Meeting Date: **9/24/2013**

Report Type: Consent

Report ID: 2013-00725

City of SACRAMENTO

03

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

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 27, 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 27, 2013 DRAFT Minutes

City Attorney Review

Approved as to Form
Matthew Ruyak
9/18/2013 9:25:16 AM

Approvals/Acknowledgements

Department Director or Designee: Shirley Concolino - 9/17/2013 12:47:12 PM

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

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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

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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

City of SACRAMENTO

DRAFT Minutes
City Council
Financing Authority
Housing Authority

City Hall-Council Chamber
915 I Street, 1st Floor
Published by the
Office of the City Clerk
(916) 808-5163

Tuesday, August 27, 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 .

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 27, 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. Tuesday, August 27, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty (arrived at 6:32 p.m.), Bonnie Pannell, Jay Schenirer and Allen Warren.

Absent: Mayor Kevin Johnson

Pledge of Allegiance – led by Boy Scout Troop 380

Closed Session Report – None.

Special Presentations/General Communications
In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

a. **50th Anniversary of the March on Washington for Jobs and Freedom**
Action: Public comment heard from Kevin Carter; Resolution presented by Member Steve Hansen

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

1. Thank You/Neighborhood Function
   a. Leon Henderson
2. Proposition 8
   a. Robert Lee Jones

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

Action: Moved/Seconded: Member Steve Cohn /Member Allen Warren

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer, 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. Contract Award: 2013 Street Overlay Project (Reviewed 08/20/2013)
Report # 2013-00629
Location: Districts 1, 3, 4, 6, and 8
Issue: The 2013 Street Overlay Project is part of an annual preventative maintenance strategy that extends the life of City streets and reduces the need for costly road reconstruction. Contract Award to Martin Brothers Construction enables various City streets to receive this maintenance. This item was heard by Council on August 20, 2013, as required by Resolution 2013-0367 which requires public notice of all purchases or agreements over $1 million.
Action: Passed **Resolution No. 2013-0285** 1) approving the Plans and Specifications for the 2013 Street Overlay Project; 2) transferring funds in the amount of $1,498,936; and 3) awarding the construction contract to Martin Brothers Construction for an amount not to exceed $2,829,933 for the 2013 Street Overlay Project which includes street striping and marking services for the Bikeway Program (K15120000).
Contact: Greg Smith, Associate Civil Engineer, (916) 808-8364; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

2. Approval of City Council Meeting Minutes
Report # 2013-00638
Location: Citywide
Issue: The City Clerk delivers the minutes to the legislative body before certifying them for the official record.
Action: Passed **Motion No. 2013-0218** approving the City Council Meeting Minutes dated June 4, 2013, June 11, 2013, June 18, 2013, June 25, 2013, July 16, 2013, July 23, 2013, and July 30, 2013.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

3. Sewer Credit Allocation: 16 Powerhouse Project

Report # 2013-00675

Location: District 4

Issue: The City Council's guidelines for the allocation of sewer credits require that the City Council approve allocations exceeding 15 credits. See Resolution 2006-457.

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

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

Absent: Member Kevin McCarty and Mayor Kevin Johnson

Removed from Consent Calendar by Member Steve Hansen; passed **Resolution No. 2013-0286** allocating 27.87 Treatment Capacity Bank Credits to the 16 Powerhouse project located at 1601 16th Street.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department

4. Fiscal Year 2013-14 Sacramento Tourism Marketing District Annual Proceedings

Report # 2013-00164

Location: Citywide

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. 2013-0287** 1) approving the Sacramento Tourism Marketing District (STMD) Annual Report; 2) authorizing any necessary budgetary adjustments; and 3) levying an assessment for Fiscal Year (FY) 2013-14.

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

5. Maintenance Reimbursement Agreement with the Township 9 Owners Association

Report # 2013-00635

Location: District 3

Issue: A Mello-Roos Community Facility District has been formed to fund maintenance of public facilities necessitated by the Township 9 development. The Township 9 Owners Association will maintain most public improvements under this agreement with reimbursements funded by Mello-Roos taxes on the development.

