

**Meeting Date:** 9/3/2013

**Report Type:** Consent

**Report ID:** 2013-00670

**Title:** Approval of City Council Meeting Minutes

**Location:** Citywide

**Issue:** The City Clerk delivers the minutes to the legislative body before certifying them for the official record.

**Recommendation:** Pass a Motion approving the City Council Meeting Minutes dated August 8, 2013.

**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

**Presenter:** None

**Department:** City Clerk

**Division:** City Clerk

**Dept ID:**

**Attachments:**

1-Description/Analysis

2-August 8, 2013 DRAFT Minutes

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### **City Attorney Review**

Approved as to Form

Gerald Hicks

8/19/2013 2:36:33 PM

### **Approvals/Acknowledgements**

Department Director or Designee: Shirley Concolino - 8/19/2013 2:29:54 PM

## Description/Analysis

**Issue Detail:** It is best practice for the legislative body to approve the minutes for each meeting.

**Policy Considerations:** Per the City Charter, the City Council shall require the City Clerk to keep a permanent public record of its proceedings showing all action considered and taken, motions and records, the text of ordinances and resolutions introduced or adopted and all amendments thereto proposed or adopted, and the vote of each councilmember regarding any matter before the Council or any committee thereof.

**Economic Impacts:** None

**Environmental Considerations:** None

**Sustainability:** None

**Commission/Committee Action:** None

**Rationale for Recommendation:** After each Council meeting, the City Clerk composes the DRAFT minutes noting the action taken by the legislative body. Those DRAFT minutes are presented to the Council for its approval as a permanent record of the meeting actions.

**Financial Considerations:** None

**Emerging Small Business Development (ESBD):** None



**CITY COUNCIL**

**Kevin Johnson**, Mayor  
**Angelique Ashby**, Vice Mayor, District 1  
**Allen Warren**, District 2  
**Steve Cohn**, District 3  
**Steve Hansen**, District 4  
**Jay Schenirer**, District 5  
**Kevin McCarty**, District 6  
**Darrell Fong**, District 7  
**Bonnie Pannell**, District 8

**CHARTER OFFICERS**

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

**DRAFT Minutes**  
**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

**Thursday, August 8, 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

# DRAFT MINUTES

**Thursday, August 8, 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.**

Regular session called to order by Vice Mayor Angelique Ashby at 6:00 p.m. Thursday, August 8, 2013 at the Sacramento City Hall Council Chamber.

**Members Present:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Members Absent:** Kevin McCarty and Mayor Kevin Johnson

Pledge of Allegiance – led by Briza Trujillo Cardenas.

**Closed Session Report** – None.

## **Special Presentations/General Communications**

### **a. Recognizing 2013 as World Breastfeeding Week**

**Action:** Resolution presented by Member Angelique Ashby

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

1. Request for Information
  - a. Bill Camp
2. Permit for Street Performances
  - a. Michael Hanson
3. Park Naming
  - a. Bryan Anderson-Wooten
4. Broadway Property
  - a. Mac Worthy
5. Non Responsive Council Member
  - a. Ron Emslie

**Consent Calendar**    **Estimated Time: 5 minutes** (Actual Time: 25 minutes)

**Action:**    Moved/Seconded: Member Steve Cohn /Member Steve Hansen

**Yes:**        Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Absent:**    Member Kevin McCarty and Mayor Kevin Johnson

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

**1.    Supplemental Agreement: Sacramento Regional Transit Police Services**

(Reviewed 07/23/2013)

Report # 2013-00587

**Location:** Citywide

**Issue:** The proposed supplemental agreement for \$7,061,225 will extend the public transit safety services provided by the Sacramento Police Department to Sacramento Regional Transit since 1993.

**Action:** Passed **Resolution No. 2013-0263** 1) authorizing the City Manager, or the City Manager's designee to execute a third supplemental agreement between the Sacramento Police Department (SPD) and the Sacramento Regional Transit District (SRT) to: a) increase transit safety patrol services by one (1.00) Police Sergeant position and three (3.00) Police Officer Full-Time-Equivalent (FTE) positions; b) include an option to increase transit safety patrol services by an additional 12.00 Police Officer FTE positions upon mutual agreement; c) increase the agreement not-to-exceed amount by \$7,061,225, from \$14,275,041 to \$21,336,266; 2) authorizing the City Manager, or the City Manager's designee to increase SPD staffing levels by one (1.00) Police Sergeant FTE position and three (3.00) Police Officer FTE positions; 3) authorizing the City Manager, or the City Manager's designee to adjust the appropriate SPD operating and revenue budgets to reflect the supplemental agreement with SRT; and 4) authorizing the City Manager, or the City Manager's designee to adjust the Fiscal Year (FY) 2011/12 Regional Transit project (#E11006012) expense and revenue budgets by \$309,512, to reconcile and close.

**Contact:** Jacqueline Dowden, Police Captain, Contract Services, (916) 808-0616, Police Department

**2.    Confirmation of Board/Commission Appointments**

Report # 2013-00623

**Location:** Citywide

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

**Action:** Passed **Motion No. 2013-0206** confirming board/commission appointment(s): 1) Sacramento City/County Bicycle Advisory Committee – Christian E. Farland and Kevin Boll (Category A).

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

### 3. **(Pass for Publication) Amendment of Superstore Ordinance**

Report # 2013-00606

**Location:** Citywide

**Issue:** The City of Sacramento Community Development Department has initiated a zoning code amendment that would modify the requirements for superstores.

**Action:** Moved/Seconded: Member Steve Hansen /Member Darrell Fong

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Absent:** Member Kevin McCarty and Mayor Kevin John

**Action:** Removed from consent calendar by Member Steve Cohn; public comment heard from Dennis Hubbard, Beatrice Medinas, Kevin Carter, Richard Guerrero, Keith Kimbe, Eric Sunderland, Bill Camp, Asael Sala, George Raya, Dennis Hubbard, Mac Worthy, Ron Emslie, Michael Murphy, Josh Wood, Johnnie Downes; reviewed a Resolution approving the environmental review of the superstore ordinance, with direction to staff to review alternate criteria options; 2) reviewed an Ordinance amending Chapter 17.228.119 of the Sacramento City Code, relating to Superstores; and 3) Passed for Publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on August 20, 2013.

**Contact:** Scot Mende, Principal Planner, (916) 808-4756, Community Development Department

### 4. **Township 9 Proposition 1C Applications**

Report # 2013-00604

**Location:** District 3

**Issue:** California Housing and Community Development (HCD) Department for Transit-Oriented Development (TOD) grant funds present an opportunity to support infrastructure for affordable housing projects for the Township 9 project including street, utility and park improvements.

**Action:** Passed **Motion No. 2013-0207** authorizing the submission of three applications for Proposition 1C Transit-Oriented Development funds from the California Housing and Community Development Department for the Township 9 project.

**Contact:** Rachel Hazlewood, Sr. Project Manager, (916) 808-8645, Economic Development Department

**5. Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team's Moore, OK Tornado Red Incident Support Team (IST) Deployment (G12702500)**

Report # 2013-00602

**Location:** Citywide

**Issue:** Approval of the proposed resolution will allow the City of Sacramento, Fire Department, as the sponsoring agency of the California Task Force Seven (CA TF-7), Urban Search and Rescue Team (US&R), to receive reimbursement for costs associated with the deployment activities for the Moore, OK Tornado Red Incident Support Team (IST) deployment.

**Action:** Passed **Resolution No. 2013-0264** 1) authorizing the City Manager, or Fire Chief and Deputy Fire Chief, as his designees, on behalf of the City of Sacramento, to execute the agreement (EMW-2008-CA-1498, Amendment M017) accepting federal funding in the amount of \$10,000 for the CA TF-7 US&R Team Moore, OK Tornado Red IST Deployment; 2) establishing an operating grant for CA TF-7 US&R Team Moore, OK Tornado Red IST Deployment (G12702500); and 3) establishing a \$10,000 revenue and expenditure budget for the CA TF-7 US&R Team Moore, OK Tornado Red IST Deployment (G12702500).

**Contact:** Chris Costamagna, Battalion Chief, 808-1691; Denise Pinkston-Maas, Support Services Manager, 808-1604, Fire Department

**6. Contract Award: Freeport Shores Bike and Pedestrian Trail Project (K15000000)**

Report # 2013-00594

**Location:** The project is located approximately ½ mile south of Meadowview Road along Freeport Boulevard, District 7

**Issue:** Per the Sacramento City Code, all contracts for public projects involving an expenditure of \$100,000 or more shall be awarded by the City Council.

**Action:** Passed **Motion No. 2013-0208** 1) approving the Plans and Specifications for the Freeport Shores Bike and Pedestrian Trail Project (K15000000); and 2) awarding the construction contract to Martin General Engineering for an amount not to exceed \$470,407.

**Contact:** Tim Mar, Supervising Engineer, (916) 808-7531; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**7. Sacramento City Employees' Retirement System's Investment Policy**

Report # 2013-00608

**Location:** Citywide

**Issue:** The Administration, Investment and Fiscal Management Board ("Board") has adopted policies ("Investment Policy") governing the investment of funds held in the Sacramento City Employees' Retirement System ("SCERS" or "System"). The Investment Policy governs the investment practices of the Board and its investment managers. Pursuant to City Charter section 383, once the Board adopts the Investment Policy, it is to be delivered to the City Council for its review and approval.

**Action:** Passed **Resolution No. 2013-0265** approving the investment policy governing the investment and management of the Sacramento City Employees' Retirement System's funds.

**Contact:** Bob Tokunaga, Sr. Investment Officer, (916) 808-5340; Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

**8. City of Sacramento Investment Policy and Delegation of Investment Authority to City Treasurer**

Report # 2013-00609

**Location:** Citywide

**Issue:** Section 73 of the Sacramento City Charter vests the City Treasurer with authority to deposit and invest funds of the City treasury, subject to the annual delegation of investment authority from the City Council to the City Treasurer pursuant to Government Code section 53607.

**Action:** Passed **Resolution No. 2013-0266** approving the investment policy governing the investment and management of City of Sacramento pooled funds.

**Contact:** Bob Tokunaga, Sr. Investment Officer, (916) 808-5340; Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

**9. Supplemental Agreement: Engineering Feasibility Study**

Report # 2013-00583

**Location:** Citywide

**Issue:** Approve a supplement to the existing professional services agreement with Carollo Engineers, Inc. for additional work on the Engineering Feasibility Study conducted for the water and wastewater debt financing.

**Action:** Passed **Motion No. 2013-0209** authorizing the City Manager or the City Manager's designee to sign a Supplemental Agreement to Agreement No. 2012-1045 with Carollo Engineers, Inc., in an amount not-to-exceed \$28,161, bringing the total Agreement amount to \$223,850.

**Contact:** Jammie Moens, Integrated Planning & Business Operations Manager, (916) 808-5988; Robert Armijo, Senior Engineer, (916) 808-1411, Department of Utilities

## **Discussion Calendar**

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

### **10. American River Crossing Alternatives Study**

Report # 2013-00416 **Estimated Time: 20 minutes** (Actual Time: 32 minutes)

**Location:** Districts 3 and 4

**Issue:** Council action is being sought to endorse the process used to develop the recommendations of the American River Crossing Alternatives Study and to adopt those recommendations as the focus for additional planning, design, and construction.

**Action:** Moved/Seconded: Member Steve Cohn /Member Angelique Ashby

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Absent:** Member Kevin McCarty and Mayor Kevin Johnson

Public comment heard from Simeon Gant, Johnnie Downs, Ron Emslie, Patty Kleinknecht, Betsy Weiland, Efren Guttierrez, Scott Syphax, passed **Resolution No. 2013-0267** 1) accepting the American River Crossing Alternatives Study Report as the City's guide for future crossings of the American River between I-5 and State Route 160; 2) directing the City Manager to amend the appropriate local and regional plans to reflect the recommendation of the American River Crossing Alternatives Study Report; and 3) directing the City Manager to seek funding for further analysis of the recommendation of the American River Crossing Alternatives Study Report.

**Contact:** Fedolia "Sparky" Harris, Senior Planner, (916) 808-2996; Hector Barron, City Traffic Engineer, (916) 808 2669, Department of Public Works

### **11. (City Council/Financing Authority) Issuance of Lease Revenue Refunding Bonds State of California - Cal EPA Building 2013 Series A**

Report # 2013-00592 **Estimated Time: 5 minutes** (Actual Time: 6 minutes)

**Location:** District 4

**Issue:** Council / Authority authorization is required for the issuance of municipal bonds and for the execution of related documents and actions to complete the financing.

**Action:** Moved/Seconded: Member Darrell Fong /Member Allen Warren

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Absent:** Member Kevin McCarty and Mayor Kevin Johnson

Public comment heard from Ron Emslie, Mac Worthy; passed 1) **Financing Authority Resolution No. 2013-0001** (a) approving the issuance, sale, and delivery of Lease Revenue Refunding Bonds State of California - Cal EPA Building 2013 Series A; (b) authorizing the execution and delivery of a first supplemental indenture, escrow agreement, a preliminary official statement, a final official statement, and a bond counsel agreement; and (c) approving certain other actions necessary for the execution of these related documents; and 2) passed **City Council Resolution No. 2013-0268** (a) authorizing the execution and delivery of a third amendment to the Sacramento / State Building Lease and a bond counsel agreement; and (b) approving certain other actions necessary for the execution of related documents and actions.

**Contact:** Janelle Gray, Debt Manager, (916) 808-8296; Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

## 12. **Utility Service Discontinuance Program**

Report # 2013-00584 **Estimated Time: 15 minutes** (Actual Time: 19minutes)

**Location:** Citywide

**Issue:** An audit of the utility billing process recommended discontinuance of utility service for nonpayment to improve revenue.

**Action:** Moved/Seconded: Member Allen Warren /Member Steve Hansen

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

**Absent:** Member Kevin McCarty and Mayor Kevin Johnson

Public comment heard from Mac Worthy; passed 1) **Motion No. 2013-0210** approving implementation of the Department of Utilities' proposed utility service discontinuance program for nonpayment; and 2) **Resolution No. 2013-0269** requiring that utility service termination appeals be heard by a hearing examiner.

**Contact:** Jamille Moens, Integrated Planning and Business Operations Manager, (916) 808-5988; Jenny Simpson, Program Specialist, (916) 808-1463, Department of Utilities

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

### **1. Information Requests**

- a. Member Steve Hansen
  - 1. Status report on bicycle share program
- b. Member Cohn
  - 1. Improve management of American River Parkway

### **2. Board/Commission Appointments**

- a. Planning and Design Commission
  - 1. Phyllis Newton (Mayor)

**Adjourned** – 7:58 p.m. in memory of Stanley W. Kronick