

Meeting Date: 11/5/2013

Report Type: Consent

Report ID: 2013-00820

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 October 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: 04001011

Attachments:

1-Description/Analysis

2-October 8, 2013 DRAFT Minutes

City Attorney Review

Approved as to Form

Matthew Ruyak

10/29/2013 2:39:05 PM

Approvals/Acknowledgements

Department Director or Designee: Shirley Concolino - 10/29/2013 1:49:24 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, 1st Floor**

**Published by the
Office of the City Clerk
(916) 808-5163**

**Tuesday, October 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.

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, October 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 Mayor Kevin Johnson at 6:02 p.m. Tuesday, October 8, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren and Mayor Kevin Johnson.

Members Absent: Members Steve Cohn and Darrell Fong

Pledge of Allegiance– led by Cub Scout Den 335.

Closed Session Report – None.

Special Presentations/General Communications

a. Resolution Recognizing Roger Crawford

Action: Resolution presented by Mayor Kevin Johnson

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

- | | |
|-------------------------|-------------------------|
| 1. Homelessness | 2. Government Decisions |
| a. Deborah Mack | a. Mac Worthy |
| b. Sandra Strong | 3. Oak Park |
| c. Paula Lomazzi | a. Ron Emslie |
| d. Tracie Rice Bailey | |
| e. Michelle Ann Hampton | |

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

- Action:** Moved/Seconded: Member Jay Schenirer/Member Angelique Ashby
- Yes:** Members Angelique Ashby, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren and Mayor Kevin Johnson
- Absent:** Members Steve Cohn and Darrell Fong

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 # 2013-00762

Location: Citywide

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

Action: Passed **Motion No. 2013-0255** approving the City Council Meeting Minutes dated September 10, 2013.

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

2. Professional Services Agreement with Emanuels Jones and Associates

Report # 2013-00778

Location: Citywide

Issue: The professional services agreement with Emanuels Jones and Associates (EJA), the City's state legislative advocates, expires on November 25, 2013. Given EJA's institutional knowledge and successful track record, staff is recommending adoption of a one-year sole source agreement that provides for an option to extend it for two additional years for a total not-to-exceed amount of \$381,900.

Action: Passed **Motion No. 2013-0256** approving the sole source contract for professional services with Emanuels Jones and Associates at a retainer of \$10,000 per month for the first year plus \$1200 per year for expenses with an option to renew at a 5% increase per year for years two and three for an amount not to exceed \$381,900.

Contact: Randi L. Knott, Intergovernmental Relations Officer, (916) 808-5771, Office of the City Manager

- 3. Ordinance Amending Chapter 15.148 of the City Code Relating to Sign Regulation (M07-015)** [Passed for Publication 10/1/2013; published 10/03/2013]
Report # 2013-00723
Location: Citywide
Issue: Some local business owners have recently expressed concern that the City's sign regulations—in particular, the restrictions on A-frame signs—are unduly restrictive and inconsistently applied. To address these concerns, staff recommends that the City Council adopt an ordinance amending sections 15.148.025 (message substitution), 15.148.030 (sign permit generally required), 15.148.050 (application for a sign permit), 15.148.060 (issuance of sign permits), 15.148.090 (inspection of signs), 15.148.600 (exempt signs), 15.148.670 (other prohibited signs), and 15.148.1170 (definitions) of the Sacramento City Code.
Action: Passed **Ordinance No. 2013-0025** amending sections 15.148.025, 15.148.030, 15.148.050, 15.148.060, 15.148.090, 15.148.600, 15.148.670, and 15.148.1170 of the Sacramento City Code, relating to sign regulation.
Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department
- 4. (Pass for Publication) Florin Plaza Shopping Center Project (P13-030)**
[Published 10/04/2013]
Report # 2013-00765
Location: 1360 Florin Road and 7211 to 7221 Freeport Blvd, District 8
Issue: The proposal to construct a 27,870 square-foot grocery store, a 5,400 square-foot retail building, and a 4,000 square-foot bank building on 4.66 acres in the Limited Commercial Review Executive Airport EA-2 and EA-4 Overlay (C-1-R-EA-2 and C-1-R-EA-4) zones, requires City Council approval of a Rezone Amendment.
Action: Reviewed a) a Resolution approving the Mitigated Negative Declaration Addendum and the Mitigation Monitoring Plan, b) a Resolution approving a special permit and plan reviews for new commercial buildings in the Limited Commercial Review Executive Airport EA-2 and EA-4 Overlay (C-1-R-EA-2 and C-1-R-EA-4) zones, c) an Ordinance amending section 1(C) of Ordinance No. 89-046 relating to prohibited commercial use; and passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on October 15, 2013.
Contact: David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

