

**CITY COUNCIL**

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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) 808-5163**

**Tuesday, July 16, 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, July 16, 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**

### **Special Presentations/General Communications**

- a. Recognizing 40<sup>th</sup> Anniversary of Eppie's Great Race Week**
- b. Recognizing the *Summer at City Hall* Youth Participants**
- c. Recognizing the Kumamoto Japan Delegation**

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 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 # 2013-00550

**Location:** Citywide

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

**Recommendation:** Pass a Motion confirming board/commission appointment(s): 1) Parks and Recreation Commission – Caliph Assagai (Category B); 2) Ann Land/Bertha Henschel Memorial Fund Commission – Natalie Butcher (Category B); and 3) Natomas Basin Conservancy Board of Directors – Kay Backer (Category A).

**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

**2. Reimbursement of Developer Contributions for the River District Specific Plan and Finance Plan**

Report # 2013-00548

**Location:** District 3, 4

**Issue:** Several developers in the River District area contributed funds to facilitate the completion of the River Specific Plan and Finance Plan. Sufficient funds have since been collected from existing development impact fees to reimburse the developers as provided for in the covering agreement.

**Recommendation:** Pass a **Resolution** appropriating \$142,500 to reimburse River District Specific Plan area landowners, pursuant to City Agreement 2008-0858, for advances made to facilitate the completion of the River Specific Plan and Finance Plan.

**Contact:** Mark Griffin, Program Manager, (916) 808-8788, Department of Finance; Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department

**3. Suspension of Competitive Bidding for Certain Projects in Natomas Central Community Facilities District (CFD) (Two-Thirds Vote Required)**

Report # 2013-00552

**Location:** District 1

**Issue:** Facilities constructed by K. Hovnanian Forecast Homes are compliant with acquisition agreements have been fully reimbursed. Additional facilities are compliant with the agreements except for the requirement for competitive bidding supervised by the City. These facilities are in service but non-compliant due to changed circumstances brought about by the "Great Recession." Reimbursement for these facilities would result in total reimbursements that are well under the total allowed in the subject special tax district.

**Recommendation:** Pass a Motion suspending competitive bidding requirements for construction of certain public improvements under an acquisition-and-shortfall agreement with K. Hovnanian Forecast Homes Northern, Inc. — Natomas Central Community Facilities District.

**Contact:** Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

**4. Contract: Purchase of Forklifts for Various City Departments**

Report # 2013-00530

**Location:** Citywide

**Issue:** The Department of General Services, Fleet Management Division, has customer requirements to purchase replacement forklifts for ongoing operations.

**Recommendation:** Pass a Motion 1) awarding a three-year contract to Doosan Industrial Vehicle America Corporation for the purchase of five replacement forklifts in an amount not to exceed \$134,270 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 funds are available in the budget adopted for the applicable fiscal year.

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

**5. University of California, Davis (UCD) Health System Community Garden (I19130000)**

Report # 2013-00558

**Location:** 49th Avenue and V Street, District 6

**Issue:** City Council approval is required to establish a Capital Improvement Project (CIP) for construction of a community garden.

**Recommendation:** Pass a **Resolution** 1) establishing a Capital Improvement Project (CIP I19130000) for the construction of a community garden on UCD Health Center property at 49th Avenue and V Street; and 2) establishing revenue and expenditure budgets in the amount of \$50,000.

**Contact:** Elizabeth Anderson, Operations Manager, (916) 808-6076; Shannon Brown, Parks Manager, (916) 808-4070, Department of Parks and Recreation

**6. Tallac Village Street Light Replacement Project (T15103203)**

Report # 2013-00503

**Location:** Tallac Village Neighborhood, District 6

**Issue:** This project will enhance public safety for pedestrians, bicyclists and vehicular traffic by removing the existing lighting system which has reached its useful life and constructing new street lighting in the Tallac Village Neighborhood including replacing the underground conduit system and wires that have reached or exceeded their useful life.

**Recommendation:** Pass a Motion 1) approving the Plans and Specifications for the Tallac Village Street Light Replacement Project (T15103203); and 2) awarding the construction contract to M & M Electric for an amount not to exceed \$887,977.

**Contact:** Kaleb Haile, Senior Engineer, (916) 808-7020; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**7. Agreement: Sacramento Valley Station – Phase 2 Intermodal (T15029040)**

Report # 2013-00566

**Location:** District 3

**Issue:** Approval of Supplemental Agreement No. 3 in an amount not to exceed of \$131,358 is needed to address unanticipated design and engineering to complete the project. The City Code requires City Council approval of change orders equal to or greater than \$100,000.

**Recommendation:** Pass a Motion 1) approving Supplemental Agreement No. 3 to City Agreement No. C2012-0754 with Zimmer Gunsel Frasca Architects LLP in an amount not to exceed \$131,358; 2) ratifying supplemental agreements 1 and 2 to City Agreement No. C2012-0754 with Zimmer Gunsel Frasca Architects LLP; and 3) resetting the City Manager's authority to issue supplemental agreements for City Agreement No. C2012-0754.

**Contact:** Gregory Taylor, Urban Design Manager, Project Manager, (916) 808-7481; Jerry Way, Director of Public Works, (916) 808-7100; Department of Public Works

**8. Street Light Pole Delamination Repair**

Report # 2013-00538

**Location:** Citywide

**Issue:** The Public Works Department has an ongoing need to repair and replace City street lights that have been damaged due to coating delamination. Council approval is necessary to execute a contract.

**Recommendation:** Pass a Motion 1) authorizing the City Manager to execute a contract with C.B. Grant Electric for a one-year period in an amount not to exceed \$105,000 for delamination repair of street light poles; and 2) authorizing the City Manager to execute additional one-year terms for a total not to exceed three years (including the initial term and all extensions) and for an amount limited to \$107,500 for the first extension and \$110,000 for the second extension.

**Contact:** Norm Colby, Operations General Supervisor, (916) 808-6635; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

**9. Capital Improvement Project: Mack Road & Valley Hi Drive/La Mancha Way Traffic Signal Upgrade Project (T15136400)**

Report # 2013-00543

**Location:** District 8

**Issue:** The City was awarded federal funds from the Federal Highway Safety Improvement Program (HSIP) to upgrade the existing traffic signal at the intersection of Mack Road and Valley Hi Drive/La Mancha Way. The proposed project will upgrade the traffic signal equipment to current standards and install a dedicated right-turn lane for the westbound to northbound movement. Establishing the Capital Improvement Project (CIP) and appropriating and transferring funds are necessary to proceed with the preliminary engineering phase of the project.

**Recommendation:** Pass a **Resolution** 1) establishing a new Capital Improvement Project (CIP) for the Mack Road & Valley Hi Drive/La Mancha Way Traffic Signal Upgrade Project (T15136400); 2) appropriating \$69,400 (Fund 3703) in federal Highway Safety Improvement Program (HSIP) funds to the Mack Road & Valley Hi Drive/La Mancha Way Traffic Signal Upgrade Project (T15136400); and 3) transferring \$104,000 (Fund 2025) from the Traffic Signal Safety Program (S15114100) to the Mack Road & Valley Hi Drive/La Mancha Way Traffic Signal Upgrade Project (T15136400).

**Contact:** Cecilyn Foote, Associate Civil Engineer, (916) 808-6843; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Public Works

**10. May 2013 Monthly Investment Transactions Report**

Report # 2013-00526

**Location:** Citywide

**Issue:** The City Treasurer provides monthly reports to the City Council on current investment activity.

**Recommendation:** Receive and file.

**Contact:** John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

**11. Agreement: West Yost Associates for Drainage Master Planning, Design Review, and Hydraulic Modeling Services**

Report # 2013-00529

**Location:** Citywide

**Issue:** Professional services are needed to complete drainage master planning studies to identify future capital improvement project needs, and to evaluate drainage studies submitted for proposed private development projects to assure the design meets the City's flood control standards.

