



Meetings of Sacramento City Council Financing Authority Housing Authority

CITY COUNCIL

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Steve Cohn, District 3
Robert King Fong, District 4
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Darrell Fong, District 7
Bonnie Pannell, District 8

Agenda

Tuesday, October 9, 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.

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, October 9, 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 Barbara Oliva, Historic Rose Garden Founder, and the 20th Anniversary of the Sacramento Historic Rose Garden**

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 - 8) **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. Confirmation of Board/Commission Appointments

Report # 2012-00846

Location: Citywide

Recommendation: Pass a Motion confirming board/commission appointment(s):

1) Sacramento Youth Commission – Angel Dupont (Category A-5), Pa Yang (Category A-8), Charles Booth (Category A-8); 2) Community Racial Profiling Commission – Harry Block (Category D-2); 3) Parks & Recreation Commission – Virginia Guadiana (Category A-8); 4) Animal Care Services Citizens Advisory Committee – Dawn M. Capp (Category B); 5) Sacramento Disabilities Advisory Commission – Italia Tornabene.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

- 2. Mixed-Income Housing Ordinance Update Project (I21005000)**
Report # 2012-00792
Location: Citywide
Recommendation: Pass a **Resolution** 1) establishing the Mixed-Income Housing Ordinance Update Project as a new Multi-Year Operating Project; 2) transferring \$74,005 from the Community Development Department's operating budget and appropriating \$37,755 from the Development Services Fund (Fund 2016) to the Mixed-Income Housing Ordinance Update Project (I21005000); and 3) authorizing the City Manager or his designee to execute a professional services agreement with Keyser Marston Associates for \$111,760 to assist staff with technical studies and guidance necessary for the update.
Contact: Desmond Parrington, Infill Coordinator, (916) 808-5044; Thomas S. Pace, Long Range Planning Manager, (916) 808-6848, Community Development Department
- 3. Supplemental Agreement: Trash and Debris Services**
Report # 2012-00796
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager, or the City Manager's designee to execute supplemental agreements with Gray Construction and Securement Services, Inc., Innovative Maintenance Solutions, Inc., and Junk King, Inc. in the amount of \$100,000, respectively, for a total not to exceed amount of \$399,000, in order to provide Trash and Debris services for the Community Development Department.
Contact: Dennis Kubo, Program Manager, (916) 808-8577, Community Development Department
- 4. 2035 General Plan Update, Housing Element, and Master Environmental Impact Report (EIR) (LR12-003)**
Report # 2012-00789
Location: Citywide
Recommendation: Pass a **Resolution:** 1) appropriating \$434,912 from the Development Services Fund (Fund 2016) to the General Plan Update Project (I22400000) and 2) authorizing the City Manager or his designee to execute a professional services agreement with Mintier Harnish Planning Consultants, in an amount not to exceed \$899,941, to assist staff with preparation of a five year update to the 2030 General Plan and Master Environmental Impact Report, and with preparation of the Housing Element.
Contact: Remi Mendoza, Assistant Planner, (916) 808-5003, Community Development Department
- 5. Supplemental Agreement: Plant Services iNet Gas Detector Usage**
Report # 2012-00791
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to approve an addendum to the Usage Agreement with Industrial Scientific Corporation for the use, maintenance, and monitoring of gas detection equipment for a 33 month lease term, to change equipment and add equipment, and increase the total lease amount, including taxes, to \$101,435.22.
Contact: Mark Laurenzi, Water Sewer Superintendent, (916) 808-5674, Department of Utilities

6. **Contracts: Purchase of Concrete [2/3 Vote Required]**
Report # 2012-00766
Location: Citywide
Recommendation: Pass a Motion 1) suspending competitive bidding for the procurement of Ready Mix Concrete as it is in the best interests of the City; 2) awarding a one year contract for the purchase of Ready Mix Concrete to a) Folsom Ready Mix, Inc., b) Livingstons Concrete, and c) A&A Concrete Supply for a total not to exceed amount of \$400,000, with options to extend the agreement for up to two additional one-year periods for an aggregated not to exceed amount of \$1,200,000; 3) authorizing the City Manager to execute the agreements.
Contact: Erick Talavera, Operations General Supervisor, (916) 808-2272; Juan Montanez, Street Services Manager, (916) 808-2254, Department of Public Works
7. **Cooperative Purchase Agreement: Green Waste Containers (I14120500)**
Report # 2012-00776
Location: Citywide
Recommendation: Pass a Motion: 1) approving the use of the National Intergovernmental Purchasing Alliance cooperative purchase agreement (Contract No. 083008-01) with Toter Incorporated for the purchase of up to 17,000 yard waste containers in an amount not to exceed \$925,000 through December 16, 2012 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.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, General Services Department
8. **Citation Authority for Animal Control Officers**
Report # 2012-00795
Location: Citywide
Recommendation: Pass a **Resolution** granting citation and arrest authority to the Animal Control Officers in the Animal Care Services Division of the Department of General Services in order to enforce provisions of the City Code, California Penal Code and all applicable Federal, State and local ordinances Animal Control Officers are authorized to enforce.
Contact: Gina Knepp, Manager, Animal Care Services, (916) 808-8333, General Services Department

Public Hearings (Item 9)

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

9. **Vacation of a Portion of the Public Alley Bounded by Rio Linda Boulevard, Cypress Street, Grand and Roanoke Avenues** (Noticed on 9-27-12)
Report # 2012-00786 **Estimated Time: 10 Minutes**
Location: East of Rio Linda Boulevard at Roanoke Avenue, District 2
Recommendation: Conduct a public hearing and upon conclusion, pass a **Resolution** 1) vacating a portion of the public alley located east of Rio Linda Boulevard and north of Roanoke Avenue and 2) removing the restriction to vehicular and pedestrian traffic previously authorized pursuant to Resolution 2008-689.
Contact: Thomas Adams, Engineering Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Discussion Calendar (Items 10 - 11)

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

10. **Policy Discussion on Items Related to Medical Marijuana**

Report # 2012-00754 **Estimated Time: 60 Minutes**

Location: Citywide

Recommendation: 1) Discuss the policy implications in amending the City Code to modify regulations regarding the location of medical marijuana dispensaries in relation to sensitive uses and prohibit the outdoor cultivation of medical marijuana in residential areas; and 2) pass a Motion to direct staff to prepare an ordinance prohibiting the outdoor cultivation of medical marijuana in residential areas.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

11. **Ordinance Amendment: Special Events and Commercial Uses in City Parks and Community Centers and Establishing Special Event Fees** (Passed for Publication 9-27-12; Published on 10-2-12)

Report # 2012-00785 **Estimated Time: 15 Minutes**

Location: Citywide

Recommendation: Pass 1) an **Ordinance** amending Chapter 5.88, and repealing and reenacting Chapters 12.48 and 12.72 of the Sacramento City Code relating to Outdoor Vending, Special Events and Commercial Activities in City Parks and Park Buildings, and 2) a **Resolution** Amending Fees and Charges Report to Establish Special Event Fees.

Contact: Teresa Jackson, General Recreation Supervisor, (916) 808-3818; Vincene Jones, Division Manager, (916) 808-5072, Neighborhood Services, Department of Parks and Recreation

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment