



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, August 21, 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.

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Minutes

Tuesday, August 21, 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.

Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, August 21, 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 Vice-Mayor Angelique Ashby.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 8 minutes)

1. Neighborhood Issues
 - a. Ron Emslie
 - b. Mac Worthy
 - c. Tim Boyd
2. Autism
 - a. Pearlie Barton

Consent Calendar (Items 1 - 13) **Estimated Time: 5 minutes** (Actual Time: 4 minutes)

Action: Moved/Seconded: Member Robert King Fong/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. Confirmation of Board/Commission Appointments

Report # 2012-00738

Location: Citywide

Action: Passed **Motion No. 2012-204** confirming board/commission appointment(s): 1) Animal Care Services Citizens Advisory Committee – Kathleen Garcia (Category C); and 2) Sacramento Sports Commission – Michael Ault and Pamela Johns (Category A).

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

- 2. Agreement: Biological Monitoring Contract for Spawning Gravel Augmentation Project (G1400202)**
Report # 2012-00716
Location: Citywide
Action: Passed **Motion No. 2012-205** authorizing the City Manager, or his designee, to execute a Professional Services Agreement with S. P. Cramer & Associates, Inc. in the amount of \$108,300 for work associated with the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning.
Contact: Tom Gohring, Executive Director, (916) 808-1993, Community Support Department
- 3. Agreement: Memorandum of Understanding for City Funding of the Business Environmental Resource Center (BERC)**
Report # 2012-00668
Location: Citywide
Action: Passed **Motion No. 2012-206** authorizing the City Manager or the City Manager's designee to sign a Memorandum of Understanding to reimburse BERC for programs and activities which assisted in the implementation of the City's stormwater NPDES Permit for fiscal years 2008/09, 2009/10 and 2010/11, totaling \$200,850.
Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineering, (916) 808-1455, Department of Utilities
- 4. FY2012/13-FY2013/14 Source Water Protection Consultation Services**
Report # 2012-00686
Location: Citywide
Action: Passed **Motion No. 2012-207** authorizing the City Manager or City Manager's designee to execute a professional services agreement with Starr Consulting to provide source water protection consultation services for the two year period of FY2012/2013 and FY2013/2014, for an amount not to exceed \$139,410.
Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities
- 5. Contract: Pocket Canal Channel Lining Project- Phase 4 (W14120700)**
Report # 2012-00680
Location: District 7
Action: Passed **Motion No. 2012-208** 1) approving the contract plans and specifications for the project (W14120700); and 2) awarding the contract to Delta Gunite Solano, for an amount not to exceed \$134,903.00.
Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineering, (916) 808-1413, Department of Utilities
- 6. Township 9 Community Facilities District No. 2012-06 – Ordinance to Levy a Special Tax** (Passed for publication 8-14-12, published 8-17-12)
Report # 2012-00534
Location: District 3
Action: Passed **Ordinance No. 2012-034** levying a special tax within the Township 9 Community Facilities District No. 2012-06.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788; Finance Department

- 7. Universal Resolution Designating an Agent for Obtaining Certain Federal and State Financial Assistance**
Report # 2012-00710
Location: Citywide
Action: Passed a universal **Resolution 2012-307**, effective for all open and future disasters, designating the Finance Director, Accounting Manager or Principal Accountant as agent for the City of Sacramento for purposes of obtaining federal financial assistance under P.L.93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 and or State Assistance under the California Disaster Assistance Act.
Contact: Dennis Kauffman, Finance Department, Accounting Manager, (916) 808-5843, Finance Department
- 8. Contract Amendment: On-Call Hazardous Materials Abatement Services List for Public Facilities [2/3 Vote Required]**
Report # 2012-00640
Location: Citywide
Action: Passed **Motion No. 2012-209:** 1) suspending competitive bidding in the best interests of the City; 2) amending the On-Call Hazardous Materials Abatement Services List for Public Facilities previously approved by City Council on September 1, 2009 for an additional one-year renewal period and an additional \$75,000 per contract for a total amount not to exceed \$300,000 for each contract; 3) authorizing the City Manager or the City Manager's designee to execute the foregoing contract extensions; and 4) ratifying prior purchases with JM Environmental, Inc., Parc Specialty, and West Coast Environmental in a combined amount of \$110,081.
Contact: Karl Kurka, Program Manager, (916) 808-8430, General Services Department
- 9. Contract: General Maintenance and Repairs for Heavy Duty Vehicles and Equipment**
Report # 2012-00670
Location: Citywide
Action: Passed **Motion No. 2012-210:** 1) awarding a three-year contract to Howard and Son Truck Service, the lowest responsive and responsible bidder, for the purchase of general maintenance and repair services for heavy duty vehicles and equipment in an amount not to exceed \$363,712.50 for the three-year period; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above provided that sufficient funding is available in the budget adopted for the applicable fiscal year.
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
- 10. Employee Assistance Services**
Report # 2012-00724
Location: Citywide
Action: Passed **Resolution No. 2012-308** 1) awarding a two-year contract, with an option to extend for three additional years, for Employee Assistance Program Services to Managed Health Network (MHN) in a total amount not to exceed \$890,000 for the term of the contract; and 2) authorizing the City Manager or the City Manager's designee to execute the contract.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173; Barbara Brenner, Human Resources Manager, (916) 808-7785, Human Resources Department

11. Appropriation of Federal Funds for Intermodal Facility, West Pedestrian Tunnel Access Ramps

Report # 2012-00693

Location: Downtown Railyards, District 3

Action: Passed **Resolution No. 2012- 309** 1) appropriating \$2,783,330 (Fund 3703) in federal funds to the Sacramento Intermodal Transportation Facility (T15029000) for the construction of Access Ramps to the West Pedestrian Tunnel; and 2) transferring \$188,000 (Fund 6004) from the Parking Facilities Development Project (V15710000) to the Sacramento Intermodal Transportation Facility (T15029000).