Action: Passed **Motion No. 2013-0219** authorizing the City Manager or his designee to execute the Maintenance Reimbursement Agreement with Township 9 Owners Association to maintain certain public facilities necessitated by the development.

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

6. Energy Efficiency Upgrades for City Facilities (Two-Thirds Vote Required)

Report # 2013-00643

Location: Citywide

Issue: The City currently pays over $14 million each year for electricity and natural gas. The recommendation in this report will enable the City to assess, finance, and construct energy efficiency measures to reduce the City's energy costs while improving its carbon footprint.

Action: Passed **Resolution No. 2013-0288** suspending competitive bidding in the best interests of the City to authorize the use of a competitive request-for-proposals (RFP) process to solicit firms to provide energy efficiency upgrades and related services for City facilities.

Contact: Brian Reilly, Senior Engineer, (916) 808-8427; Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432, Department of General Services

7. Cannery Plaza Master Plan

Report # 2013-00664

Location: Adjacent to 426 North 7th Street, District 3

Issue: It is City Policy that park master plans be approved by the City Council.

Action: Passed **Motion No. 2013-0220** approving the Park Master Plan for Cannery Plaza.

Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722; Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

8. Contract Award: Cured-In-Place-Pipe (CIPP) Sewer Rehabilitation 2013

Report # 2013-00585

Location: Districts 2, 3, 5, 6, and 8

Issue: The project will rehabilitate, in place, existing deteriorated sewer pipe and restore other related utility structures.

Action: Passed **Resolution No. 2013-0289** a) closing Sewer Rehab 2012 (X14120700) and transferring sewer funds (Fund 6006) from this project to Wastewater Collection Pipe Lining Program (X14130700), and b) transferring Drainage funds (6011) in the amount of $30,000 from the Base CIP Contingency (W14000200) to X14130700; and 2) **Motion No. 2013-0221** approving the contract plans and specifications for the Wastewater Collection Pipe Lining Program (X14130700), and awarding the contract to Michels Corporation dba Michels Pipeline Construction, for an amount not-to-exceed $459,113.75.

Contact: Dave Brent, Director, (916) 808-1420; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

Public Hearings

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

9. Sacramento City Code Amendments Related to Firearm Sales (M13-010)

[Passed for Publication 08/20/2013; Published on 08/16/2013]

Report # 2013-00616 **Estimated Time: 30 minutes** (Actual Time:30 minutes)

Location: Citywide

Issue: In the last decade, our nation has seen an increase in gun violence including incidents at schools and other places of public gathering not seen in previous decades. In response, the Law and Legislation Committee directed the City Manager to look into options and prepare any appropriate ordinances that would further regulate the availability of weapons and ammunition within the City.

Action: Moved/Seconded: Member Jay Schenirer /Member Bonnie Pannell

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell and Jay Schenirer

No: Member Allen Warren

Absent: Mayor Kevin Johnson

Public comment heard from Anthony Tannehill, Jada Bernard, Alexander Vasquez, Pieter Singh, Craig DeLuz and Michael Pickens; conducted a public hearing and upon conclusion, passed **Ordinance No. 2013-0018** amending various sections of Chapter 5.64 of the Sacramento City Code relating to firearm and ammunition sales and various sections of Title 17 of the Sacramento City Code relating to firearms businesses.
Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Information Requests**
   a. Member Cohn
      1. Report on superstores and conditional use permits as it relates to the Housing Element and charging big box full cost
   b. Member Hansen
      1. Report on city's efforts re diversifying the workforce in retention and recruitment efforts
      2. Report on stricter green waste enforcement and increased education
   c. Member Schenirer
      1. Ways to require a more rapid cleanup of vacant/neglected properties
   d. Member Warren
      1. Increased penalties for illegal dumping and enhanced rewards for those who report illegal dumping

2. **Board/Commission Appointments**
   a. Human Rights/Fair Housing Commission
      1. Randal Seriguchi Jr.
   b. Sacramento Disabilities Advisory Commission
      1. Felicia E. Oropeza
   c. Utilities Rate Advisory Commission
      1. Steven Archibald
      2. Timothy C. Horner
      3. Kevin Schubert

Adjourned – 7:20 p.m.