



**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

Minutes

**Tuesday, March 29, 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
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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DRAFT Minutes

Tuesday, March 29, 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 6:02 p.m. Tuesday, March 29, 2011 at the Sacramento City Hall Council Chamber.

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

Members Absent: Steve Cohn.

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

Closed Session Report – None.

Special Presentations/General Communications

Didion Dragons Boys Basketball Team

Report ID: Report-2011-00283 **Estimated Time: 5 min** (Actual Time: 2 minutes)

Location: District 7

Contact: Lisa Serna-Mayorga, Operations Manager, (916) 808-7171, Office of the Mayor

Action: Resolution presented by Member Darrell Fong.

Festival de la Familia

Report ID: Report-2011-00351 **Estimated Time: 5 min** (Actual Time: 4 minutes)

Location: Citywide

Contact: Lisa Serna-Mayorga, Operations Manager, (916) 808-7171, Office of the Mayor

Action: Invitation to Festival by Susie Cano Guzman.

Gifts to Share, Inc. Progress Report and Recognition of Volunteers

Report ID: Report-2011-00071 **Estimated Time: 5 min** (Actual Time: 6 minutes)

Location: Citywide

Action: Reception and Special Recognition for Volunteers through the Gifts to Share program.

Contact: Lori Harder, Support Service Manager, (916) 808-5172, Parks and Recreation Department

Action: Presented by Member Lori Harder.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 9 minutes)

- | | |
|------------------|-------------------------------------|
| 1. Steps Forward | 3. Anti Labor Organization Petition |
| a. Eric Wymer | a. Cindy Bates |
| 2. Senior Issues | 4. Civil Rights Week |
| a. Bill Grant | a. Richard Noble |

Consent Calendar (Items 1 - 17) Estimated Time: 5 minutes (Actual Time: 18 minutes)

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

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

Absent: Member Steve Cohn.

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

1 Confirm Members to the Sacramento Redistricting Citizens Advisory Committee

Report ID: Report-2011-00242

Location: Citywide

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

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

Absent: Member Steve Cohn.

Removed from Consent Calendar with Public Comment heard from Cesar Diaz, Vanessa Cajina, Eric Guerra, and Neptaly Aguilera; a motion **passed to continue for reopening of 2 additional applicants** and confirm to the Sacramento Redistricting Citizens Advisory Committee: Steve Maviglio (Mayor Appointee), Roman Porter (District 1 Appointee), Bill Camp (District 2 Appointee), Cyril Shah (District 3 appointee), Julius Cherry (District 4 Appointee), Stephen Hansen (District 5 Appointee), Bill Motmans (District 6 Appointee), Bernard Bowler (District 7 Appointee), Sandra Frye-Lucas (District 8 Appointee), and Linn Hom, Miranda Perry, Phil Pluckebaum and Maya Wallace (Personnel & Public Employees Committee Appointees).

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

2 Ordinance: Chapter 2.13 of the Sacramento City Code Relating to Campaign

Contribution Limits (Passed for Publication on 3-22-11, Published on 3-25-11)

Report ID: Report-2011-00307

Location: Citywide

Action: Adopted **Ordinance No. 2011-019** amending Chapter 2.13 of the Sacramento City Code Sections 2.13.050, 2.13.065, 2.13.080 and 2.13.085 relating to campaign contribution limitations.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk; Matthew Ruyak, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

3 Supplemental Agreement: Legal Services for the Treasurer's Office

Report ID: Report-2011-00363

Location: Citywide

Action: Adopted **Resolution No. 2011-174** 1) authorizing the City Attorney to execute a supplemental agreement with Meyers Nave Riback Silver & Wilson for legal services on behalf of the Treasurer's Office, consisting of bond review and advice in the additional amount of \$80,000; and 2) authorizing the transfer of \$150,000 from the administrative contingency included in the FY2010/11 Approved Budget to the operating budget of the Treasurer's Office.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney; Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

4 Change Order: 5th Street Sewer Upsizing, P to U Street (X14010032)

Report ID: Report-2011-00274

Location: Districts 1 and 4

Action: Adopted **Resolution No. 2011-175** authorizing the City Manager to execute Change Order No. 3 with Florez Paving, for the amount of \$170,315.10, to compensate the Contractor for additional costs incurred because of unforeseen conditions.

Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

5 Powerhouse Science Center UC Davis Innovation Hub Proposal

Report ID: Report-2011-00313

Location: 400 Jibboom Street, District 1

Action: Adopted **Resolution No. 2011-176** supporting the Powerhouse Science Center UC Davis Innovation Hub Proposal.

Contact: Jennifer Witz, Project Coordinator, (916) 808-2796, Economic Development Department

6 (Redevelopment Agency/City Council) Individual Project Agreement: Cars on K Project on K Street (T15095300)

Report ID: Report-2011-00344

Location: K Street between 8th Street and 12th Street, District 1

Action: Adopted 1) **Redevelopment Agency Resolution No. 2011-017**: a) amending the 2011 Redevelopment Agency of the City of Sacramento budget by appropriating \$120,000 to the Cars on K Project; b) authorizing the Executive Director, or her designee to execute an Individual Project Agreement (IPA) to transfer \$120,000 of Merged Downtown Tax Increment Funds to K Street Mall Traffic Study Capital Improvement Project Budget (T15095300); and c) make related findings; 2) **City Resolution No. 2011-177**: a) Authorizing the Interim City Manager or his designee to execute an IPA to transfer \$120,000 Merged Downtown Tax Increment Funds to K Street Mall Traffic Study Capital Improvement Project Budget (T15095300); b) Authorizing the Interim City Manager or his designee to amend the existing K Street Mall Traffic Study Capital Improvement Project Revenue and Expenditure Budgets (T15095300) in the amount of \$120,000.

Contact: Denise Malvetti, (916) 808-7064, Senior Project Manager, Economic Development Department

7 Fiscal Year 2009/10 Single Audit Report

Report ID: Report-2011-00287

Location: Citywide

Action: Adopted **Resolution No. 2011-178** accepting the Fiscal Year (FY) 2009/10 Single Audit Report.

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

8 Fiscal Year 2009/10 Sacramento City Employees' Retirement System Annual Financial Report

Report ID: Report-2011-00288

Location: Citywide

Action: Received and filed.

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

9 Fiscal Year (FY) 2009/10 Child Development Program Audit Report

Report ID: Report-2011-00289

Location: Citywide

Action: Received and filed.

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

10 Agreement: Sacramento Urban Search & Rescue (US&R) Task Force Mobilization Exercise and Training with the California Fire & Rescue Training Authority (CFRTA)

Report ID: Report-2011-00278

Location: Citywide

Action: Adopted **Resolution No. 2011-179:** 1) authorizing the Interim City Manager, or his designee, to execute the agreement with the CFRTA for the Sacramento US&R Task Force mobilization exercise and training and 2) approving an one-time increase to the Fire Department General Fund revenue and expenditure budgets in the amount of \$100,000 each for the US&R Task Force mobilization exercise and training project.

Contact: Chris Costamagna, Battalion Chief, (916) 808-1691; Ed Vasques, Assistant Chief, (916) 808-1690, Fire Department

11 Memorandum of Understanding: After-School Programs

Report ID: Report-2011-00284

Location: Various locations inside and outside the city limits

Action: Adopted **Resolution No. 2011-180** 1) authorizing the City Manager or his designee to execute a memorandum of understanding (MOU) with the Twin Rivers Unified School District (Twin Rivers) to provide an after-school program for Twin Rivers with the City's Sacramento START program at twelve elementary schools and be reimbursed by Twin Rivers in an amount not to exceed \$1,302,831 for Fiscal Year (FY) 2010/11; 2) authorizing the City Manager or his designee to enter into any extensions or any amendments of the MOU with Twin Rivers, subject to approval as to form by the City Attorney, which may change the numbers of schools or students to be served, the unit cost per student or operational requirements as long as the extension or amendment does not increase the maximum payment to the City by more than twenty percent (20%) of the original contract amount (up to \$261,766) and the additional services can be provided by the START program and fully funded with Twin River's payments; and 3) authorizing the City Manager to adjust the necessary operating revenue

and expenditure budgets to implement the MOU and any extensions or amendments.

Contact: Murray Levison, Administrative Officer, (916) 808-6195; David Mitchell, Operations Manager, (916) 808-6076; Alan Tomiyama, Recreation Manager, (916) 808-8958, Department of Parks and Recreation

12 Acquisition of Franklin Boyce Park Property

Report ID: Report-2011-00299

Location: 7698 Franklin Boulevard , District 8

Action: Adopted **Resolution No. 2011-181** authorizing an inter-fund transfer from the Department of Parks and Recreation Community Plan Area 4 Quimby Act Fund (Fund 2508) contingency balance in the amount of \$342,197 to the Department of Utilities Storm Drainage Fund (Fund 6011) for the repayment of a loan for the Department of Parks and Recreation's share of land purchased (3.6 acres) for Franklin Boyce Park.

Contact: Sonja Jarvis, Fiscal Lead, (916) 808-8824; J.P. Tindell, Park Planning & Development Manager, Department of Parks and Recreation

13 Agreement: Regional Terrorism Threat Assessment Center Law Enforcement Services

Report ID: Report-2011-00300

Location: Citywide

Action: Adopted **Resolution No. 2011-182** authorizing the Interim City Manager, or the Chief of Police as the Interim City Manager's designee, to execute, on behalf of the City of Sacramento, a two (2) year Professional Services Agreement with the Sacramento County Sheriff's Department for the provision of law enforcement services to the Sacramento Regional Terrorism Threat Assessment Center (RTTAC) in an amount not to exceed \$800,000 over the agreement term.

Contact: Stephen Quinn, Lieutenant, (916) 874-2172, Police Department

14 Agreement: Sacramento Car Sharing Program

Report ID: Report-2011-00158

Location: Citywide

Action: Adopted **Resolution No. 2011-183** authorizing: 1) the City Manager to execute an agreement with Zipcar for a new Sacramento car share program; 2) Zipcar to use the City of Sacramento's seal for marketing the car share program in Sacramento.

Contact: Azadeh Doherty, Principal Planner, (916)808-3137, Department of Transportation

15 Railyards Proposition 1C Grant Agreement Assignment: 5th Street Extension Project (Continued from 3-22-11) [To Be Delivered]

Report ID: Report-2011-00325

Location: Railyards, District 1

Action: Adopted **Resolution No. 2011-184:** 1) ratifying the letter agreement, dated October 19, 2010, between the City, the California Department of Housing and Community Development ("HCD"), and IA Sacramento Rail, L.L.C., related to the transit oriented development grant the City received from HCD for the 5th Street extension project (City agreement 2009-0904-A, the "TOD Grant"); 2) authorizing the City Manager or his designee to execute an amendment to the TOD Grant disbursement agreement (City agreement 2009-0904, the "TOD Contract"); 3) authorizing the City Manager or his designee to execute a letter agreement with HCD and IA Sacramento Holdings, L.L.C. ("IA Holdings") related to the TOD Grant; and, 4) authorizing the City Manager or his designee to execute an agreement ("Assignment Agreement") with IA Holdings in which the City assigns, and IA Holdings assumes, the City's rights and obligations under the TOD Grant, TOD Contract, and related agreements described in the

Assignment Agreement.

Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Department of Transportation

16 Fire Cost Recovery/ Fire Department Mitigation Rates

Report ID: Report-2011-00310

Location: Citywide

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

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

Absent: Member Steve Cohn.

Action: Removed from Consent; a motion **passed** adopting 1) **Ordinance No. 2001-020** repealing Ordinance No. 2011-007, relating to Fire Cost Recovery; 2) **Resolution No. 2011-185** Repealing Resolution 2011-047 Establishing Fire Department Mitigation Rates.

Contact: Ray Jones, Fire Chief, (916) 808-1300, Fire Department

17 Agreement: Solar Power Purchase

Report ID: Report-2011-00185

Location: Citywide

Action: Adopted **Resolution No. 2011-186** 1) authorizing the City Manager or the City Manager's designee to execute a 20 year power purchase agreement with SolarCity for up to 5 megawatts of solar energy for City facilities; and 2) authorizing the City Manager or the City Manager's designee to execute an agreement with SolarCity to reimburse the City's upfront expenses for administration of the power purchase agreement.

Contact: Yvette Rincon, Sustainability Program Manager, (916)-808-5827, Department of General Services

Public Hearings (Item 18)

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

18 Temporary Street Closure of the Alley and Street Bounded by 12th and 16th Avenues, 36th and 38th Streets (Traffic Proceeding No. TSC11-02) (Noticed on 3-11-11)

Report ID: Report-2011-00277 **Estimated Time: 5 min** (Actual Time: 1 minute)

Location: District 5

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

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

Absent: Member Steve Cohn.

Conducted a public hearing with no public comment; and upon conclusion a motion **passed** adopting **Resolution No. 2011-187** authorizing the temporary closure of the alley and street located between 12th, 16th Avenues and 36th and 38th Streets within the Oak Park neighborhood to through vehicular and pedestrian traffic.

Contact: Thomas Adams, Engineering Technician (916) 808-7929; Nicholas Theocharides, Engineering Division Manager (916) 808-5065, Department of Transportation

Discussion Calendar (Items 19-22)

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

19 Report Out: ICON Current Status and Arena Update (Oral Report)

Report ID: Report-2011-00349 **Estimated Time: 20 min** (Actual Time: 9 minutes)

Location: District 1

Action: Received and filed.

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

20 Utilities Water Workshop

Report ID: Report-2011-00195 **Estimated Time: 60 min** (Actual Time: 45 minutes)

Location: Citywide

Action: Received with public comment heard from Greg Eldridge and John Woodling and filed.

Contact: Dave Brent, Legislative Affairs, (916) 808-1420; Bill Busath, Interim Engineering Manager, (916) 808-1434, Department of Utilities

21 Redistricting - Schedule Updates & Software Demonstration

Report ID: Report-2011-00309 **Estimated Time: 45 min** (Actual Time: 15 minutes)

Location: Citywide

Action: 1) Directed staff to return with the updated schedule for the Council Redistricting effort when 2 additional applicants are selected; and 2) participated in interactive redistricting software demonstration and discussion.

Contact: Scot Mende, New Growth Manager, (916) 808-5746, Community Development Department, Maria MacGunigal, IT Manager, (916) 808-7998, Information Technology Department

22 Report Back: Fire Department Succession Planning [Oral Report]

Report ID: Report-2011-00316 **Estimated Time: 15 min** (Actual Time: 16 minutes)

Location: Citywide

Action: Received and filed.

Contact: Ray S. Jones, Fire Chief, (916) 808-1300, Fire Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. None.

2. Board/Commission Appointments

a. North Sacramento Redevelopment Advisory Committee (District 2)

1. Rich Meeker (Category A: Business Owner)

2. Anthony Sheppard (Category B: Residential Owner Occupant)

Adjourned – 8:20 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of March 29, 2011 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk