

## **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

# **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, September 3, 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, September 3, 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**

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.    Agreements: Bond Counsel and Disclosure Counsel for Financing the Entertainment and Sports Center**

Report # 2013-00662

**Location:** Citywide

**Issue:** The City needs to retain bond counsel and disclosure counsel now to assist with structuring the parking-revenue bonds in a way most advantageous to the City and to assist with retiring the bonds issued in 1997 to finance Sleep Train Arena.

**Recommendation:** Pass a Motion authorizing the City Attorney or his designee to sign the attached agreements with Orrick, Herrington & Sutcliffe and Stradling Yocca Carlson & Rauth on the City's behalf.

**Contact:** Joseph P. Cerullo, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney

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

Report # 2013-00695

**Location:** District 6

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

**Recommendation:** Pass a Motion confirming board/commission appointment(s): Sacramento Youth Commission – Shivani Prasad and Oluchi Okwu (Category A-6).

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

**3. Designation of Voting Delegate for League of California Cities 2013 Annual Conference**

Report # 2013-00447

**Location:** Citywide

**Issue:** The League of California Cities requires the designation of a voting delegate for the 2013 League of California Cities Annual Conference Business Meeting. Only members who have been selected by a majority vote of their city council may vote at the annual Business Meeting.

**Recommendation:** Pass a Motion designating Vice Mayor Angelique Ashby as voting delegate to the 2013 League of California Cities Annual Conference.

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

**4. Approval of City Council Meeting Minutes**

Report # 2013-00670

**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

**5. July 2013 Monthly Investment Transactions Report**

Report # 2013-00668

**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

**6. (Pass for Publication) Expo Parkway Behavioral Healthcare Hospital**

Report # 2013-00574

**Location:** District 3

**Issue:** Only the City Council can take final action on a Rezone and this request to allow the development of a 70,860 square foot acute care psychiatric hospital includes a Rezone of approximately 6.78 acres from the General Commercial, Labor Intensive, Parkway Corridor (C-2-LI-PC) Zone to the Hospital Parkway Corridor (H-PC) Zone located on Expo Parkway south of Slobe Avenue.

**Recommendation:** 1) Review a) a Resolution adopting the Mitigated Negative Declaration Addendum and the Mitigation Monitoring Plan for the Expo Parkway Behavioral Healthcare Hospital Project, b) a Resolution approving the Expo Parkway Behavioral Healthcare Hospital, c) an Ordinance rezoning 6.78 gross acres from General Commercial Labor Intensive Parkway Corridor (C-2-LI-PC) Zone to the Hospital Parkway Corridor (H-PC) Zone; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c.

**Contact:** Gregory Bitter, AICP, Principal Planner (916) 808-7816; Lindsey Alagozian, Senior Planner; (916) 808-2659; Antonio Ablog, Associate Planner (916) 808-7702, Community Development Department

**7. Lower American River Salmonid Contract: Spawning Gravel Augmentation Project (G14000200)**

Report # 2013-00636

**Location:** Citywide

**Issue:** This Project will increase the availability of spawning gravel and rearing habitat for fall-run Chinook salmon and steelhead trout in the Lower American River; purchasing the required type of gravel from Teichert Aggregates is critical to the success of the project.

**Recommendation:** Pass a Motion 1) approving Sacramento County's Cooperative Purchase Agreement (#WA00026801) with Teichert Aggregates; and 2) authorizing the City Manager, or his designee, to use the agreement to purchase aggregate materials necessary for the Lower American River Salmonid Spawning Gravel Augmentation Project, for an amount not to exceed \$158,000.

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

**8. Contract: Postage Meter Equipment Rental and Prepaid Postage**

(Two-Thirds Vote Required)

Report # 2013-00276

**Location:** Citywide

**Issue:** This report recommends actions necessary to authorize expenditures for prepaid postage and related equipment and services in support of City departments.

**Recommendation:** Pass 1) a **Resolution** suspending competitive bidding, in the best interests of the City, for the purchase of prepaid postage and related equipment and services from Pitney Bowes during FY 2013/14; and 2) a Motion awarding a contract to Pitney Bowes for prepaid postage and related equipment and services during FY2013/14, in an amount not-to-exceed \$360,000, which includes the City's existing purchase order with Pitney Bowes for \$90,000.

**Contact:** Reina J. Schwartz, Director, (916) 808-7195, Department of General Services

**9. Agreement: Disposal of Household Hazardous Waste**

Report # 2013-00451

**Location:** Citywide

**Issue:** The City of Sacramento and the City of Elk Grove operate permanent household hazardous waste collection facilities (PHHWCF). This agreement allows residents of both cities to use the facility that is more convenient.

**Recommendation:** Pass a **Resolution** authorizing the City Manager, or the City Manager's designee, to execute a four-year agreement with four one-year renewal options between the City and Elk Grove for the mutual use of the parties' PHHWCF, in a total amount not to exceed \$600,000 for the potential eight-year period provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

**Contact:** Steve Harriman, Integrated Solid Waste Manager, (916) 808-4949, Department of General Services

**10. City Auditor's Recommendation Follow-up Report For The Six-Month Period Ending June 30, 2013**

Report # 2013-00700

**Location:** Citywide

**Issue:** According to Resolution No. 2009-407, the City Council should be kept apprised of the City Auditor's work. The Audit Committee shall receive, review, and forward to the full City Council the City Auditor's updates and reports. This report details the implementation status of open audit recommendations during the second half of fiscal year 2012-2013.

**Recommendation:** Pass a Motion accepting the Auditor's Recommendation Follow-up Report for the January 2013 to June 2013.

**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

**11. City Auditor's Quarterly Activity Report**

Report # 2013-00699

**Location:** Citywide

**Issue:** According to Resolution No. 2009-407, the City Council should be kept apprised of the City Auditor's work. The Audit Committee shall receive, review, and forward to the full Council the City Auditor's updates and reports. This report documents the Auditor's Office activity for the fourth quarter of Fiscal Year 2012/13.

**Recommendation:** Pass a Motion accepting the Auditor's Quarterly Activities Report for the April 2013 to June 2013 period.

**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

**12. Agreement: Larry Walker Associates for Combined Sewer System Regulatory Compliance Support (I14120600)**

Report # 2013-00656

**Location:** Districts 3, 4, 5 and 6

**Issue:** A professional services agreement is needed for regulatory compliance support for the City-owned and maintained combined sewer system. City Council approval is required for agreements of \$100,000 or more.

**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to execute a professional services agreement with Larry Walker Associates, Inc. (LWA), to provide Combined Sewer System Regulatory Support for FY2013/14, for an amount not to exceed \$371,927.

**Contact:** Bill Busath, Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities

**13. (Agreement/Contract Review and Information) [City Council/Housing Authority] Tax Equity and Fiscal Responsibility (TEFRA) Hearing and Approval of Tax Exempt Bonds and Loan for Washington Plaza Senior Apartments**

Report # 2013-00630

**Location:** District 4

**Issue:** Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000. This report requests approval of the issuance of a tax-exempt mortgage revenue bond obligation and approve a gap financing loan and a seller carryback loan for rehabilitation of the property in excess of \$1,000,000.

Recommendation: Review 1) Housing Authority Resolution a) acknowledging and declaring that the Housing Authority (Authority) intends to execute and deliver the obligations to pay the costs of financing the acquisition and construction of the Washington Plaza Project (Project) and that the maximum amount of proceeds is not to exceed \$14,000,000, b) acknowledging that there are no funds that are reasonably expected to be available for this purpose, c) declaring that the obligations shall be solely the responsibility of the Developer and that the Authority is not obligated to provide financing to the Developer, d) acknowledging that approval of this action does not authorize the Authority or the City of Sacramento to approve any application or request for any environmental, General Plan, zoning or any other permit necessary for the acquisition, construction or operation of the Project, and e) authorizing the Authority to make an application to the California Debt Limit Allocation Committee for an allocation of private activity bonds for the financing of the Project. 2) a Housing Authority Resolution a) approving a seller carryback loan commitment for financing the acquisition of the property by the Developer for \$5,458,000 and authorizing the Executive Director to execute and transmit the carryback loan commitment to the Developer, b) authorizing the Executive Director to enter into and execute related agreements and perform other actions necessary to fulfill the intent of the loan commitment and to ensure proper repayment of the Housing Authority funds, c) authorizing the Executive Director to amend the Housing Authority budget to receive and allocate payments for use in a manner consistent with the US Department of Housing and Urban Development Disposition Approval for 1318 E Street, Sacramento, CA, dated October 8, 2009, and d) making related findings; 3) a City Council Resolution a) approving a loan commitment for financing the project with up to \$2,568,000 of City Home Investment Partnership Program (HOME) funds and \$552,000 of Community Development Block Grant (CDBG) funds, and delegating authority for the Sacramento Housing and Redevelopment Agency (Agency) to execute and transmit the loan commitment to the Developer, b) authorizing the Agency to enter into and execute other documents to fulfill the intent of the loan commitment and to ensure proper repayment of the Agency funds, c) authorizing the Agency to amend the Agency budget and allocate up to \$2,568,000 in City HOME funds and up to \$552,000 in City CDBG funds to the Project, and e) making related findings; and, 4) a City Council Resolution a) approving the execution and delivery of the obligations solely for the purpose of fulfilling the requirement of Section 147(f) of the Code, indicating the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing related to the proposed project, and b) making related findings, and 5) continuing to September 10, 2013 for approval.

**Contact:** Christine Weichert, Assistant Director, Development Finance, (916) 440-1353, Sacramento Housing and Redevelopment Agency

## **Public Hearings**

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

### **14. 2013-2021 Housing Element Update (LR12-004)** [Published 08/23/2013]

Report # 2013-00633 **Estimated Time: 45 minutes**

**Location:** Citywide

**Issue:** Approval of the Draft 2013-2021 Housing Element for review and comment by the State Department of Housing and Community Development.

**Recommendation:** Conduct a public hearing and upon conclusion, pass a **Resolution** authorizing staff to submit the Draft 2013-2021 Housing Element to the California Department of Housing and Community Development for review and comment.

**Contact:** Greg Sandlund, Associate Planner, (916) 808-8931; Tom Pace, Principal Planner, (916) 808-6848, Community Development Department

### **15. Call for Special Election: Natomas Meadows Community Facilities**

**District No. 2007-01** (Published 08/23/2013)

Report # 2013-00493 **Estimated Time: 5 minutes**

**Location:** District 1

**Issue:** To adjust to changed market conditions, the landowners within the largely undeveloped District have requested modifications to the Rate and Method of Apportionment (RMA) of the special taxes. The Mello-Roos Communities Facilities Law of 1982 requires that the City Council hold a public hearing on the proposed changes and submit the changes to the District's qualified electors (landowners) for approval.

**Recommendation:** 1) Conduct a public hearing regarding the intent to alter the RMA of the special taxes for the District and upon conclusion 2) pass a **Resolution** calling for a special election on December 2, 2013.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

## **Discussion Calendar**

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

### **16. Nine-Month Moratorium on the Issuance of Taxicab Vehicle Permits**

Report # 2013-00663 **Estimated Time: 10 minutes**

**Location:** Citywide

**Issue:** The City continues to explore regulatory options to limit the number of permitted taxicab vehicles and reduce the environmental impact of the permitted taxicab vehicles. Extension of the existing two-year moratorium for an additional nine months will provide adequate time to present research findings and possible code updates to the Law and Legislation Committee and City Council for consideration.

**Recommendation:** Pass an **Ordinance** imposing a nine-month moratorium on the issuance of taxicab vehicle permits.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

### **17. Economic Development Report (Oral Report)**

Report # 2013-00698 **Estimated Time: 20 minutes**

**Location:** Citywide

**Issue:** The City Council requested an oral presentation every six months on Economic Development and job creation issues.

**Recommendation:** Receive and file

**Contact:** James R. Rinehart, Director (916) 808-5054, Economic Development Department

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

## **Adjournment**