



**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 1, 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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Minutes
Tuesday, March 1, 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 6:07 p.m. Tuesday, March 1, 2011 at the Sacramento City Hall Council Chamber.

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

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

Closed Session Report – None.

a. Presentation of International Airport Artwork

Report ID: Report-2011-00224

Estimated Time: 5 min (Actual Time: 10 minutes)

Location: Unincorporated portion of the Natomas Basin within Sacramento County adjacent to District 1

Contact: Rhyena Halpern, Executive Director, (916) 808-3992; Shelly Willis, Art in Public Places Program Director, (916) 808-3971; Sacramento Metropolitan Arts Commission

Action: Presented by Interim County Administrator Steve Szaley

b. "Pups in the Park" Donation to Sacramento Animal Care

Report ID: Report-2011-00244

Estimated Time: 5 min (Actual Time: 6 minutes)

Location: Citywide

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

Action: Donation presented by Councilmember Ashby's District 1 Youth Advisory Committee to Penny Cistaro, City Animal Shelter.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 5 minutes)

1. Education
 - a. Robbin Ware
2. Citizens Auditor
 - a. Bill Grant
3. SHRA
 - a. Ron Emslie
4. Mayor's Birthday
 - a. Mike Barnbaum
5. Homelessness/Jobs
 - a. Eric Wymer

Consent Calendar (Items 1 - 13) **Estimated Time: 5 minutes** (Actual Time: 30 minutes)

Action: Moved/Seconded: Member Steve Cohn /Member Jay Schenirer

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 Minutes Approval: January 25, February 1, and February 8, 2011.

Report ID: Report-2011-00183

Location: Citywide

Action: Approved the City Council, Financing Authority, Housing Authority and Redevelopment Agency minutes for January 25, February 1, and February 8, 2011.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

2 Consideration of Applicants: Sacramento Redistricting Citizens Advisory Committee

Report ID: Report-2011-00241

Location: Citywide

Action: Record corrected adding Elaine Smith as applicant; received and filed.

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

3 (Council/Redevelopment Agency) Updated Conflict of Interest Code

Report ID: Report-2011-00240

Location: Citywide

Action: Adopted 1) **City Resolution No. 2011-113** amending the Conflict of Interest Code for the City of Sacramento (Resolution 2010-071) to exclude the redevelopment advisory committees; and 2) **Redevelopment Agency Resolution No. 2011-007** to include the redevelopment advisory committees to the Conflict of Interest Code Agency for the Redevelopment Agency Resolution 2009-060.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk; Vickie Smith, Agency Clerk, (916) 440-1363, Sacramento Housing and Redevelopment Agency

4 Approval to Join Arts Loan Fund Program

Report ID: Report-2011-00238

Location: Citywide

Action: Adopted **Resolution No. 2011-114** 1) approving Sacramento Metropolitan Arts Commission (SMAC) to join the Northern California Grantmakers (NCG) and the Arts Loan Fund; and 2) approving the use of up to \$88,500 from the Arts Stabilization Carryover Bridge Loan Restricted Funds for NCG membership fees and Arts Loan Fund contribution over nine years.

Contact: Rhyena Halpern, Executive Director, (916) 808-3989; Anja Aulenbacher, Grants and Cultural Programs Coordinator, (916) 808-3986; Sacramento Metropolitan Arts Commission

5 Agreement: Sacramento Enterprise Zone (To Be Delivered)

Report ID: Report-2011-00032

Location: Citywide

Action: **Withdrawn** a Resolution 1) approving a Negative Declaration for the Sacramento Enterprise Zone Project, and 2) approving a Memorandum of Understanding (MOU) between the City of Sacramento and the State of CA Department of Housing & Community Development for the establishment of Sacramento Enterprise Zone.

Contact: Dean Peckham, Senior Development Project Manager, (916) 808-7063, Department of Economic Development.

6 Amendment and Increase funding for the Brownfield Revolving Loan Fund (RLF) Grant Program

Report ID: Report-2011-00182

Location: Citywide

Action: Adopted **Resolution No. 2011-116** 1) authorizing the City Manager to accept the amendment to the Brownfield Revolving Loan Fund (RLF) program and the additional \$400,000 in grant funding (Fund 2702) from the U.S. Environmental Protection Agency and 2) increasing the Brownfield RLF grant (G18334500) revenue and expenditure budgets by \$400,000 for the City's Brownfield RLF Program.

