



Meetings of Sacramento City Council Financing Authority Housing Authority

CITY COUNCIL

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Agenda

Tuesday, July 31, 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 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.

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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.

AGENDA

Tuesday, July 31, 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

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)

Consent Calendar (Items 1 - 19) **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. **Summary Vacation of Excess Right-of-Way at 3947 Rio Linda Boulevard**
Report # 2012-00092
Location: 3947 Rio Linda Boulevard, District 2
Recommendation: Pass a **Resolution** vacating a portion of the public right-of-ways located along 3947 Rio Linda Boulevard and North Avenue reserving to the City a public service easement.
Contact: Thomas Adams, Engineering Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

2. **City Attorney's Impartial Analysis for the November 6, 2012 General Municipal Election – Various Measures**
Report # 2012-00674
Location: Citywide
Recommendation: Pass a **Resolution** directing the preparation of an impartial analysis for various measures for inclusion in the November 6, 2012, General Municipal Election official sample ballot.
Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Shirley Concolino, City Clerk, (916) 808-5442, City Clerk's Office

3. **November 6, 2012 General Municipal Election - Ballot Measures**
Report # 2012-00649
Location: Citywide
Recommendation: Pass a **Resolution** calling and giving notice of the placement of various measures on the November 6, 2012 consolidated general municipal election ballot.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

4. **June 2012 Monthly Investment Transactions Report**
Report # 2012-00612
Location: Citywide
Recommendation: Receive and file.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

5. **Agreement: Lower American River Salmonid Spawning Gravel Augmentation Project**
Report # 2012-00659
Location: Citywide
Recommendation: Pass 1) a Motion authorizing the City Manager or his designee to execute Modification No. 3 in the amount of \$255,660.38, and Modification No. 4 in the amount of \$395,283.01, to Cooperative Agreement No. F10AC00846 (formerly #81332AJ004) with the U.S. Department of the Interior Fish and Wildlife Service to accept additional funding for the Project, that is being administered by the City-County Office of Metropolitan Water Planning, and 2) a **Resolution** increasing Fund 7104 revenue and expense budgets for G14000200 by \$650,944 to reflect the additional reimbursements from the U.S. Fish and Wildlife Service.
Contact: Tom Gohring, Executive Director, (916) 808-1998, Community Support Department

6. **Vacation of a Portion of Bannon and 5th Streets and the Street Acceptance of an Additional Portion of Bannon Street**
Report # 2012-00521
Location: District 3
Recommendation: Pass 1) a **Resolution** vacating the areas of Bannon and 5th Street specified in Exhibits A and B to the proposed resolution; and 2) **Resolution** accepting a portion of Bannon Street into the City's street system as streets for roadway and pedestrian.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

- 7. Water Treatment Plants Rehabilitation Project [2/3 Vote Required]** (Continued from 7-24-12)
Report # 2012-00584
Location: District 1 and 6
Recommendation: Pass a **Resolution** suspending competitive bidding, in the best interests of the City, for the Water Treatment Plants Rehabilitation Project, so that City staff can utilize a prequalification process to selected pre-qualified contractors eligible to bid on the project.
Contact: Bill Busath, Interim Division Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
- 8. Agreement: Stormwater through National Pollutant Discharge Elimination System (NPDES) Permit Cost Sharing Memorandum of Understanding**
Report # 2012-00592
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to sign the Stormwater NPDES Permit Cost Sharing Memorandum of Understanding (MOU) with the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova.
Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities
- 9. Supplemental Agreement: Larry Walker Associates for FY 2012/2013 Stormwater Monitoring Services (I14010200)**
Report # 2012-00593
Location: Citywide
Recommendation: Pass 1) a Motion authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 1 to City Agreement No. 2011-1218 with Larry Walker Associates, Inc., to provide Stormwater Monitoring Services for FY2012/2013, for an amount not to exceed \$858,159, and 2) a **Resolution** authorizing amendments to the FY10-FY14 NPDES Program (I14010200) Revenue and Expenditure Budgets (Fund 6211), for the reimbursement from the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the FY 2012/2013 Stormwater Monitoring Program costs in the total amount of \$523,902.
Contact: Bill Busath, Interim Engineering Manager, 808-1434; Sherill Huun, Supervising Engineer, 808-1455 - Department of Utilities
- 10. Appointments: Sacramento Groundwater Authority (SGA)**
Report # 2012-00597
Location: Citywide
Recommendation: Pass a **Resolution** appointing the following representatives to the Sacramento Groundwater Authority Board of Directors: Andrew Soule and Grady Stevens (California American Water), Richard Allen and Ryan Saunders (Del Paso Manor Water District), Paul Schubert and Travis Anderson (Golden State Water Company), Matt Lauppe and Brett Gray (Natomas Central Mutual Water Company), Kevin Thomas and Todd Robinson (Sacramento Suburban Water District), and Rink Sanford (Self Supplied Industry).
Contact: Dave Brent, Interim Director, (916) 808-1420; Jim Peifer, Supervising Engineer, (916) 808-1416 - Department of Utilities