Contact: Lucinda Willcox, Program Manager, (916) 808-5052; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

12. Contract: 2012 Street Seal Coat Project

Report # 2012-00698

Location: Districts 1, 2, 4 and 7

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

Public comment heard from Ron Emslie and passed **Resolution No. 2012- 310** 1) appropriating and transferring of funds; 2) approving specifications for the 2012 Street Seal Coat Project; and 3) awarding the construction contract to Western Pavement Solutions for an amount not to exceed \$1,592,647 for 2012 Street Seal Coat Project which includes resurfacing and striping for the Downtown On-Street Bikeway Project (K15116800).

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

13. (Housing Authority Sussessor Agency) Approval of Interim Lease Agreement between the Housing Authority of the City of Sacramento (Acting as Successor Housing Agency) and the Fortune School of Education

Report # 2012-00579

Location: 4501 9th Avenue, District 5

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

Public comment heard from Mac Worthy and passed **Housing Authority Successor Agency Resolution No. 2012- 003** authorizing the Executive Director, or her designee, to execute a lease for one year with three optional renewals for property located at 4501 9th Avenue with the Fortune Charter School. The Housing Authority shall have the ability to terminate the interim lease without penalty after 30 days from notification.

Contact: Chris Pahule, Program Manager, (916) 440-1350; Craig Locke, Management Analyst, (916) 449-6273, Sacramento Housing and Redevelopment Agency

Public Hearings (Item 14)

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

14. Public Hearing: Handle Business Improvement District – Management District Plan Modification (Noticed 7-22-12 and 7-30-12)

Report # 2012-00537 **Estimated Time: 10 Minutes** (Actual Time: 6 minutes)

Location: District 4

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

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

Conducted a public hearing and, upon conclusion, passed **Resolution No. 2012- 311** modifying Management District Plan for the Handle Business Improvement District No. 2011-04.

Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

Discussion Calendar (Items 15 - 16)

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

15. Urban Land Institute (ULI) Railyards Presentation and Next Steps

Report # 2012-00699 **Estimated Time: 30 Minutes** (Actual Time: 40 minutes)

Location: Railyards, District 3

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

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

Public comment heard from David Zehnder, Charles Moore, Mac Worthy, Richard Rich, and passed **Resolution No. 2012- 312** 1) establishing the Railyards Connections Project (T02000000) as a new Capital Improvement Project; 2) amending the FY2012/13 Capital Improvement Program by appropriating \$20,000 from Downtown Transportation Systems Management (TSM) Fund balance (Fund 2012) to the Railyards Connections Project (T02000000) for site design, transportation planning, and connections analysis for the southern part of the Railyards; and 3) authorizing the City Manager or his designee to execute an agreement for urban design and development advisory services with the Urban Land Institute’s Rose Center for Leadership in Land Use for \$20,000.

Contact: Fran Halbakken, Railyards Development Manager, (916) 808-7194, Department of Public Works

16. **Ordinance: Establishing a Program and Fines for False Fire Alarms** (Passed for Publication on 7-24-12; published on 7-27-12, continued from 7-31-12)
Report # 2012-00550 **Estimated Time: 10 Minutes** (Actual Time: 26 minutes)
Location: Citywide
Action: Moved/Seconded: Member Darrell Fong/Member Robert King Fong
Yes: Members Angelique Ashby, Steve Cohn, Robert King Fong, Darrell Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy, and Mayor Kevin Johnson.
Public comment heard from John Sullivan, Johnnise Downs, and Ron Emslie; and passed 1) **Ordinance No. 2012- 035** adding Section 8.38 to the Sacramento City Code relating to fines for false fire alarms; and 2) **Resolution No. 2012- 313** adopting the fine amounts for false fire alarms.
Contact: Michael Bartley, Fire Marshal, (916) 808-1620; Joseph A.D. Jackson, Assistant Chief, 916-808-1602, Fire Department

Information Reports (Item 17)

These items are for information only and are not eligible for action at this time.

17. **Final Map of 818 K Street Office Condominiums**
Report # 2012-00740
Location: District 4
Action: Received with public comment heard from Mac Worthy and filed.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Public Works Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Robert King Fong

1. Refer to Law and Legislation committee to review an amendment to the unattended donation box ordinance regarding a tow provision.

2. Board/Commission Appointments

None.

Adjourned – 7:37 pm.in memory of Tom Friery, former City Treasurer.

This is to certify that the foregoing is a true and correct copy of the minutes of August 21, 2012 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