**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to sign a professional services agreement with West Yost Associates for Drainage Master Planning, Design Review, and Hydraulic Modeling Services, for an amount not to exceed \$300,000.

**Contact:** Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

**12. Agreement: Water Forum Technical Support**

Report # 2013-00397

**Location:** Citywide

**Issue:** Approval of this agreement will provide the Sacramento Region Water Forum technical support essential to its projects and programs. Council approval is needed for agreements of \$100,000 or more.

**Recommendation:** Pass a Motion authorizing the City Manager, or his designee, to execute a professional services agreement with Mark J. Roberson to provide technical support for Water Forum programs, for an amount not to exceed \$155,970.

**Contact:** Tom Gohring, Executive Director, (916) 808-1998, City-County Office of Metropolitan Water Planning

**13. Sacramento Housing and Redevelopment Agency Comprehensive Annual Financial Report For The Year Ended December 31, 2012**

Report # 2013-00546

**Location:** Citywide

**Issue:** The 2012 Comprehensive Annual Financial Report (CAFR) has been prepared to present SHRA's financial condition and the results of its activities for the fiscal year ended December 31, 2012. An independent public accounting firm has audited the CAFR financial statements.

**Recommendation:** Receive and file.

**Contact:** Don Cavier, Finance Director, (916) 440-1325; Karen Lukes, Audit Management Analyst, (916) 449-6207, Sacramento Housing and Redevelopment Agency

**14. Approval of Sacramento Employment and Training Agency (SETA) Governing Board Action to accept \$1 million in funding from the State of California, Covered California, to conduct Outreach and Education to uninsured households on Covered California programs**

Report # 2013-00551

**Location:** Citywide

**Issue:** In order to receive funding from Covered California to increase awareness of Covered California's health insurance options to more than 60,000 Sacramento area households, the Joint Exercise of Powers Agreement (JPA) requires SETA to receive City Council approval.

**Recommendation:** Pass a Motion authorizing SETA to receive \$1 million in funds from the State of California, Covered California.

**Contact:** Cindy Sherwood-Green, Workforce Development Manager, (916) 263-3857, Sacramento Employment & Training Agency

## **Agreement/Contract Information**

Agreements and/or Contracts are provided for review and will be presented for approval as noted in the recommendation.

### **15. Agreement: Crocker Art Museum Loan Forgiveness and Deferred Repayment Agreement**

Report # 2013-00542

**Location:** 216 O Street, District 1

**Issue:** Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000.

**Recommendation:** 1) Review: a) authorizing the City Manager, or his designee, to execute the Loan Forgiveness and Deferred Repayment Agreement between the City and the Crocker Art Museum Association (CAMA) to forgive a total of \$7.5 million in debt owed to the City; b) approving and authorizing the City Manager, or his designee, to terminate City Agreement No. 86125 between the City and CAMA; and, c) approving the recommended project parameters of the Arts and Cultural Facilities Grant Program; 2) review a **Resolution:** a) approving and authorizing the City Manager, or his designee, to establish \$210,000 revenue budget and establish an expenditure budget in the multi-year operating project I17000200 to implement the Arts and Cultural Facilities Grant Program; b) clarifying that Resolution 2013-144 adopted on May 7, 2013, intended to direct the proceeds from repayment by CAMA of \$2.5 million Non-Interest Bearing Principal B, into the capital improvement project B13000400 (Studios for the Performing Arts) for the second phase of the Studios project; and c) direct the City Manager to return to Council with an amendment MOU that reflects the changes in the Studios project scope and any other agreements necessary for the futherance of the project prior to any release of City funding for the project; and 3) **continue to July 23, 2013 for approval.**

**Contact:** Rebecca Bitter, Program Manager, (916) 808-5047; Barbara E. Bonebrake, Director, (916) 808-8225, Convention, Culture & Leisure Department

## **Public Hearings**

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

### **16. Neighborhood Code Compliance Case Fees and Penalties - Findings of Fact for Special Assessment** (Published 04/29/2013 and 06/18/2013)

Report # 2013-00511 **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 costs of abatement of substandard and dangerous buildings, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

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

### **17. Housing Case Fees and Penalties – Findings of Fact for Special Assessment** (Published on 04/11/2013 and 05/09/2013)

Report # 2013-00512 **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 costs of abatement of substandard and dangerous buildings, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

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

- 18. Citywide Landscaping and Lighting Assessment District - Public Hearing**  
(Published on 07/02/2013)  
Report # 2013-00161 **Estimated Time: 5 minutes**  
**Location:** Citywide  
**Issue:** State law requires maintenance districts, formed under the Landscaping and Lighting Act of 1972, to conduct a public hearing prior to levying an assessment.  
**Recommendation:** Conduct a public hearing and upon conclusion, pass a **Resolution** confirming diagram, and assessment and levying the assessment for Fiscal Year (FY) 2013-14 for the Citywide Landscaping and Lighting Assessment District.  
**Contact:** Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 19. Delinquent Charges - Special Assessment Liens for Weed Abatement on Private Property and Related Costs** (Published on 05/23/2013)  
Report # 2013-00473 **Estimated Time: 10 minutes**  
**Location:** Citywide  
**Issue:** To place special assessment liens on properties where weed abatement services were provided but remain unpaid.  
**Recommendation:** Conduct a public hearing and upon conclusion, pass a **Resolution** placing special assessment liens on the properties listed for unpaid weed abatement.  
**Contact:** Brad Wasson, Revenue Manager, (916) 808-5724, Department of Finance
- 20. Delinquent Charges - Special Assessment Liens for Sidewalk Repair on Private Property and Related Costs** (Published on 05/23/2013)  
Report # 2013-00474 **Estimated Time: 10 minutes**  
**Location:** Citywide  
**Issue:** The proposed action will place special assessment liens on properties which have unpaid sidewalk repairs.  
**Recommendation:** Conduct a public hearing and upon conclusion, pass a **Resolution** accepting the delinquency lien report; thereby placing special assessment liens on the listed properties for unpaid sidewalk repairs.  
**Contact:** Brad Wasson, Revenue Manager, (916) 808-5724, Department of Finance

**21. Issuance of Bonds by the California Municipal Finance Authority for the Benefit of St. Francis Catholic High School** (Published on 06/26/2013)

Report # 2013-00539 **Estimated Time: 5 minutes**

**Location:** District 3

**Issue:** The California Municipal Finance Authority ("CMFA") cannot issue tax-exempt bonds on behalf of nonprofit organizations within the City, such as St. Francis Catholic High School, unless the City is a member. In addition, federal law requires, as a condition for CMFA's issuance of the bonds, that the City Council approve the issuance after holding a public hearing following reasonable public notice (26 U.S.C. §147). Approval will not create a City debt and bonds will be paid entirely from repayments by St. Francis Catholic High School under a loan agreement with CMFA.

**Recommendation:** 1) Conduct a public hearing on the proposed issuance of bonds by the California Municipal Finance Authority for the benefit of St. Francis Catholic High School and upon conclusion of the hearing 1) pass a **Resolution** authorizing the City to join the California Municipal Finance Authority; and 2) pass a **Resolution** authorizing the issuance of the bonds.

**Contact:** Colin Bettis, Treasury Analyst, (916) 808-8292; Janelle Gray, Debt Manager, (916) 808-8296, Office of the City Treasurer

**Information**

**22. Notification of "Final Map and Subdivision Improvement Agreement Approval" for 2500 R Subdivision**

Report # 2013-00586

**Location:** The block bounded by R Street, R & S Alley, 35th Street and 26th Street, District 4

**Issue:** Notice to the City Council that a subdivision map is being reviewed for final approval and posting of the notice with the City Council's regular agenda is required by the City Code.

**Recommendation:** Receive and file.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Department of Public Works

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

**Adjournment**