



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

Minutes

Tuesday, September 11, 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

Sandra Talbott, Interim 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.

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.

Minutes

Tuesday, September 11, 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 6:01p.m. Tuesday, September 11, 2012.

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

Members Absent: Member Kevin McCarty

Pledge of Allegiance—led by Member Sandy Sheedy.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Catherine Taylor, 2012 President's Award - California Preservation Foundation Recipient**
Action: Presented by Member Steve Cohn
- b. **Presentation of Contribution for Rebuild McKinley Playground**
Action: Presented by Member Steve Cohn
- c. **Recognition of Sacramento Firefighters at the Ponderosa Fire**
Action: Presented by Member Jay Schenirer

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 20 minutes)

1. Safeground/Homlessness
 - a. John Krantz
 - b. Darlene Anderson
 - c. Lorraine Brown
 - d. Katherine Felvey
 - e. Mike Williams
 - f. Kevin Carter
2. Neighborhood Issues
 - a. Pam Canada
 - b. Mac Worthy
 - c. Ron Emslie
3. Lobbying Firm
 - a. James Clark

Consent Calendar (Items 1 - 11) Estimated Time: 5 minutes (Actual Time: 6 minutes)

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

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

Absent: Member Kevin McCarty

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

1. Minutes Approval

Report # 2012-00625

Location: Citywide

Action: Passed **Motion No. 2012-217** approving Draft Minutes for June 7, June 12, June 19, and June 26, 2012.

Contact: Dawn Bullwinkel, Assistant City Clerk, (916) 808-7672, Office of the City Clerk

2. Supplemental Agreement: Lease and Operation of Haggin Oaks, Bing Maloney, and Bartley Cavanaugh Golf Courses

Report # 2012-00682

Location: Districts 2, 5, 7

Action: Passed 1) **Motion No. 2012-218** authorizing the City Manager or his designee to enter into an Assignment of Equipment agreement with Morton Golf LLC consistent with City Agreement 2011-1245; and 2) **Resolution No. 2012-322** authorizing the City Manager or his designee to execute Amendment Number 1 to City Agreement 2011-1245 for the transfer of \$65,107 from M17400200 (Golf Irrigation System Replacement) and deposit into Special Fund 5 (Irrigation Fund).

Contact: Mike Kerton, Administrative Officer, (916)808-6316, Convention, Culture and Leisure Department

3. Responses to the Findings and Action of the Sacramento Grand Jury Report on City's Solid Waste and Recyclables Contract

Report # 2012-00676

Location: Citywide

Action: Passed **Motion No. 2012-219** 1) approving proposed responses to the findings and Action contained in the 2010-11 Sacramento County Grand Jury Report regarding the City's solid waste and recyclables contract, and 2) directing the City Manager to submit the responses as required on behalf of the Mayor and City Council.

Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, General Services Department

4. Supplemental Agreement: Oak Park Combined Sewer Regional Storage Project

Report # 2012-00734

Location: Citywide

Action: Public comment heard from Mac Worthy and Ron Emslie; and passed 1) **Motion No. 2012-220** authorizing the City Manager or the City Manager's designee to sign Supplemental Agreement No. 2 to City Agreement No. 2006-0001 with West Yost Associates to reflect relocation of the Regional Storage Facility project from Curtis Park Village to Oak Park, with no increase in the agreement amount; and 2) **Resolution No. 2012-323** authorizing the City Manager or the City Manager's designee to transfer \$411,137 in Wastewater (Fund 6006) and Storm Drainage (Fund 6011) funds for the Regional Storage Facility from the Curtis Park Village Project (X14010001) to project.

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

- 5. Agreements: Powerhouse Science Center Project**
Report # 2012-00702
Location: 400 Jibboom Street, District 3
Action: Passed **Resolution No. 2012-324** 1) authorizing the City Manager or his designee to execute a Brownfields Subgrant Agreement with the California Department of Toxic Substances Control for the Powerhouse Science Center Project; 2) authorizing the City Manager or his designee to execute the Brownfields Cost Sharing Agreement with the Powerhouse Science Center; and 3) establishing revenue and expenditure budgets within the Operating Grant Fund (Fund 2702) for \$150,000 in G18337000.
Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department
- 6. Budget Adjustment: Solid Waste Education and Outreach Multi-year Operating Project (MYOP) - I14120200**
Report # 2012-00719
Location: Citywide
Action: Passed **Resolution No. 2012-325** increasing the revenue and expenditure budgets in the Solid Waste Education and Outreach multi-year operating project (MYOP) in the amount of \$125,827 to reflect the actual revenue received.
Contact: David Levine, Support Services Manager, (916) 808-7943, General Services Department
- 7. Cooperative Purchase Agreements: Mower, Claw Loaders, and Refuse Truck Bodies**
Report # 2012-00750
Location: Citywide
Action: Passed **Motion No. 2012-221:** 1) approving the use of the National Intergovernmental Purchasing Alliance (NIPA) cooperative purchase agreement (Contract No. 083004-1) with The Toro Company for the purchase of one mower in an amount not to exceed \$96,800 through October 14, 2012 or until the contract is no longer available for use; 2) approving the use of the Houston Galveston Area Council of Governments (HGAC) cooperative purchase agreement (Contract No. EM06-11a) with Pape' Machinery for the purchase of seven claw loaders in an amount not to exceed \$762,593 through May 31, 2013 or until the contract is no longer available for use; 3) approving the use of the HGAC cooperative purchase agreement (Contract No. RH08-12) with Scranton Manufacturing, Inc. for the purchase of 20 side loading refuse truck bodies in an amount not to exceed \$2,547,387 through July 31, 2014, or until the contract is no longer available for use; and 4) authorizing the City Manager or the City Manager's designee to execute the purchases specified above provided there are sufficient funds available in the budget adopted for the applicable fiscal year.
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
- 8. City Auditor's Quarterly Activities Report**
Report # 2012-00758
Location: Citywide
Action: Passed **Motion No. 2012-222** accepting the Auditor's Quarterly Activities Report.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Mayor/Council

9. Contract/Agreements: Sacramento Railyards West Tunnel Ramps

Report # 2012-00741

Location: Downtown near Sacramento Valley Station, between I Street Bridge and 7th Street, District 3

Action: Passed **Motion No. 2012-223:** 1) approving plans and specifications for the project; 2) awarding the contract to Granite Construction Company in an amount not-to-exceed \$2,890,400; and 3) awarding a professional services agreement for construction management with Vali Cooper & Associates in an amount not-to-exceed \$205,420.

Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

10. Agreement: Sacramento Valley Station Phase 2 Intermodal Facilities Project; Architectural Design Services

Report # 2012-00730

Location: District 3

Action: Passed **Motion No. 2012-224** authorizing the City Manager to execute a contract in an amount not to exceed \$3,202,124 with Zimmer Gunsul Frasca Architects LLP for the Phase 2 Sacramento Intermodal Transportation Facilities Project for architectural design services for facility rehabilitation and upgrade.

Contact: Greg Taylor, Senior Architect, (916) 808-5268; Fran Halbakken, Downtown Railyards Project Manager, (916) 808-7194

11. Contract: Sacramento City College Bicycle/Pedestrian Improvements Project

Report # 2012-00737

Location: Sacramento City College at 12th Avenue between 23rd Street and Panther Parkway, Districts 4 and 5

Action: Passed **Motion No. 2012-225:** 1) approving Plans and Specifications for the Sacramento City College Bicycle/Pedestrian Improvements Project; and 2) awarding the construction contract to Navajo Pipelines, Inc. for an amount not-to-exceed \$350,000 for the project.

Contact: Greg Smith, Associate Engineer, (916) 808-8364; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Public Hearings (Items 12 - 13)

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

12. Housing Case Fees and Penalties - Findings of Fact for Special Assessment Liens

(Noticed on 07/25/2012)

Report # 2012-00762

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

Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/Member Robert King Fong

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

Absent: Member Kevin McCarty

Action: Conducted a public hearing with comment heard from Mac Worthy and Julie Berry; and upon conclusion, passed **Resolution No. 2012-326 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: Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

13. Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 08-09-2012)

Report # 2012-00761 **Estimated Time: 15 Minutes** (Actual Time: 3 minutes)

Location: Citywide

Action: Moved/Seconded: Member Sandy Sheedy/Member Robert King Fong

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

Absent: Member Kevin McCarty

Conducted a public hearing and upon conclusion passed **Resolution No. 2012-327 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: Ron O'Connor, Operations Manager (916) 808-8183, Community Development Department

Discussion Calendar (Items 14 - 15)

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

14. Ordinance: Use of the City Hall Facility (Passed for Publication on 9-4-12, Published on 9-7-12)

Report # 2012-00752 **Estimated Time: 60 Minutes** (Actual Time: 62 minutes)

Location: 915 I Street, District 1

Action: Moved/Seconded: Member Darrell Fong/Member Steve Cohn

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

Absent: Member Kevin McCarty

Public comment heard from Rafael Rochh, Matt Woliven, Marc Brandes, Lanette Davies, Laurie Blaziech, CT Weber, Don McGrath, Efren Gutierrez, Dan Bacher, Andrew, Darlene Anderson, Christopher MacDonald, Kim Sloan, Nathan Sands, Darien De Lu, Roger Dufur, Mac Worthy, Autumn Thomas-Monmes, Dan Blake, Bob Saunders, John Reiger, Dee Tollefson, John Krantz, Kevin Carter, and James Clark; and passed **Ordinance No. 2012-040** adding Chapter 12.74 to the Sacramento City Code relating to the use of the City Hall Facility.

Contact: Rhonda R. Lake, Facilities and Real Property Superintendent, (916) 808-7902, General Services Department

15. City Auditor's Audit of the Fire Prevention Program

Report # 2012-00757 **Estimated Time: 20 Minutes** (Actual Time: 28 minutes)

Location: Citywide

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

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

No: Member Angelique Ashby and Mayor Kevin Johnson

Absent: Member Kevin McCarty

Passed **Motion No. 2012-226** approving the City Auditor's Audit of the Fire Prevention Program.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

a. Animal Care Services

1. Stephen J. Bruhn-Cital (Category A-2)

b. Sacramento Metropolitan Arts Commission

1. Allison S. Joe (Category A)

2. Cheryl Holben (Category A)

c. Sacramento Disabilities Advisory Commission

1. Debra Finch

2. Joan M Barden

3. Todd W. Patterson

d. Utilities Rate Advisory Commission

1. Douglas Brown (Category A)

2. Scott Brown (Category A)

3. Christopher Butcher (Category A)

4. Carolyn Veal-Hunter (Category B)

e. Sacramento Youth Commission

1. Taylor Mesich (District 3)

Adjourned – 8:28 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of September 11, 2012 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