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

7 Project Numbers and Associated Appropriations for Developer Credit Projects

Report ID: Report-2011-00131

Location: District 1

Action: Adopted **Resolution No. 2011-117** creating Project Numbers for Developer Credit Projects.

Contact: Diane Morrison, Finance Department, Program Specialist, (916) 808-7535, Department of Finance

8 Agreement: Fire Cost Recovery Billing Services (2/3 Vote Required)

Report ID: Report-2011-00122

Location: Citywide

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

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

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

Action: Removed from Consent Calendar by Member Jay Schenirer; public comment given by Jaymes Butler, after which a **motion passed** directing staff to bring back the Fire Cost Recovery ordinance for reconsideration, and **withdrawn** a Resolution 1) suspending competitive bidding in the best interests of the City; and 2) authorizing the City Manager or designee to execute an Agreement with Fire Recovery USA, LLC for fire cost recovery billing services.

Contact: Ray Jones, Fire Chief, (916) 808-1300, Fire Department, Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

9 Appropriate Park Development Impact Fees for Park Improvements to George Sim Community Center (L13000200)

Report ID: Report-2011-00191

Location: 6207 Logan Street (District 6)

Action: Adopted **Resolution No. 2011-119** appropriating \$40,000 of Park Development Impact Fees (PIF), Fund 3204, from Planning Area 5 for park improvements to George Sim Community Center (L13000200) for the installation of cable barrier.

Contact: Sonja Jarvis, Fiscal Lead, (916) 808-8824, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation; Dave Morgan, Associate Architect, (916) 808-8425, Department of General Services

10 Supplemental Grant II: Public Safety Interoperable Communications

Report ID: Report-2011-00170

Location: Citywide

Action: Adopted **Resolution No. 2011-120** 1) authorizing the Interim City Manager, or the Interim City Manager's designee, to accept up to \$980,000 in additional grant funding, including any augmentations, extensions or amendments thereof, from the State of California, Emergency Management Agency for the Public Safety Interoperable Communications Grant; 2) authorizing the Interim City Manager, or the Interim City Manager's designee, to adjust the necessary Police Department grant expense and revenue budgets to the Public Safety Interoperable Communications Grant (#G11006100); 3) authorizing the Interim City Manager, or the Interim City Manager's designee, to act as the primary fiscal agent for the distribution of funds received from this grant and the related matching funds; and 4) authorizing the Interim City Manager, or the Interim City Manager's designee, to enter into agreements or memoranda of understanding, as necessary and subject to approval as to form by the City Attorney, to accept the funds received from this grant and the related matching funds.

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

11 R Street Improvements Project- 10th Street to 13th Street (T15056200)

Report ID: Report-2011-00066

Location: District 4

Action: Moved/Seconded: Member Steve Cohn /Member Jay Schenirer

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

Abstain:Kevin McCarty

A motion passed to adopt **Resolution No. 011-121** 1) authorizing the City Manager to execute Change Order No. 4 in the amount not to exceed \$366,720.74 with Teichert Construction for the R Street Improvements Project, 10th Street to 13th Street (T15056200), and 2) resetting the City Manager's change order authority.

Contact: Zuhair Amawi, Associate Civil Engineer, (916) 808-7620; Tim Mar, Supervising Engineer, (916) 808-7531, Department of Transportation

12 Supplemental Agreement: Lower American River Flow Management Standard EIR

Report ID: Report-2011-00143

Location: Citywide

Action: Adopted **Resolution No. 2011-122** authorizing the City Manager to execute a Supplemental Professional Services Agreement with cbec, inc. for an amount not to exceed \$95,000 to assist with the development of the Environmental Impact Report necessary for the Water Forum Successor Effort's ongoing effort to update the lower American River Flow Management Standard.

Contact: Kathy Howard, Administrative Analyst, (916) 808-1995 and Sarah Foley, Program Manager, (916) 808-1997

13 Agreement: Florin Reservoir Engine 3 Rebuild Project (Z14110600)

Report ID: Report-2011-00125

Location: District 6

Action: Adopted **Resolution No. 2011-123** awarding contract to Holt of California for the Florin Reservoir engine 3 rebuild project for an amount not to exceed \$121,000.

Contact: Mike Yee, Plant Services Manager, (916) 808-5670; Pete Millino, Water and Sewer Superintendent, (916) 808- 5173, Department of Utilities

Discussion Calendar (Item 14 - 18)

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

14 City - Schools Partnership

Report ID: Report-2011-00159

Estimated Time: 10 min (Actual Time: 16 minutes)

Location: Citywide

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

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. 2011-124** as **amended** approving City-Schools Partnership Framework.

Contact: Camille Wise, Resource Development Specialist, (916) 808-8830; Lori Harder, Support Services Manager, Department of Parks and Recreation; Dan Schiele, Police Captain, (916) 277-6150, Police Department

15 Green Building Task Force Actions

Report ID: Report-2011-00105

Estimated Time: 30 min (Actual Time: 50 minutes)

Location: Citywide

Action: Public comment given by Panama Bartholomy, Eric Rasmusson and Robert Chase; received Green Building Task Force Actions and provided direction to staff.

Contact: Jamie Cutlip, Associate Planner, (916) 808-8684, Community Development Department

16 Auditor: Action Follow-up July-December 2010

Report ID: Report-2011-00177

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

Location: Citywide

Action: Received and filed.

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

17 Approval of Strategies for Development of the FY 2011/12 Budget

Report ID: Report-2011-00171

Estimated Time: 45 min (Actual Time: 18 minutes)

Location: Citywide

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

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 given by Marcia Mooney and Mike Barnbaum; a motion **passed** to approve the proposed budget strategies to utilize in developing the City's Fiscal Year 2011/12 Proposed Budget.

Contact: Patti Bisharat, Assistant City Manager, (916) 808-5704, Office of the City Manager

18 Report Back: Council Options for Imposing a Pay and Hiring Freeze

Report ID: Report-2011-00262

Estimated Time: 5 min (Actual Time: 5 minutes)

Location: Citywide

Action: Received and filed.

Contact: Matt Ruyak, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Jay Schenirer

1. Requested another homeless workshop to give additional direction to staff and stress the urgency of the situation

b. Members Robert King Fong and Kevin McCarty

2. Budget implications of federal grant funds received to date

c. Member Sandy Sheedy

1. Resolution to institute a freeze on salary increases and hiring for non-represented (outside of any contractual obligations and unfair labor practices) until the budget is completed [be brought back in an appropriate time frame]

2. Board/Commission Appointments

- a. Sacramento Youth Commission
 - 1. Isaac Gardon (D5)
 - 2. Aunjanaea Lawson (D5)
 - 3. Maurice Wheatley (Mayor)
- b. Parks and Recreation Commission
 - 1. Araceli Mercado (D7)
- c. Planning Commission
 - 1. Joseph Yee (at large)
 - 2. Kiyomi Burchill (at large)
 - 3. Michelle Smira (Mayor)
- d. Hearing Examiner
 - 1. Art Gee
- e. Administrative, Investment & Fiscal Management Board
 - 1. David DeCamilla (incumbent)
- f. Ann Land/Bertha Henschel Memorial Fund Commission
 - 1. James Sobolewski (incumbent)
- g. Design Commission
 - 1. James Fong (incumbent) – category A
 - 2. Todd Rudd (incumbent) – category D
 - 3. Scott Hooker (incumbent) – category E
- h. Paratransit, Inc. Board of Directors
 - 1. Scott Leventon (incumbent)
- i. Preservation Commission
 - 1. Timothy Brandt (incumbent) – category A
 - 2. Eric Fuller – category C
 - 3. Melissa Mourkas – category E
- j. Sacramento/Yolo Mosquito & Vector Control District
 - 1. David Tamayo (incumbent)
- k. Small Business Development & Employment Advisory Board
 - 1. Edward Williams – category A
 - 2. Anita Johnson (incumbent) – category B
- l. Human Rights/Fair Housing Commission
 - 1. Shirley Uplinger
 - 2. Jennifer Daw
 - 3. Babak Kosseini
- m. Natomas Basin Conservancy Board of Directors
 - 1. William Edgar
 - 2. Michael McRae
- n. 65th Street Redevelopment Advisory Committee
 - 1. Bridget Reilly

Adjourned -8:50 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of March 1, 2011 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk