropriating \$10.44 million in state Public Transit Account (PTA) funding for the Depot Retrofit Project and approving a Funding Agreement with Caltrans and California Transportation Commission.

Contact: Hinda Chandler, Senior Architect, (916) 808-8422; Lucinda Willcox, Program Manager, (916) 808-5052, Department of Transportation

14 State Route 99/Elkhorn Boulevard Improvements Project (T15116400)

Report ID: Report-2011-00048

Location: District 1

Action: Adopted **Resolution No. 2011-102** 1) establishing the State Route 99/Elkhorn Boulevard Improvements Project (T15116400); 2) amending the FY 10/11 Capital Improvement Program by appropriating \$900,000 from the North Natomas Finance Plan (Fund 3201) to the State Route 99/Elkhorn Boulevard Improvements Project (T15116400); and 3) authorizing the City Manager to execute a professional services agreement with Dokken Engineering in an amount not to exceed \$362,765 to complete preliminary engineering and prepare final design for the project.

Contact: Mehrdad Nazeri, Associate Engineer, (916) 808-7460; Ryan Moore, Supervising Engineer, (916) 808-8279, Department of Transportation

15 Agreement: Sacramento Regional Water Efficiency Acceleration Program Grant Project

Report ID: Report-2011-00116

Location: Citywide

Action: Adopted **Resolution No. 2011-103** authorizing the City Manager to execute a Project Agreement with the Regional Water Authority (RWA) to receive funding awarded to the RWA by the California Department of Water Resources for the Proposition 50 Urban Drought Assistance Grant Agreement Water Efficiency Acceleration Program, and take related budgetary actions.

Contact: Terrance Davis, Program Manager, (916) 808-4929; Julie Friedman, Program Specialist, (916) 808-7898, Department of Utilities

16 Appointment: Sacramento Groundwater Authority (SGA)

Report ID: Report-2011-00110

Location: Citywide

Action: Adopted **Resolution No. 2011-104** appointing the following representatives to the Sacramento Groundwater Authority Board of Directors: Ryan Saunders (Del Paso Manor WD), Brett Gray (Natomas Central MWC), and Todd Robison (Sacramento Suburban WD)

Contact: Marty Hanneman, Director, (916) 808-7508, Department of Utilities

17 (Redevelopment Agency) 7th and H Street Project Financing Documents

Location: District 1

Action: Adopted **Redevelopment Agency Resolution No. 2011-006** a) authorizing the Executive Director, or her designee to enter into and execute a \$8,200,000 Loan Agreement and related documents with Mercy Housing California 47, a California Limited Partnership (Partnership); b) authorizing the Executive Director, or her designee, to enter into and execute a \$6,859,695 Conditional Grant Agreement (Capital) and related documents with 7th & H GP LLC, a California Limited Liability Company; and c) authorizing the Executive Director, or her designee, to enter into and execute a \$3,750,000 Conditional Grant Agreement (Operating) and related documents with 7th & H GP LLC, a California Limited Liability Company.

Contact: Christine Weichert, Assistant Director, Development Finance, 440-1353, Jeree Glasser-Hedrick, Program Manager, Development Finance 440-1302, Sacramento Housing and Redevelopment Agency

18 Auditor: Quarterly Report October-December 2010

Report ID: Report-2011-00175

Location: Citywide

Action: Accepted the Auditor's Office Audit Activities Report for the October 2010 to December 2010 period.

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

19 Auditor: Contract for Department of Utility Audit

Report ID: Report-2011-00179

Location: Citywide

Action: Adopted **Resolution No. 2011-105** authorizing the City Auditor to execute a Professional Services Agreement with Public Financial Management, Inc. to conduct an operational efficiency and cost savings audit of the Utilities Department, in an amount not to exceed \$116,902.

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

Public Hearings (Item 20- 21)

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

20 Natomas Basin Habitat Conservation Plan Fee Adjustment (Noticed on 02/11/0211)

Report ID: Report-2011-00114

Estimated Time: 15 min (Actual Time: 2 minutes)

Location: District 1

Action: Moved/Seconded: Member Angelique Ashby /Member Robert King Fong

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

Absent: Steve Cohn

Conducted a public hearing with no public comment; and upon conclusion a motion **passed** adopting **Resolution No. 2011-106** adjusting the amount of the Natomas Basin Habitat Conservation Plan (HCP) fee, to be effective in 60 days.

Contact: Scot Mende, New Growth Manager, (916) 808-4756; David Kwong, Planning Manager, (916) 808-2691

21 Pell Circle Billboard Relocation (P10-065) (Noticed on 02/11/0211)

Report ID: Report-2011-00127

Estimated Time: 20 min (Actual Time: 6 minutes)

Location: District 2

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

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

Recused: Robert King Fong

Conducted a public hearing with no public comment; and upon conclusion a motion **passed** adopting
a) **Resolution No. 2011-107** declaring the project exempt from environmental review;
b) **Resolution No. 2011-108** approving the PellCircle Billboard Relocation Project; and
c) an **Ordinance No. 2011-013** rezoning the subject site from Light Industrial Review (M-1S-R) to
Light Industrial Review (M-1-R).

Contact: Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development
Department

Discussion Calendar (Item 22 - 27)

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

**22 (Council/Redevelopment Agency) Impact on Redevelopment Agencies as a Result of Governor’s
Budget Proposal for 2011/12 (Oral Report)**

Report ID: Report-2011-00209 **Estimated Time: 10 min** (Actual Time: 20 minutes)

Location: Citywide

Action: Received and filed.

Contact: LaShelle Dozier, Executive Director, (916) 440-1319, Sacramento Housing and
Redevelopment Agency

**23 Green Waste Collection Service Options and Ballot Initiative: Containerized and Loose-
in-the-Street**

Report ID: Report-2011-00168 **Estimated Time: 30 min**

Location: Citywide

Action: Withdrawn a Resolution 1) directing staff to work with the Utilities Rate Advisory Commission
(URAC) to recommend a rate for City Council’s consideration based on Council’s approved
Loose-in-the-Street (LITS) service level; and 2) approving in concept proposed language for a potential
ballot measure repealing Measure A, for use if the City Council determines at a subsequent time to call
such a measure to the ballot.

Contact: William Skinner, Interim Integrated Waste Manager, (916) 808-4932; David Levine,
Support Services Manager, (916) 808-7943, Department of Utilities

24 Fiscal Year 2009/10 Comprehensive Annual Financial Report

Report ID: Report-2011-00106 **Estimated Time: 10 min** (Actual Time: 3 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer /Member Bonnie Pannell

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

A motion **passed** adopting **Resolution No. 2011-110** 1) accepting the June 30, 2010 Comprehensive
Annual Financial Report; 2) accepting the June 30, 2010 Auditor’s Report to the City Council;
and 3) authorizing an increase to the General Fund Economic Uncertainty Reserve by
\$3,800,000 with resources from FY 2009/10 year-end results.

Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843; Leyne Milstein, Director of
Finance, (916) 808-8491, Department of Finance

25 FY2011/12 Midyear Review and Budget Update

Report ID: Report-2011-00155

Estimated Time: 15 min (Actual Time: 12 minutes)

Location: Citywide

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

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

Public comment provided by Jonathan Rewers; a motion **passed** adopting **Resolution No. 2011-111 as amended** 1) amending the FY2010/11 Approved Budget as necessary to implement the City's financial plan for the remainder of the fiscal year; and 2) authorizing the Director of Finance to implement the approved budget adjustments.

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

26 Auditor: 2011/12 Audit Plan

Report ID: Report-2011-00176

Estimated Time: 10 min (Actual Time: 6 minutes)

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn /Member Robert King Fong

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

A motion **passed** adopting **Resolution No. 2011-112** approving the City Auditor's Annual Audit Plan for Fiscal Year 2011-12.

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

27 City Manager Recruitment (Oral Report)

Location: Citywide

Estimated Time: 15 min

Action: Moved/Seconded: Member Steve Cohn /Member Robert King Fong

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

A motion **passed to withdraw** providing recruiter with attributes of a City Manager.

Contact: Tosha Cherry, Support Services Manager, (916) 808-5498, Department of Human Resources

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back - None

2. Board/Commission Appointments-None.

Adjourned – 7:55 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of February 22, 2011 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk