



# REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

CONSENT  
December 7, 2010

Honorable Mayor and Members of the City Council, Financing Authority  
Housing Authority, and Redevelopment Agency

## Approval of Council Minutes for November 23, 2010

Location/Council District: (Citywide)

### Recommendation:

Approve the City Council, Financing Authority, Housing Authority and Redevelopment Agency minutes for November 23, 2010.

**Contact:** Shirley Concolino, City Clerk, (916) 808-7200

**Presenters:** None

**Department:** City Clerk

**Division:** None

**Organization No:** 04001011

**Financial Considerations:** None.

**Environmental Considerations:** None.

**Policy Considerations:** None.

**ESBD Considerations:** Not Applicable.

Respectfully Submitted by:

*Shirley Concolino*  
Shirley Concolino, City Clerk

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Minutes for November 23, 2010

**APPROVED AS TO FORM:**

*[Signature]*  
CITY ATTORNEY



**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  
Lauren Hammond, District 5  
Kevin McCarty, District 6  
Robbie Waters, Vice Mayor, District 7  
Bonnie Pannell, District 8

**DRAFT Minutes**

**Tuesday, November 23, 2010**

**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**

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 recommendations; 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.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

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Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

# DRAFT MINUTES

Tuesday, November 23, 2010

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.

**Roll Call** - Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, November 23, 2010 at the Sacramento City Hall Council Chamber.

**Members Present** - Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.

**Members Absent:** Member Sandy Sheedy, Lauren Hammond.

**Pledge of Allegiance** - led by Yared Worku, student participant in Youth @ City Council Program.

**Closed Session Report** – None.

**Special Presentations/General Communications** (Actual Time: 10 minutes)

a. **Oath of Office for Districts 1 and 3**

**Action:** Angelique Ashby sworn in by Patric Ashby. Oath for Steve Cohn delayed until November 30, 2010.

## Public Comments-Matters Not on the Agenda (Actual Time: 15 minutes)

1. Acknowledgement of Incoming/Outgoing Councilmembers
  - a. Darshan Mundy
  - b. Adam Sartain
  - c. Mike Barnbaum
  - d. Judy Waters
2. Youth Sports
  - a. Shane Singh
  - b. Wayne Novoa
  - c. Willie Simmons
3. Violent Video Game Event at Library
  - a. John Reiger
  - b. Debra Reiger
4. Safeground
  - a. Tracie Rice-Bailey
5. SHRA Issue
  - a. Edwin Moses

**Consent Calendar (Items 1 -12) Estimated Time: 5 minutes** (Actual Time: 5 minutes)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

**Action:** Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.

**Absent:** Member Sandy Sheedy, Lauren Hammond

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

**1. (City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for November 9, 2010.**

**Location:** (Citywide)

**Action:** Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 9, 2010.

**Contact:** Shirley Concolino, City Clerk (916) 808-7200, Office of the City Clerk.

**2. Confirmation of Board and Commission Appointments**

**Location:** (Districts 3 and 6)

**Action:** Confirmed board/commission appointment to the 65<sup>th</sup> Street Redevelopment Advisory Committee – Juan Diego Ochoa (category A-4).

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

**3. Digital Billboards Revenue Allocation**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-662** allocating the digital billboard revenues to the Council Districts in which the digital billboards are located and to the General Fund, one-third and two-thirds, respectively.

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

**4. (Pass for Publication) Proposed Rezones and Land Use Designation and Text Changes to the 2030 General Plan (LR10-005)**

**Location:** (Citywide)

**Action:** 1) Reviewed a) a Resolution approving environmental review for General Plan Land Use and Text Amendments and Rezoning; b) an Ordinance rezoning various parcels to bring into consistency with the 2030 General Plan; c) a Resolution amending the 2030 General Plan Land Use and Urban Form Diagram; and d) a Resolution approving the General Plan text amendments (technical corrections); and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32 (c) to be adopted on November 30, 2010.

**Contact:** Teresa Haenggi, Associate Planner, (916) 808-7554, Jim McDonald AICP, Senior Planner, (916) 808-5723, Community Development Department.

**5. Agreement: Purchase of First-Defender Raman Spectrometer (RM) and Tru-Defender Fourier Transform Infra-Red Spectrometer (FTIR) and support items [2/3 Vote Required]**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-663** 1) suspending competitive bidding in the best interests of the City for the purchase of First-Defender Raman Spectrometer (RM) and Tru-Defender Fourier Transform Infra-Red Spectrometer (FTIR) and support items; and 2) awarding a Commodities Agreement to Ahura Scientific for the purchase of the First-Defender RM and the Tru-Defender FTIR Spectrometer and support items in an amount not to exceed of \$270,000.

**Contact:** Ed Vasques, Assistant Chief, (916) 808-1690, Fire Department.

**6. Contract: Heating, Ventilating and Air Conditioning (HVAC) Air Filters**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-664 as amended** 1) awarding a one-year contract with four one-year renewal options to Air Filter Control for the purchase of heating, ventilating and air conditioning (HVAC) air filters in an amount not to exceed \$331,538, for the potential maximum five year term; and 2) authorizing the City Manager or the City Manager's designee to execute the contract and renewal options specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

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

**7. Contracts: Original Equipment Manufacturer (O.E.M.) Repair Services and Related Parts**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-665** 1) awarding five-year contracts to: a) Carmichael Honda for the purchase of Honda parts and services in an amount not to exceed \$250,000 for the five year period; b) Elk Grove Toyota for the purchase of Toyota parts and services in an amount not to exceed \$250,000 for the five year period; c) Lasher Auto Group for the purchase of Acura parts and services in an amount not to exceed \$100,000 for the five year period; d) Harrold Ford for the purchase of Ford parts and services in an amount not to exceed \$1,360,000 for the five year period; e) Swift Jeep Chrysler Dodge for the purchase of Dodge parts and services in an amount not to exceed \$650,000 for the five year period; f) West Coast Frame and Collision Repair, Inc. for the purchase of Medtec and Wheeled Coach parts and services in an amount not to exceed \$1,000,000 for the five year period; g) Ray Gaskin Service for the purchase of Curbtender and Leach parts and services in an amount not to exceed \$2,000,000 for the five year period; and 2) authorizing the City Manager or the City Manager's designee to execute the contracts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

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

**8. Agreements: Subcontracts with Elk Grove Unified School District for After-School Programs**

**Location:** 8401 Valley Lark Drive (District 8) and 8351 Cutler Way, outside City limits

**Action:** Adopted **Resolution No. 2010-666** 1) authorizing the City Manager to execute two subcontract agreements and any extensions, amendments, or other related documents with the Elk Grove Unified School District (Elk Grove) as necessary for the City to be an after-school program subcontractor to Elk Grove at John Reith and Isabelle Jackson Elementary Schools and be reimbursed by Elk Grove up to \$279,205 in Fiscal Year (FY) 2010/11; and 2) authorizing the City Manager or designee to adjust the operating revenue and expenditure budgets as necessary to implement the agreements.

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

**9. Summary Vacation of the Alley North of "S" Street Between 22<sup>nd</sup> and 23<sup>rd</sup> Streets**

**Location:** Alley between 22<sup>nd</sup>, 23<sup>rd</sup>, "S" streets and previously vacated R Street adjacent to the Sacramento Bee media building in Council District 4

**Action:** Adopted **Resolution No. 2010-667** vacating the alley South of Regional Transit's Light Rail Tracks between 22<sup>nd</sup>, 23<sup>rd</sup> and S streets.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.

**10. Appropriation of Traffic Congestion Relief Funds**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-668** appropriating \$462,516 from the Traffic Congestion Relief Program (Fund 2009) to the Overlays and Seals Program (R15072000).

**Contact:** Shareen Kidd, Accounting Technician, (916) 808-7128, Lucinda Willcox, Program Manager, (916) 808-5052, Transportation Department.

**11. Summary Vacation of 5<sup>th</sup> Street Bounded Between Bannon Street and Richards Boulevard and Summary Vacation of two Public Service Easements located adjacent to 5<sup>th</sup> Street**

**Location:** 5<sup>th</sup> Street located South of Richards Boulevard and North of Bannon Street (District 1)

**Action:** Adopted **Resolution No. 2010-669** 1) vacating the area of 5<sup>th</sup> Street located between Bannon Street and Richards Boulevard; 2) vacating two public utility easements; 3) reserving from the vacated portion of 5<sup>th</sup> Street a public service easement for the purposes of maintaining, operating, repairing, replacing, removing, or renewing sewer pipelines and appurtenances in, upon, or over and across the subject

property to be vacated as described in the Exhibit A-2 and Exhibit B-2 attached to the proposed resolution; and 4) reserving from the vacated portion of 5<sup>th</sup> Street a public service easement for future utility services as described in the Exhibit A-3 and Exhibit B-3 attached to the proposed resolution.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.

**12. (Redevelopment Agency) 2300 Del Paso Boulevard and Environmental Clean Up of Site**

**Location:** 2300 Del Paso Boulevard; North Sacramento Redevelopment Area (District 2 and 3)

**Action:** Adopted **Redevelopment Agency Resolution No. 2010-044** a) authorizing the Executive Director, or designee, to execute an Exclusive Right to Negotiate with Gerald W. Greenberg for the real property at 2300/2308 Del Paso Boulevard; and b) authorizing the Executive Director, or designee, to execute and amend contracts for remediation services for costs associated with obtaining environmental closure at the site.

**Contact:** Chris Pahule, Assistant Director of Housing and Community Development; La Shelle Dozier, Executive Director, (916) 440-1363, Sacramento Housing and Redevelopment Agency.

**Discussion Calendar (Items 13 - 17)**

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

**13. Estimated Time: 15 minutes (Actual Time: 10 minutes)**

**Ordinance Amendment: Social Host Liability for Alcohol Consumption by Minors (Passed for publication of title on 11-16-10, published on 11-19-10)**

**Location:** (Citywide)

**Action:** Moved/Seconded: Member Robbie Waters /Member Bonnie Pannell

**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.

**Absent:** Members Sandy Sheedy, Lauren Hammond

Public comment given by Chris Crump, Olivia Godby, Ade Jackson, Cory Koehler and Steve Wirtz after which a motion passed adopting **Ordinance No. 2010-040 as amended** adding Article IV to Chapter 9.12 of the Sacramento City Code relating to social host liability for alcohol consumption by minors.

**Contact:** Derrick Lim, Manager, Neighborhood Services / Special Events, (916) 808-2260, Parks and Recreation Department.

14. **Estimated Time: 15 minutes** (Actual Time: 2 minutes)  
**2011 State and Federal Legislative Platforms**  
**Location:** (Citywide)  
**Action:** Moved/Seconded: Member Bonnie Pannell /Member Robert Fong  
**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell and Mayor Kevin Johnson.  
**Absent:** Members Sandy Sheedy, Lauren Hammond and Robbie Waters  
A motion **passed** adopting the proposed 2011 State and Federal Legislative Platform and reaffirmed the City of Sacramento Legislative Guiding Principles.  
**Contact:** Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.
15. **Estimated Time: 15 minutes** (Actual Time: 5 minutes)  
**Report Back: Update on Transparency of the City Compensation Information**  
**Location:** (Citywide)  
**Action:** Received and filed.  
**Contact:** Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager, Geri Hamby, Human Resources Director, (916) 808-7173, Human Resources Department.
16. **Estimated Time: 15 minutes** (Actual Time: 5 minutes)  
**Ordinance Amendment: Fire Cost Recovery** (Passed for Publication 11-9-10; Published on 11-12-10) **[To Be Delivered]**  
**Location:** (Citywide)  
**Action:** Moved/Seconded: Member Steve Cohn /Member Robbie Waters  
**Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.  
**Absent:** Member Sandy Sheedy, Lauren Hammond  
A motion **passed** directing staff to return with ordinance language that would (at a minimum) allow for applicability only to non-residents, but if such is ruled invalid then default to residents and non-residents; and continued the item to the first available meeting in January 2010.  
**Contact:** Lloyd Ogan, (916) 808-1300, Deputy Chief of Operation, Fire Department, Mark Prestwich, (916) 808-5380, Special Projects Manager, Office of the City Manager.



17. **Estimated Time: 15 minutes** (Actual Time: 1 minute)  
**Contract: Fire Cost Recovery [To Be Delivered]**  
**Location:** (Citywide)
- Action:** Moved/Seconded: Member Steve Cohn /Member Robbie Waters
- Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.
- Absent:** Member Sandy Sheedy, Lauren Hammond
- A motion passed continuing the item to the first available meeting in January 2010.
- Contact:** Lloyd Ogan, (916) 808-1300, Deputy Chief of Operation, Fire Department, Mark Prestwich, (916) 808-5380, Special Projects Manager, Office of the City Manager.

### Council Comments-Ideas, Questions and Meeting/Conference Reports

18. **Conditional Gift to Sacramento Public Library Authority**  
**Location:** (Citywide)
- Action: Withdrawn** - Consider adoption of a Resolution approving an agreement between Councilmember Waters, SPLA and City to conditionally transfer \$150,000 from the City Council District 7 discretionary funds account into an interest-bearing City fund for the benefit of Sacramento Public Library Authority with reverter to Sacramento SPCA if the Robbie Waters Pocket Greenhaven Library is renamed within twenty years.

### **SUPPLEMENTAL AGENDA – 6:00 pm**

18. **Conditional Gift to Sacramento Public Library Authority** (Actual Time: 5 minutes)  
**Location:** (Citywide)
- Action:** Moved/Seconded: Member Robbie Waters/Member Steve Cohn
- Yes:** Members Angelique Ashby, Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Robbie Waters and Mayor Kevin Johnson.
- Absent:** Member Sandy Sheedy, Lauren Hammond
- A motion passed approving the donation of up to \$150,000 total from the City Council District 7 discretionary fund and cell tower accounts to the Sacramento Public Library Authority, conditioned upon the Authority's use of the donated funds for the purchase of an automated materials handling system at the Robbie Waters Pocket Greenhaven Library branch, or if that equipment is not purchased, then for books, materials and equipment for the Robbie Waters Pocket Greenhaven Library branch.
- Contact:** Councilmember Robbie Waters, (916) 808-7007, City Council.

**1. Report Backs**

- a. Member Kevin McCarty
  - 1. Sign ordinance section regarding bill boards be agendized before Council within 60-90 days.
  - 2. Redistricting plan/schedule be agendized before Council in the next month.
- b. Mayor Kevin Johnson
  - 1. Entertainment and sports complex issue be agendized for discussion on January 25, 2011.

**2. Board/Commission Appointments**

- a. None.

**Adjourned** – 7:10 p.m. in honor of Robbie and Judy Waters