11. **Greater Broadway Property and Business Improvement District (PBID) No. 2012-01-Ballots Results**
Report # 2012-00145
Location: District 4, 5
Recommendation: 1) Receive a report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 19, 2012; and 2) based on the results of the tabulation, pass a) a **Resolution** declaring the results of the majority protest proceedings and renewing the Greater Broadway PBID No. 2012-01; b) a **Resolution** approving the annual Greater Broadway PBID No. 2012-01 budget and levying assessment; and c) a **Resolution** amending the FY2012/13 City budget for the Greater Broadway PBID No. 2012-01.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788; Finance Department
12. **Midtown Sacramento Property and Business Improvement District#2012-02-Ballot Results**
Report # 2012-00177
Location: District 4
Recommendation: 1) Receive report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 19, 2012; and 2) based on the results of the tabulation: a) pass a **Resolution** declaring the results of the majority protest proceedings and renewing the Midtown Sacramento PBID No. 2012-02; b) pass a **Resolution** approving the annual Midtown Sacramento PBID No. 2012-02 budget and levying assessment; and c) pass a **Resolution** amending the FY2012/13 adopted City Budget for the Midtown Sacramento PBID No. 2012-02.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
13. **North Franklin Property and Business Improvement District No. 2012-03 - Ballot Results**
Report # 2012-00180
Location: District 5
Recommendation: 1) Receive report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 24, 2012; and 2) based on the results of the tabulation: pass a) a **Resolution** declaring the results of the majority-protest proceedings and renewing the North Franklin PBID No. 2012-03; b) a **Resolution** approving the annual North Franklin PBID No. 2012-03 budget and levying assessment; and c) a **Resolution** amending the adopted FY2012/13 City Budget for the North Franklin PBID No. 2012-03.
Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Program Manager, (916) 808-8788, Finance Department
14. **(Pass For Publication) Ordinance Adding Chapter 18.38 to the City Code, Establishing the Delta Shores Planning Area Regional Infrastructure Fee**
Report # 2012-00611
Location: District 7, 8
Recommendation: 1) Review an) Ordinance adding Chapter 18.38 to the City Code, establishing the Delta Shores Planning Area Regional Infrastructure Fee; and 2) pass for publication the ordinance title as required by Sacramento City Charter Section 32(c), with the ordinance to be adopted on August 9, 2012.
Contact: Mark Griffin, Program Manager, (916) 808-8788, Finance Department

- 15. Contract: Solid Waste and Recyclables Collection and Processing Services for City Facilities**
Report # 2012-00441
Location: Citywide
Recommendation: Pass a Motion: 1) awarding a five-year contract to USA Waste of California, Inc. for the collection of solid waste and recyclables at City owned and leased facilities in an amount not to exceed \$5,181,956 for the five-year term; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above.
Contact: Marc Robles, Program Analyst, (916) 808-6343; Steve Harriman, Integrated Waste General Manager, (916) 808-4949, General Services Department
- 16. Agreements: Executive Recruitment Services**
Report # 2012-00673
Location: Citywide
Recommendation: Pass a **Resolution:** 1) approving the supplemental agreement for CPS HR Consulting in the amount of \$82,950 which will increase the NTE for CPS HR Consulting to \$165,900 and extend the termination date until July 31, 2014; and 2) approving the supplemental agreement for Wilcox Miller Nelson in the amount of \$106,200 which will increase the NTE for Wilcox Miller Nelson to \$169,750 and extend the termination date until July 31, 2014.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173; Denise Deprato, Support Services Manager, (916) 808-8249, Human Resources Department
- 17. Memorandum of Understanding: Comprehensive Alcohol Treatment Center**
Report # 2012-00617
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager to execute a memorandum of understanding with Sacramento County to fund operations at the Comprehensive Alcohol Treatment Center for Fiscal Year 2012/13.
Contact: Derrick Lim, Area Manager, (916) 808-2260, Department of Parks and Recreation
- 18. Supplemental Agreement: Training for Regional First Responders**
Report # 2012-00656
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager, or the City Manager's designee to execute a supplemental agreement with Aardvark Tactical Foundation in the amount of \$37,760, for a total not to exceed amount of \$113,280 to provide terrorism training to regional first responders.
Contact: James Hendrickson, Lieutenant, Homeland Security, (916) 874-2172, Police Department.

Public Hearings (Item 19 - 22)

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

- 19. E Street Mixed-Use Building (P12-010)** (Noticed on 7-19-12)
Report # 2012-00591 **Estimated Time: 10 Minutes**
Location: 1401/1403 E Street, District 4
Recommendation: Conduct a public hearing and upon conclusion, pass 1) an **Ordinance** rezoning 0.06 acres from Multi-Family (R-3A) zone To Multi-Family (R-4A) zone, 2) a **Resolution** determining Project is Exempt from review under the California Environmental Quality Act, and 3) a **Resolution** approving ground floor commercial space in the Multi-Family (R-4A) zone.
Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department
- 20. Three Amendments to City Agreement No. 162, a North Natomas Development Agreement (P12-006)** (Noticed on 7-19-12)
Report # 2012-00575 **Estimated Time: 10 Minutes**
Location: Area northeast of Del Paso Road and Interstate 5 ,District 1
Recommendation: Conduct a public hearing and upon conclusion 1) pass a **Resolution** determining that the project is exempt from review under the California Environmental Quality Act; 2) adopt an **Ordinance** approving a First Amendment to City Agreement No. 99-162 between the City and Natomas Creek LLC; 3) adopt an **Ordinance** approving a Second Amendment to City Agreement No. 99-162 between the City and Commerce Station LLC; and 4) adopt an **Ordinance** approving a Third Amendment to City Agreement No. 99-162 between the City and Natomas Towne Center LLC.
Contact: David Hung, Associate Planner, (916) 808-5530; Gregory Bitter, Principal Planner, (916) 808-7816, Community Development Department
- 21. Development Agreement for Gateway West Planned Unit Development (P12-020)**
(Noticed on 7-19-12)
Report # 2012-00610 **Estimated Time: 5 Minutes**
Location: District 1
Recommendation: Conduct a public hearing and upon conclusion, pass 1) a **Resolution** determining the project exempt per the California Environmental Quality Act; 2) an **Ordinance** approving a Development Agreement Amendment to extend the term of an approved Development Agreement.
Contact: Evan Compton, Associate Planner, (916) 808-5260, Community Development Department; Greg Bitter, Principal Planner, (916) 808-7816, Community Development Department
- 22. Delinquent Utility Service Charges - Special Assessment** (Noticed on 7-19-12 and 7-25-12, Continued from 7-24-12)
Report # 2012-00363 **Estimated Time: 10 Minutes**
Location: Citywide
Recommendation: Conduct a public hearing and upon conclusion, pass a **Resolution** placing special assessments on properties for unpaid utility service charges.
Contact: Jamille Moens, Business Services Manager, (916) 808-5988; Shellette Smallwood, Program Specialist, (916) 808-4928 - Department of Utilities

Discussion Calendar (Item 23 - 26)

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

- 23. City Auditor's Utility Billing Audit**
Report # 2012-00605 Estimated Time: 15 Minutes
Location: Citywide
Recommendation: Approve the City Auditor's City Of Sacramento Utility Billing Audit.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Mayor/Council
- 24. City Auditor's Audit of the City's Compliance with AB 1825 Requirements**
Report # 2012-00606 Estimated Time: 10 Minutes
Location: Citywide
Recommendation: Approve the City Auditor's Audit of the City's Compliance with AB 1825 Requirements.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Mayor/Council
- 25. Selection of Argument Authors for the November 6, 2012 General Municipal Election – Various Measures**
Report # 2012-00675 Estimated Time: 5 Minutes
Location: Citywide
Recommendation: Pass a **Resolution** authorizing members of the City Council to author arguments pertaining to various measures that will be presented to the voters on the November 6, 2012 General Municipal Election ballot.
Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Shirley Concolino, City Clerk, 808-5442, City Clerk’s Office
- 26. Ordinance: Establishing a program and Fines for False Fire Alarms (Passed for Publication on 7-24-12; published on 7-27-12)**
Report # 2012-00550 Estimated Time: 10 Minutes
Location: Citywide
Recommendation: Pass 1) an **Ordinance** adding Section 8.38 to the Sacramento City Code relating to fines for false fire alarms; and 2) a **Resolution** 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

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment