



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

Agenda

Tuesday, May 15, 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

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
John F. Shirey, City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

On January 31, 2012 the City Council passed Resolution 2012-018 electing to serve as Successor Agency to its Redevelopment Agency.

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 Recommendation; 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)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

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.

PLEASE Read: Updated Information based on the Annual Council Rules of Procedure Update (1-10-12)

General Conduct for the Public Attending Council Meetings

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council.
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the City Council

- Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding unagendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.
 - Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
 - While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
 - Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
 - Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.
- Speaker Time Limits. In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.
 - **Matters not on the Agenda.** Two (2) minutes per speaker.
 - **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
 - Discussion Calendar Items. Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

AGENDA

Tuesday, May 15, 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.

Roll Call

Pledge of Allegiance

Closed Session Report

Special Presentations/General Communications

- a. Recognizing Older American Month
- b. Recognizing Old City Cemetery Committee 25 Year of Volunteer Support

Public Comments-Matters Not on the Agenda (2 minutes per speaker)

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

Consent Calendar (Items 1 - 24) **Estimated 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.

1. **Planning and Design Commission - Consideration of Applicants**
Report # 2012-00420
Location: Citywide
Recommendation: Receive and file.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk
2. **Supplemental Agreement: Provision of FY2012/13 Legal Services**
Report # 2012-00421
Location: Citywide
Recommendation: Pass a Motion 1) authorizing the City Attorney to execute Amendment No. 3 to City Agreement No. 2009-0629 with the Sacramento Public Library Authority for legal services in FY 2012/13; and 2) authorizing the City Manager or the City Manager's designee to establish a revenue budget in the amount of \$50,400 within the City Attorney's FY 2012/13 General Fund operating budget.
Contact: Matthew Ruyak, Assistant City Attorney (916) 808-5346, Office of the City Attorney

- 3. Amending the Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facility District Financing for Infrastructure and Public Facilities
Report # 2012-00466**
Location: Citywide
Recommendation: Pass a **Resolution** amending the Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facility District Financing for Infrastructure and Public Facilities.
Contact: Joseph Cerullo, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney
- 4. Establishment of a Community Facilities District for the Clean Energy Sacramento Program
Report # 2012-00467**
Location: Citywide
Recommendation: Pass a **Resolution** declaring the City Council's intent to establish a community facilities district for the Clean Energy Sacramento Program, which will replace the Property Assessed Clean Energy (PACE) Program
Contact: Yvette Rincon, Program Manager, (916) 808-5827, General Services Department
- 5. Service Agreement: Sacramento Convention Center Audio Visual Provider
Report # 2012-00198**
Location: District 4
Recommendation: Pass a Motion authorizing the City Manager or his designee to execute the Assignment of Professional Service Agreement 2010-1043 to Logic Technology Group, Inc.
Contact: Tina McCarty (916) 808-8220 and Karla Rockberg (916) 808-1933, Convention, Culture and Leisure Department
- 6. Neighborhood Landscaping District - Initiate Proceedings
Report # 2012-00136**
Location: District 2, 5, 6, 7, 8
Recommendation: Pass 1) a **Resolution** directing filing of Engineer's Annual Report for Fiscal Year (FY) 2012/13 for the Neighborhood Landscaping District; and 2) a Resolution approving Engineer's Annual Report and Intention to Order Maintenance of Improvement for FY2012/13 for the Neighborhood Landscaping District and setting a time and place for a Public Hearing for June 19, 2012.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
- 7. Neighborhood Lighting District - Initiate Annual Proceedings
Report # 2012-00140**
Location: District 2, 5, 6
Recommendation: Pass 1) a **Resolution** directing Filing of Annual Report for Fiscal Year (FY) 2012/13 for the Neighborhood Lighting District; and 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2012/13 for the Neighborhood Lighting District and setting a time and place for a Public Hearing on June 12, 2012.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

8. **Power Inn Road Maintenance District-Initiate Proceedings**
Report # 2012-00141
Location: District 6
Recommendation: Pass 1) a **Resolution** directing filing of Annual Report for Fiscal Year (FY) 2012/13 and 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2012/13 and setting a time and place for a Public Hearing on June 12, 2012.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

9. **Stockton Boulevard Property and Business Improvement District (PBID) No. 2011-02-Fiscal Year (FY) 2012/13 Annual Proceedings**
Report # 2012-00151
Location: District 5, 6
Recommendation: Pass a **Resolution** approving the Stockton Boulevard PBID Annual Report, establishing a budget and levying an assessment for FY2012/13.
Contact: Jodie Vong, Program Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

10. **Oak Park Property and Business Improvement District (PBID) No.2009-01-Fiscal Year (FY) 2012/13 Annual Proceedings**
Report # 2012-00152
Location: District 5
Recommendation: Pass a **Resolution** approving the Oak Park PBID Annual Report, establishing a budget and levying an assessment for FY2012/13.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

11. **River District Property and Business Improvement District (PBID) – FY2012/13 Annual Proceedings**
Report # 2012-00153
Location: District 3, 4
Recommendation: Pass a **Resolution** approving the River District PBID Annual Report, establishing a budget and levying an assessment for Fiscal Year (FY) 2012/13.
Contact: Jodie Vong, Program Analyst, (916) 808-8273; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

12. **(Pass for Publication) Ordinance: Local Amendments supplementing the 2010 California Fire Code ("CFC")**
Report # 2012-00440
Location: Citywide
Recommendation: 1) Review an Ordinance repealing and reenacting Chapter 15.36 of the Sacramento City Code and adopting by reference the 2010 California Fire Code ("CFC"), with local amendments; and 2) pass for publication the Ordinance title as required by Sacramento City Charter § 32(c) to be adopted May 22, 2012.
Contact: Michael Bartley, Fire Marshal, (916) 808-1620, Fire Department

- 13. Contract: Purchase of Duty and Turnout Boots [2/3 Vote Required]**
Report # 2012-00423
Location: Citywide
Recommendation: Pass a Motion: 1) suspending competitive bidding in the best interests of the City for the purchase of a second type of turnout boot; 2) awarding a contract through June 30, 2013 to Allstar Fire Equipment for the purchase of the Haix Special Fighter Xtreme Leather Duty Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, in a total amount not to exceed of \$65,000; 3) awarding a contract through June 30, 2013 to Mallory Safety & Supply for the purchase of Fire Dex Leather Bunker Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, in a total amount not to exceed of \$45,000; 4) awarding a contract through June 30, 2013 to Fisher Scientific for the purchase of the Pro Warrington 3006 Leather Duty Boots, as the lowest responsible and responsive bidder as a result of Bid No. B122532004, and in addition, for the purchase of the Pro Warrington 5006 Leather Turnout Boots in a total amount not to exceed of \$140,000; and 5) authorizing the City Manager or his designee to execute the contracts specified above and any and all extension(s), provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).
Contact: Niko King, Assistant Chief, (916) 216-0310, Fire Department
- 14. Cooperative Purchase Agreement: Tractor**
Report # 2012-00397
Location: Citywide
Recommendation: Pass a Motion: 1) approving the use of the Houston Galveston Area Council (HGAC) cooperative purchase agreement (Contract No. EM06-11) with Case Power and Equipment for the purchase of two tractors in an amount not to exceed \$151,000 through May 31, 2013 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above provided there are sufficient funds available in the budget adopted for the applicable fiscal year(s).
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
- 15. Supplemental Agreement: Solar at Sutter's Landing**
Report # 2012-00416
Location: Sutter's Landing Regional Park, District 3 and Land Park, District 4
Recommendation: Pass a Motion: authorizing the City Manager or the City Manager's designee to execute the Second Amendment to City Agreement No. 2010-0913 to extend the term of the Exclusive Right to Negotiate a Lease with Conergy Projects, Inc. for an additional one year contingent upon Conergy Projects, Inc. securing a signed agreement for the Sacramento Municipal Utility District Simply Solar Grant.
Contact: Yvette Rincon, Sustainability Program Manager, (916) 808-5827, General Services Department

16. Cooperative Purchase Agreement: Portable Generators

Report # 2012-00370

Location: Citywide

Recommendation: Pass a Motion: 1) approving the use of the Houston Galveston Area Council (HGAC) cooperative purchase agreement (Contract No. GE02-12) with PAC Machine Co., Inc. for the purchase of three portable generators in an amount not to exceed \$325,000 through January 31, 2014 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above provided there are sufficient funds available in the budget adopted for the applicable fiscal year(s).

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department

17. Resolution Declaring Official Intent to Reimburse Expenditures from City Water System Revenue Bonds and Wastewater System Revenue Bonds

Report # 2012-00424

Location: Citywide

Recommendation: Pass a **Resolution:** 1) declaring the City's "official intent" to reimburse certain expenditures for the rehabilitation and improvement of utilities infrastructure from the proceeds of City Water System Revenue Bonds issued by the City or the Sacramento City Financing Authority, 2) authorizing the potential refunding of prior debt obligations associated with the City's water program, 3) designating Orrick, Herrington & Sutcliffe LLP to serve as bond counsel and Stradling Yocca Carlson & Rauth, P.C. to serve as disclosure counsel related to the issuance of City Water System Revenue Bonds, 4) declaring the City's "official intent" to reimburse certain expenditures for the rehabilitation and improvement of utilities infrastructure from the proceeds of City Wastewater System Revenue Bonds, 5) authorizing the potential refunding of prior debt obligations associated with the City's wastewater program, and 6) designating Orrick, Herrington & Sutcliffe LLP to serve as bond counsel and Stradling Yocca Carlson & Rauth, P.C. to serve as disclosure counsel related to the issuance of City Wastewater System Revenue Bonds.

Contact: Brian Wong, Senior Debt Analyst, (916) 808-5811; Janelle Gray, Debt Manager, (916) 808-8296

18. Appropriate Park Development Impact Fees for Park Improvements to Mae Fong Park (L19150100)

Report # 2012-00399

Location: 3004 Redding Avenue, District 6

Recommendation: Pass a **Resolution** appropriating \$18,000 of Park Development Impact Fees (PIF), Fund 3204, from Community Plan Area 5 for park improvements at Mae Fong Park.

Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation

19. Agreement: Design and Construction of Park Improvements for Township 9 North 7th Street Park

Report # 2012-00435

Location: 819 North 7th Street, District 1

Recommendation: Pass a Motion authorizing the City Manager or City Manager's designee to execute an Agreement with Capitol Station 65, LLC for the Design and Construction of Park Improvements for Township 9 North 7th Street Park with Capital Station 65, LLC.

Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722; Tim Hopper, Administrative Officer, (916) 808-8173, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955; Department of Parks and Recreation

20. Contract: North Natomas Regional Park Phase 4 – Sports Fields Project (L19140100) and Environmental Documents

Report # 2012-00407

Location: 2501 North Market Drive, District 1

Recommendation: Pass 1) a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Reporting Program for the North Natomas Regional Park Phase 4-Sports Fields project (L19140100) (referred to in the Initial Study/Mitigated Negative Declaration as the "North Natomas Regional Park Ballfield Complex"; and 2) a Motion a) approving the contract plans and specifications for the project; 2) awarding the contract to Hemington Landscape Services, Inc. for improvements to the park in an amount not to exceed \$3,752,579; and b) authorizing the City Manager, or City Manager's designee, to execute and award the contract to Hemington Landscape Services, Inc. for the project.

Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Department of Parks and Recreation

21. Cooperative Reimbursement Agreement: Accessibility Improvement

Report # 2012-00337

Location: Districts 2, 3, 4 & 5

Recommendation: Pass a **Resolution** 1) authorizing the City Manager to execute a Cooperative Agreement between the City of Sacramento and Sacramento Regional Transit District, for the City to construct accessibility improvements on behalf of Sacramento Regional Transit District (RT) with RT funding; and 2) appropriating \$175,000 (Fund 3702) to the Public Rights-of-Way Accessibility Program (T15120600).

Contact: Edward Williams, Associate Civil Engineer (916) 808-8288; Nicholas Theocharides, Supervising Engineer (916) 808-5065, Department of Transportation

22. Supplemental Agreement: Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700)

Report # 2012-00395

Location: Union Pacific Railroad on the segment of 12th Avenue on the Sacramento City College Campus, District 5

Recommendation: Pass a **Resolution:** 1) approving the transfer of \$1,100,000 (Fund 2028) from the Ramona Avenue Extension Project (T15018400) to the Sacramento City College Pedestrian/ Bicycle Overcrossing Project; 2) authorizing the City Manager to submit an amendment to the State Controller's Office for the 2008-09 Proposition 1B Local Streets and Roads (Prop 1B LSR) funds expenditure plan; 3) authorizing the City Manager to execute Supplemental Agreement No. 3 with Drake Haglan and Associates in an amount not to exceed \$79,324 and to revise the contract scope of work; 4) ratifying Supplemental Agreements No. 1 and No. 2 to City Agreement 2010-0789 with Drake Haglan and Associates and resetting the City Manager's authority to issue supplemental agreements for City Agreement 2010-0789; and 5) resetting the administrative authority for the project.

Contact: Ryan Moore, Supervising Civil Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

23. Appointing and Establishing Salary for Interim City Attorney [To Be Delivered]

Report # 2012-00485

Location: Citywide

Recommendation: Pass **Resolution** 1) Appointing the Interim City Attorney, 2) establishing the salary for the Interim City Manager.

Contact: Geri Hamby, Director, (916) 808-7173, Human Resources Department

24. License Agreement and Indemnity Agreement: Sleep Train Driveway on Sports Parkway [To Be Delivered]

Report # 2012-00482

Location: District 1

Recommendation: Pass a Motion authorizing a License Agreement and Indemnity Agreement, related to Sleep Train Driveway on Sports Parkway, between Buzz Oats LLC, William C. Cummings, and PDA and LLC (together, the 4400 East Commerce Owners), Sleep Train, Inc., and the City of Sacramento.

Contact: Jim Rinehart, Director, (916) 808-7223, Economic Development Department

Discussion Calendar (Items 25 - 26)

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

25. FY2012/13 Proposed Budget for the Police Department

Report # 2012-00352

Estimated Time: 20 Minutes

Location: Citywide

Recommendation: Receive and file.

Contact: Rick Braziel, Chief of Police, (916) 808-0800, Police Department.

26. FY2012/13 Proposed Budget for the Parks and Recreation Department

Report # 2012-00349

Estimated Time: 90 Minutes

Location: Citywide

Recommendation: 1) Receive and file the FY2012/13 budget for the Department of Parks and Recreation and 2) adopt a **Resolution** amending the FY2011/12 revenue and expenditure budgets for the Department of Parks and Recreation to accept \$880,565.46 in contributions from the “Save Our Pools” campaign for aquatics operations this summer.

Contact: James L. Combs, Director (916) 808-8526, Department of Parks and Recreation

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment