

**Meeting Date:** 9/10/2013

**Report Type:** Consent

**Report ID:** 2013-00693

**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 13, 2013.

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

**Presenter:** None

**Department:** City Clerk

**Division:** City Clerk

**Dept ID:** 04001011

**Attachments:**

1-Description/Analysis

2-August 13, 2013 DRAFT Minutes

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### **City Attorney Review**

Approved as to Form

Matthew Ruyak

8/28/2013 12:14:40 PM

### **Approvals/Acknowledgements**

Department Director or Designee: Shirley Concolino - 8/27/2013 3:29:01 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

**Tuesday, August 13, 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

**Tuesday, August 13, 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 Mayor Kevin Johnson at 6:01 p.m. Tuesday, August 13, 2013 at the Sacramento City Hall Council Chamber.

**Members Present:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren and Mayor Kevin Johnson

**Pledge of Allegiance** – led by Summer (child in the audience)

**Closed Session Report** – None.

**Special Presentations/General Communications** – None.

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

1. Here We Ride
  - a. Mike Barnbaum
2. Food Vendors
  - a. Keith Breedlove
3. Deceptive Campaign
  - a. James Battles
4. Fiscal/Economic Challenges
  - a. Lucian McKinney
5. Lower American River Parkway
  - a. Mary Tappel

**Consent Calendar**    **Estimated Time: 5 minutes** (Actual Time: 2 minutes)

**Action:**    Moved/Seconded: Member Angelique Ashby /Member Allen Warren

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

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

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

Report # 2013-00621

**Location:** Citywide

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

**Action:** Passed **Motion No. 2013-0211** approving the City Council Meeting Minutes dated March 12, 2013, March 19, 2013, March 26, 2013, April 2, 2013, April 9, 2013, and April 18, 2013.

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

**2.    Fiscal Year (FY) 2013-14 Handle Business and Improvement District (District) Annual Proceedings**

Report # 2013-00163

**Location:** District 4

**Issue:** State law requires that business improvement districts (BIDs), formed under the Property and Business Improvement District Law of 1994, file an annual report describing the proposed assessment, establishing a budget and levying the assessment on businesses that benefit from BID services.

**Action:** Passed **Resolution No. 2013-0270** 1) approving the District Annual Report; 2) amending the budget as necessary; and 3) levying an assessment for FY2013-14.

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

**3. Personnel Resolution Covering Unrepresented Officers and Employees**

Report # 2013-00596

**Location:** Citywide

**Issue:** The Personnel Resolution covering unrepresented officers and employees requires annual review and approval.

**Action:** Passed **Resolution No. 2013-0271 as amended** 1) approving the Personnel Resolution Covering Unrepresented Officers and Employees; 2) approving the Unrepresented Salary Schedule; 3) amending the Employer-Employee Relations Policy; 4) approving the City Manager's Office elimination of 1.0 FTE and addition of 1.0 FTE; and 5) authorizing the City Manager to make minor changes or adjustments to exhibits in order to correct omissions and errors.

**Contact:** Geri Hamby, Director, (916) 808-7173; Denise Deprato, Support Services Manager, (916) 808-8249, Department of Human Resources

**4. (Pass for Publication) Update to the Sacramento City Code relating to Parkland Dedication and the Park Development Impact Fee Programs**

Report # 2013-00567

**Location:** Citywide

**Issue:** A review of City Code pertaining to parkland dedication and development identified a need to revise City Code Chapters 16.64 and 18.44 to provide consistency with Census data, other chapters of the City Code and to clarify and reflect current policies and practices.

**Action:** 1) Reviewed an Ordinance amending various sections of Chapters 16.64 and 18.44 of the Sacramento City Code relating to park dedication and the park development impact fee programs; 2) reviewed a Resolution approving adjustments to Park Development Impact Fees to correct Inflation Adjustment Rounding Errors; and 3) Passed Publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on August 20, 2013.

**Contact:** Mary de Beauvieres, Principal Planner, (916) 808-8722, Department of Parks and Recreation

**5. Grant: Coca-Cola Troops For Fitness Grant Program Funding**

Report # 2013-00620

**Location:** Citywide

**Issue:** Council approval is required to accept grant funding from Coca-Cola to be used for services of 14 military veterans to instruct/lead fitness and nutrition programs/activities over a three-year period.

**Action:** Passed **Resolution No. 2013-0272** 1) authorizing the City Manager or his designee to accept \$192,500 in grant funding from the National Recreation and Park Association to administer the Coca-Cola Troops for Fitness program; 2) authorizing the City Manager, or his designee, to establish operating grants for the Coca-Cola Troops for Fitness Program grant; 3) authorizing the City Manager or his designee to establish grant revenue and expenditure budgets to implement the \$192,500 grant; and 4) authorizing the City Manager or his designee to approve all other paperwork to implement the Coca-Cola Troops for Fitness grant and to assure adherence to all grant regulations.

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

**6. On-Street Angled Parking Program**

Report # 2013-00537

**Location:** District 4

**Issue:** City Council approval is necessary to implement a conversion to angled parking.

**Action:** Passed **Resolution No. 2013-0273** approving implementation of on-street angled parking along 17th Street between N and O Streets.

**Contact:** Zarah Lacson, Assistant Engineer, (916) 808-8494; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

**7. Rejection of Bids: 5th Street/Railyards Boulevard Roadway Project (T15135800)**

Report # 2013-00646

**Location:** Downtown near Sacramento Valley Station, between I Street Bridge and 7th Street, District 3

**Issue:** A bid protest has been received on the City's intent to award to the lowest responsive and responsible bidder. Rejection of all bidders and re-advertising the project with amendments to the bid documents will avoid delays associated with the bid protest hearing process that could jeopardize the project's grant funding time line.

**Action:** Passed **Motion No. 2013-0212** rejecting all bids for the 5th Street / Railyards Boulevard project.

**Contact:** Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**8. Contract Award for Closed Circuit Television (CCTV) Inspections**

Report # 2013-00601

**Location:** Citywide

**Issue:** CCTV inspections are needed to evaluate the effectiveness of chemical herbicides for control of roots in sewer pipes. All contracts for public projects involving an expenditure of \$100,000 or more shall be awarded by the city council.

**Action:** Passed **Motion No. 2013-0213** 1) approving the contract specifications for the Closed Circuit Television Inspections project (I14110109); and 2) awarding the contract to Coastline Water Resources, Inc. for an amount not to exceed \$108,225.

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

**9. Agreement: Regional Water Authority (RWA) Governance Changes**

Report # 2013-00610

**Location:** Citywide

**Issue:** The Regional Water Authority (RWA) Board of Directors request that the Joint Power Authority (JPA) members approve changes to the JPA Agreement in order to improve the advocacy function of the RWA.

**Action:** Passed **Motion No. 2013-0214** authorizing the City Manager or City Manager's designee to execute the Amended and Restated Joint Exercise of Powers Agreement for the Regional Water Authority.

**Contact:** Dave Brent, Director, (916) 808-1420; Jim Peifer, Supervising Engineer, (916) 808-1416, Department of Utilities; Randi Knott, Intergovernmental Relations Officer, (916) 808-5771, Office of the City Manager

**10. (Housing Authority) Authorization to Execute Non-Exclusive Easement Agreements for Conventional Public Housing and Housing Authority Property with Comcast Sacramento I, LLC**

Report # 2013-00423

**Location:** Citywide

**Issue:** Currently, the Executive Director is authorized to execute easement agreements with public agencies and utility companies for Housing Authority properties. This report authorizes the Executive Director to execute a non-exclusive ten-year contract for easements with Comcast Sacramento I, LLC, a for-profit cable, telecommunication, and internet service provider.

**Action:** Passed **Housing Authority Resolution No. 2013-0011:** 1) authorizing the Executive Director to execute the Comcast Sacramento I, LLC service and Compensation Agreements for easements (Agreements) set forth in Exhibit A for a term not to exceed ten-years for City Housing Authority properties listed in Exhibit B; 2) authorizing the Executive Director to grant a non-exclusive easement, for a term not to exceed ten years, to Comcast Sacramento I, LLC, for the installation and servicing of the cabling and supporting equipment necessary for the provision of cable, telecommunications and internet services; 3) authorizing the Executive Director to amend the Housing Authority budget to receive and allocate the \$162,610 in one-time funds received in consideration of the Agreements to the properties which generate the easement revenue. The funds shall be expended from an approved or amended property-level budget, approved by the Executive Director or her designee; and 4) making other related findings.

**Contact:** MaryLiz Paulson, Assistant Director, (916) 440-1375; Mark Stephenson, Management Analyst, (916) 449-6212, Sacramento Housing and Redevelopment Agency

**11. (City Council/Housing Authority) Amendment to the 2013 One-Year Action Plan and Various Year Action Plans in Relation to the Neighborhood Stabilization Program Three (NSP-3) and Amendment to the Agency Budget**

Report # 2013-00562

**Location:** Citywide

**Issue:** This report seeks authorization to amend the 2013 One-Year Action Plan and various year Action Plans, and to amend the NSP-3 budget in order to reallocate and accelerate the expenditure of remaining grant funds prior to the program's regulated deadline.

**Action:** Passed 1) **City Council Resolution No. 2013-0274** a) approving amendment to the 2013 One-Year Action Plan and various Action Plans in the estimated amounts of \$125,017 from the NSP-3 Multi-Family Property Recycling Program and \$512,120 from the NSP-3 Vacant Property Program and allocating those funds to the NSP-3 Single Family Property Recycling Program, b) authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to submit the amendments to the 2013 One-Year Action Plan and various year Action Plans to the United States Department of Housing and Urban Development (HUD), c) authorizing SHRA to amend the Agency's budget to reprogram the NSP-3 funds totaling approximately \$637,137, and d) making related findings; 2) **Housing Authority Resolution No. 2013-0012** a) authorizing the Executive Director, or her designee, to amend the Housing Authority budget to reprogram funding in the estimated amount of 4637,137 to the NSP-3 Single Family Property Recycling Program, and b) making related findings.

**Contact:** Chris Pahule, Program Manager, Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency

**12. Sacramento Employment and Training Agency (SETA) Operating Budget for Fiscal Year 2013-14**

Report # 2013-00617

**Location:** Citywide

**Issue:** Pursuant to a Joint Exercise of Powers Agreement between the City and County of Sacramento, the Sacramento Employment and Training Agency (SETA)'s governing board action approving the Fiscal Year 2013-14 SETA operating budget requires City Council approval before such action is considered final and authorized.

**Action:** Passed **Resolution No. 2013-0275** approving the Fiscal Year 2013-14 SETA Operating Budget in the amount of \$85,078,781.

**Contact:** Roy Kim, Fiscal Department Chief, (916) 263-3814, Sacramento Employment and Training Agency

## **Discussion Calendar**

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

### **13. Agreement: Property Acquisition Cost, Defense and Indemnity Agreement for Entertainment and Sports Center (ESC) Site Acquisition Assistance**

Report # 2013-00641 **Estimated Time: 15 minutes** (Actual Time: 10 minutes)

**Location:** Downtown Plaza, District 4

**Issue:** Despite its efforts, the Sacramento Kings ownership group, Sacramento Basketball Holdings, LLC (SBH), has been unable to acquire certain parcels needed for the arena project. SBH is responsible for all ESC property acquisition; however, it has asked for the City’s assistance in acquiring the remaining property. In order to provide assistance, the City requires a Property Acquisition Cost, Defense and Indemnity Agreement to cover the expenses of the acquisition.

**Action:** Moved/Seconded: Member Steve Hansen /Member Jay Schenirer  
**Yes:** Members Angelique Ashby, Steve Cohn, Steve Hansen, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson  
**No:** Members Darrel Fong and Kevin McCarty

Public comment heard from Ron Klint, Mike Barnbaum and James Battles; passed **Motion No. 2013-0215** authorizing the City Manager or his designee to execute a Property Acquisition Cost, Defense, and Indemnity Agreement with Sacramento Basketball Holdings, LLC.

**Contact:** Desmond Parrington, ESC Project Manager, (916) 808-5704; John Dangberg, Assistant City Manager, (916) 808-5704, Office of the City Manager

### **14. General Plan Annual Report**

Report # 2013-00612 **Estimated Time: 15 minutes** (Actual Time: 10 minutes)

**Location:** Citywide

**Issue:** The 2030 General Plan was approved by the City Council on March 3, 2009, and calls for an annual report to the Council on the progress made towards achieving its vision and goals.

**Action:** Public comment heard from Lynne MacIntosh; received and filed.

**Contact:** Teresa Haenggi, Associate Planner, (916) 808-7554, Community Development Department

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

### **1. Information Requests**

#### a. Member Angelique Ashby

1. Request that Mayor appoint an ad hoc to prepare GJ report

### **2. Board/Commission Appointments - None.**

**Adjourned** – 6:53 p.m.