

**CITY COUNCIL**

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**Steve Hansen**, District 4  
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**Kevin McCarty**, District 6  
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**CHARTER OFFICERS**

James Sanchez, City Attorney  
Shirley Concolino, City Clerk  
John F. Shirey, City Manager  
Russ Fehr, City Treasurer

**Agenda**  
**City Council**  
**Financing Authority**  
**Housing Authority**

**City Hall-Council Chamber**  
**915 I Street, 1<sup>st</sup> Floor**  
**Published by the**  
**Office of the City Clerk**  
**(916) 808-7267**

**Tuesday, May 14, 2013**  
**6:00 p.m.**

**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](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.

### **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 non-agendized 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 14, 2013**

**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**

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

## **Consent Calendar** 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 # 2013-00433**

**Location:** Citywide

**Issue:** The Mayor's appointments to boards and commission require Council confirmation.

**Recommendation:** Pass a motion confirming board/commission appointment(s): 1) Ethel MacLeod Hart Advisory Committee – Kathleen Lane (Category C); 2) Sacramento Disabilities Advisory Commission – Darlene Anderson; 3) Parks & Recreation Commission – Fatima Malik (Category A-2).

**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

- 2. Change Order: Cured-In-Place-Pipe Sewer Rehabilitation (X14110900)**  
**Report # 2013-00331**  
**Location:** Districts 4, 5  
**Issue:** Change Order No. 2 will close out the project, including payment for extra work to rehabilitate deteriorating sewer pipelines.  
**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to sign Change Order No. 2 to Contract No. 2012-00576 with Michels Corporation, in the amount of \$37,136, bringing the total contract amount to \$402,247.  
**Contact:** Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities
- 3. (Pass for Publication) Ordinance Amendment: Elimination of Uniform Transient Occupancy Tax (TOT) Registration Requirement**  
**Report # 2013-00337**  
**Location:** Citywide  
**Issue:** Requiring separate applications and issuing separate certificates for both TOT and Business Operations Tax (BOT) is redundant and inefficient.  
**Recommendation:** 1) Review an Ordinance repealing Section 3.28.080 of the Sacramento City Code relating to hotel registration; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted May 14, 2013.  
**Contact:** Brad Wasson, Revenue Manager (916) 808-5844 Leyne Milstein, Finance Director (916) 808-8491, Finance Department
- 4. Neighborhood Lighting District - Initiate Annual Proceedings**  
**Report # 2013-00143**  
**Location:** District 2, 5, 6  
**Issue:** State law requires maintenance districts, formed under the Landscaping and Lighting Act of 1972, file an annual report describing the required maintenance work and associated costs.  
**Recommendation:** Pass 1) a **Resolution** directing filing of Annual Report for Fiscal Year (FY) 2013-14 for the Neighborhood Lighting District; and 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY 2013-14 for the Neighborhood Lighting District and setting a time and place for a Public Hearing on June 11, 2013.  
**Contact:** Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

**5. Neighborhood Landscaping District - Initiate Annual Proceedings  
Report # 2013-00144**

**Location:** District 2, 5, 6, 7, 8

**Issue:** State law requires maintenance districts, formed under the Landscaping and Lighting Act of 1972, to file an annual report describing the required maintenance work and associated costs.

**Recommendation:** Pass 1) a **Resolution** directing filing of Engineer's Annual Report for Fiscal Year (FY) 2013-14 for the Neighborhood Landscaping District; and 2) a **Resolution** approving Engineer's Annual Report and Intention to Order Maintenance of Improvement for FY 2013-14 for the Neighborhood Landscaping District and setting a time and place for a Public Hearing for June 11, 2013.

**Contact:** Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Finance Department

**6. Agreement: Swimming Pool Operations with YMCA  
Report # 2013-00398**

**Location:** District 3, 4, 6

**Issue:** Approval of this agreement would allow the YMCA to operate, use and maintain the City's swimming pools at Southside, Tahoe, and Glen Hall Parks during the 2013 season at a cost that is less than what the City's cost would be.

**Recommendation:** Pass a Motion authorizing the City Manager or City Manager's designee to enter into a license agreement with the YMCA of Superior California (YMCA) not to exceed an amount of \$120,000 for the operation, use, and maintenance of the pools at Southside Park, Tahoe Park, and Glenn Hall Park for the summer 2013 season.

**Contact:** Greg Narramore, Recreation Superintendent, (916) 808-6095; Elizabeth Anderson, Operations Manager, (916) 808-6076, Department of Parks and Recreation

**7. Change Order and Transfer of Funds: Rio Linda Boulevard and Bell Avenue Signal Upgrade Project (S15084700)  
Report # 2013-00376**

**Location:** Intersection of Rio Linda Boulevard and Bell Avenue. (District 2)

**Issue:** Change Order No. 2 is necessary to complete the project and requires City Council approval. Additional funding in the amount of \$52,000 is required to cover the change order and complete the project.

**Recommendation:** Pass a **Resolution:** 1) authorizing the City Manager or his designee to execute Change Order No. 2 to City Agreement No. 2012-0451 with Western Engineering in an amount not to exceed \$24,704 for the Rio Linda Boulevard and Bell Avenue Signal Upgrade Project (S15084700); 2) ratifying Change Order No. 1 to City Agreement No. 2012-0451 with Western Engineering and resetting the City Manager's authority to issue change orders for City Agreement No. 2012-0451; 3) transferring funds in the amount of \$52,000 (Fund 2001) from the Major Streets Improvement Project (T15138000) to the Rio Linda Boulevard and Bell Avenue Signal Upgrade

Project (S15084700); and 4) resetting the administrative authority for the Major Street Improvement Project (T15138000).

**Contact:** Ofelia Avalos, Associate Engineer (916) 808-5515; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Public Works

**8. Vacation of a Portion of the Public Utility Easement Located East of Norwood Avenue between Morrison and Harris Avenues**

**Report # 2013-0036**

**Location:** The west 163 feet of the Public Utility Easement (P.U.E) located east of Norwood Avenue between Morrison and Harris Avenues (District 2)

**Issue:** Six Bar C, LLC has requested the summary vacation of a portion of the Public Utility Easement (PUE) located east of Norwood Avenue between Morrison and Harris Avenues for the development of the Dollar General retail store. (Z12-099) Under Streets and Highway Code Section 8330-8334 the summary vacation of public utility and public service easements requires City Council approval.

**Recommendation:** Pass a **Resolution** vacating a portion of the PUE located east of Norwood Avenue between Morrison and Harris Avenues.

**Contact:** Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**9. Supplemental Agreement: Entertainment and Sports Center Advisory Services**

**Report # 2013-00455**

**Location:** Citywide

**Issue:** Barrett Sports Group (BSG) is currently under contract with the City to provide specialized advisory services related to development of a new downtown sports and entertainment center and to assist with associated due diligence required of this complex project. A supplemental agreement in the amount of \$25,000 is needed due to ongoing discussions, meetings, and travel related to the project.

**Recommendation:** Pass a Motion: 1) authorizing the City Manager or his designee to execute Supplemental Agreement No. 3 to Agreement No. 2013-0108 with Barrett Sports Group, Inc. to provide general advisory services related to development of an entertainment and sports center and ongoing discussions related to a possible transaction involving the Sacramento Kings basketball franchise for an amount of \$25,000, increasing the agreement not-to-exceed amount to \$180,000; and 2) resetting the City Manager's contracting authority.

**Contact:** John Dangberg, Assistant City Manager, (916) 808-5704, Office of the City Manager

## Public Hearings

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

**10. FY2013/14 Citywide Fees and Charges Update** (Noticed on 04/01 and 05/07/13)

**Report # 2013-00058**      **Estimated Time: 10 Minutes**

**Location:** Citywide

**Issue:** Pursuant to the Citywide Fees and Charges policy, Council approval is required to add, modify, or delete any fees and charges.

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** approving the proposed fee and charge adjustments.

**Contact:** Contact: Leyne Milstein, Finance Director, (916) 808-8491; Dawn Holm, Budget Manager (916) 808-5574; Jason Bader, Principal Management Analyst, (916) 808-5817, Finance Department

**11. Housing Case Fees and Penalties - Findings of Fact for Special Assessments** (Noticed on 2/19/13 and 3/19/13)

**Report # 2013-00238**      **Estimated Time: 10 Minutes**

**Location:** Citywide

**Issue:** Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and a special assessment against the respective properties.

**Recommendation:** Conduct a public hearing and upon conclusion pass a **Resolution** making the unpaid expenses incurred by the city in abating nuisances in the amounts listed in Exhibit A personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Ron O'Connor, Director of Operations, (916)808-8183, Community Development Department

**12. Neighborhood Code Compliance Case Fees and Penalties-Findings of Fact for Special Assessment Liens** (Noticed on 3/6/13 and 4/10/13)

**Report # 2013-00237**      **Estimated Time: 10 Minutes**

**Location:** Citywide

**Issue:** Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and a special assessment against the respective properties.

**Recommendation:** Conduct a public hearing and upon conclusion pass a **Resolution** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

**Contact:** Ron O'Connor, Operations Manager (916) 808-8183, Community Development Department

- 13. Vacation of 45th Street South of V Street Adjacent to the U.C. Davis Health Center** (Noticed on 5-2-13 and 5-8-13)  
**Report # 2013-00280**      **Estimated Time: 10 Minutes**  
**Location:** The north 200 feet of 45th Street south of V Street located within the U.C. Davis Health Center (District 6)  
**Issue:** The Regents of the University of California have requested the vacation of a portion of 45th Street so it can be incorporated into the U.C. Davis Health Systems development. Streets and Highway Code Section 8310-8325 requires Council approval.  
**Recommendation:** Conduct a public hearing and upon conclusion pass a **Resolution** vacating a portion of 45th Street located south of V Street within the U.C. Davis Health Center.  
**Contact:** Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

### **Discussion Calendar**

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

- 14. 2013-2018 Capital Improvement Program (CIP)**  
**Report # 2013-00061**      **Estimated Time: 20 Minutes**  
**Location:** Citywide  
**Issue:** The 2013-2018 Proposed Capital Improvement Program (CIP) is a five-year expenditure plan with a financial strategy that addresses the City's current and future fiscal needs as related to capital projects with a proposed one-year CIP budget appropriation recommendation for FY2013/14.  
**Recommendation:** Receive and consider for final budget adoption.  
**Contact:** Leyne Milstein, Director, (916) 808-8491; Dawn Holm, Budget Manager (916) 808-5574; Marian Fahy, Principal Management Analyst, (916) 808-7991, Finance Department
- 15. FY2012/13 Citywide Infrastructure and Capital Investment Recommendations**  
**Report # 2013-00052**      **Estimated Time: 15 Minutes**  
**Location:** Citywide  
**Issue:** This report recommends amending the 2012-2017 Capital Improvement Program (CIP) to address critical infrastructure needs utilizing existing capital improvement revenue bond (CIRB) proceeds and reallocating existing General Fund appropriations from an existing project to a new project.  
**Recommendation:** Pass a **Resolution:** 1) establishing the Old Sacramento Infrastructure project (C13000730); 2) appropriating \$3.25 million from existing CIRB funds (Funds 3002, 3003, 3004 and 3005) to C13000730; 3) appropriating \$1.4 million in tax-exempt CIRB funds (Fund 3004) to the IT Equipment Replacement program (A07000300) and transferring existing General Fund appropriations (\$1.4 million) in A07000300 to C13000730; and 4)

appropriating \$750,000 in tax-exempt CIRB funds (Fund 3004) to the Deferred Maintenance Program (C13000500).

**Contact:** Leyne Milstein, Director, (916) 808-8491; Finance Department, Reina Schwartz, Director, (916) 808-7195, Department of General Services; Barbara Bonebrake, Director, (916) 808-7733, Convention, Culture, and Leisure Department

#### **16. Marina Fund Status**

**Report # 2013-00413**      **Estimated Time: 15 Minutes**

**Location:** 2710 Ramp Way, District 4

**Issue:** Change of Marina Fund (6009) from an Enterprise Fund to a Special Revenue Fund

**Recommendation:** Pass a Motion 1) approving a change to the Marina Fund (6009) from an Enterprise Fund to a Special Revenue Fund effective July 1, 2013; and 2) authorizing the City Manager or his designee to make the necessary budget adjustments to implement the change effective July 1, 2013.

**Contact:** Rebecca Bitter, Program Manager, (916) 808-5047; Barbara E. Bonebrake, Director, (916) 808-7733, Convention, Culture and Leisure Department

### **Council Comments-Ideas, Questions and Meeting/Conference Reports**

### **Adjournment**