5. (Pass for Publication) Ordinance Related to the Collection of Administrative Penalties by Special Assessment

Report # 2013-00720

Location: Citywide

Issue: The City's procedure related to the Community Development Department's collection administrative penalties by special assessment currently requires review by the Utilities Department. This process can be streamlined by amending the Sacramento City Code to allow property-based nuisance violations to be processed by the Community Development Department.

Action: Reviewed an Ordinance amending Sacramento City Code section 1.28.010 requiring the City to follow the procedure used to specially assess costs of abating public nuisances in order to specially assess unpaid administrative penalties; and passed for publication the ordinance title as required by Sacramento City Charter 32(c) to be adopted October 15, 2013.

Contact: Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department

6. Agreement: Crocker Art Museum Collections Management Policy and Procedures Update

Report # 2013-00760

Location: 216 O Street, District 4

Issue: The Crocker Art Museum Co-Trustees have updated their Collection Management Policy to conform to new accreditation standards. The purpose of this Policy is to guide the stewardship, orderly growth, and enhancement of the Crocker Art Museum's collection. The last update was completed in 1992. Updates to the Policy must be approved by City Council.

Action: Passed **Resolution No. 2013-0324** 1) approving the Agreement between the City of Sacramento and the Crocker Art Museum regarding the updated Collection Management Policy.

Contact: Leslie Wisniewski, Administrative Officer, (916) 808-8920, Convention, Culture & Leisure Department

7. Agreement: Economic Development Treatment Capacity Bank Program Agreement

Report # 2013-00734

Location: Citywide

Issue: Sacramento Regional County Sanitation District (SRCSD) would like to replace the existing multi-agency memorandum of understanding (MOU) regarding the Economic Development Treatment Capacity Bank Program (City Agreement 2001-054) with separate contracts with each of participating agencies. Economic Development recommends approval of the new contract.

Action: Passed **Motion No. 2013-0257** authorizing the City Manager or his designee to execute the Economic Development Treatment Capacity Bank Program Agreement with the Sacramento Regional County Sanitation District.

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

8. (Pass for Publication) Northwest Land Park Community Facilities District No. 2013-02; Mailed Ballot Election Results and Ordinance to Levy Tax

Report # 2013-00599

Location: District 4

Issue: A mailed ballot election regarding the establishment of the Northwest Land Park Community Facilities District No. 2013-02 (District) was conducted pursuant to Mello-Roos Communities Facilities Law of 1982.

Action: Passed **Resolution No. 2013-0325** determining the results of the special mailed-ballot election; 2) review an Ordinance levying a special tax solely within and relating to the Northwest Land Park Community Facilities District No. 2013-02 (District); and 3) pass for publication the ordinance title as required by City Charter Section 32(c), with the ordinance to be adopted on October 15, 2013.

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

9. Purchases: Global Positioning System Surveying Equipment Using Cooperative Purchasing Agreement

Report # 2013-00680

Location: Citywide

Issue: The Department of Public Works Survey Section's global positioning system (GPS) survey equipment is fifteen years old and in need of replacement. Council approval is needed to use an existing Cooperative Purchase Agreement with the State of California to purchase new equipment.

Action: Passed **Motion No. 2013-0258** 1) approving the use of a Cooperative Purchase Agreement between the State of California and California Surveying and Drafting Supply, Inc. for Trimble Global Positioning System surveying equipment purchase; and 2) authorizing the City Manager or his designee to issue a purchase order under this agreement for equipment purchase with California Surveying and Drafting Supply, Inc. in an amount not to exceed \$116,000.

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

10. Adjusting Speed Limits and Zone Boundaries on Various Streets

Report # 2013-00657

Location: Citywide

Issue: California Vehicle Code requires the city to update the Engineering and Traffic Surveys (ETS) for each existing speed zone prior to its expiration date and to reevaluate speed limits on segments of roadways that have undergone a significant change in roadway characteristics or surrounding land uses.

Action: Passed **Resolution No. 2013-0326** 1) re-establishing speed limits on 30 speed zones on various streets, and changing boundaries for 2 speed zones; and 2) repealing City Council Resolution No. 2013-0086.

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

11. Award Contract: Basin 85 Influent Sewer Rehabilitation (X14003900)

Report # 2013-00707

Location: District 2

Issue: The project will rehabilitate in-place, existing deteriorated and fractured sewer pipe and manholes in order to maintain sewer service.

Action: Passed **Motion No. 2013-0259** approving the contract plans and specifications for the Basin 85 Influent Sewer Rehabilitation, and awarding the contract to the Michels Corporation dba Michels Pipeline Construction for an amount not to exceed \$559,979.

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

12. Groundwater Well Electrical Rehabilitation - Change Order No. 1

Report # 2013-00627

Location: District 2 and 3

Issue: The City operates numerous wells to pump potable groundwater into the City's water distribution system. Some of these facilities were built decades ago and are not currently producing water. This change order will allow rehabilitation at four of these facilities to continue.

Action: Passed **Motion No. 2013-0260** authorizing the City Manager or the City Manager's designee to sign change order no. 1 to City Contract No. 2013-0420 with J.R. Sharp Construction, Inc., for the amount of \$198,567.40, bringing the contract's total not-to-exceed amount to \$451,567.40.

Contact: Bill Busath, Engineering and Water Resources Manager, (916) 808-1434; Dave Hansen, Supervising Engineer, (916) 808-1421, Department of Utilities

13. (Agreement/Contract for Information and Review) Labor Agreement: Sacramento-Sierra Building and Construction Trades Council Memorandum of Understanding

Report # 2013-00774

Location: Citywide

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

Action: Reviewed the Memorandum of Understanding between the Sacramento-Sierra Building and Construction Trades Council and the City of Sacramento; and continued to October 15, 2013 for approval.

Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Labor Relations Manager, (916) 808-5541, Department of Human Resources

14. (Agreement/Contract for Information and Review) Labor Agreement: Western Council of Engineers Memorandum of Understanding

Report # 2013-00753

Location: Citywide

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

Action: Reviewed the Memorandum of Understanding between the Western Council of Engineers and the City of Sacramento; and continued to October 15, 2013 for approval.

Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Labor Relations Manager, (916) 808-5541, Department of Human Resources

15. (Agreement/Contract for Information and Review) Labor Agreement: Auto, Marine, and Specialty Painters (Local 1176) Memorandum of Understanding

Report # 2013-00757

Location: Citywide

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

Action: Reviewed the Memorandum of Understanding between the Auto, Marine, and Specialty Painters (Local 1176) and the City of Sacramento; and continued to October 15, 2013 for approval.

Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Labor Relations Manager, (916) 808-5541, Department of Human Resources

16. (Agreement/Contract for Review and Information)

Purchase/Cooperative Agreement: Aggregate and Asphalt Materials

Report # 2013-00751

Location: Citywide

Issue: Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000. The Department of Public Works, Maintenance Services Division, Pavement Maintenance and In-Source Sections has an ongoing need to purchase asphalt and aggregate material.

Action: Reviewed report 1) approving the use of the County of Sacramento cooperative purchase agreement with Teichert Aggregates (Contract No. WA00030873) and Granite Construction Co (WA00030872) to purchase aggregate and asphalt materials in an amount not to exceed \$2.25 million with Teichert Aggregates and \$1.75 million with Granite Construction Co. through September 30, 2014, or until the contract is no longer available for use through extension or early termination; 2) authorizing the City Manager or the City Manager's designee to execute the purchases specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year; and 3) continued to October 15, 2013, for adoption.

Contact: Gabriel Morales, Operations General Supervisor, (916) 808-2289; Juan Montanez, Maintenance Services Manager, (916) 808-2254, Department of Public Works

**17. (Agreement/Contract for Information and Review) (City Council/
Housing Authority) Greenfair: Repayment of HOME Loan Obligation
and Land Disposition**

Report # 2013-00283

Location: District 6

Issue: The Housing Authority of the City of Sacramento ("Housing Authority") owns a 6.7 vacant site it wishes to dispose of to a private development team to facilitate the development of mixed-income residential units. In addition, the Housing Authority requests the allocation of funds to repay \$2.631 million Housing Authority federal Home Investment Partnership Program ("HOME") loan obligation related to the property.

Action: Public comment heard from Ron Emslie and Mac Worthy; reviewed report and 1) a City Council Resolution that a) accepts the environmental findings of the Housing Authority; b) authorizes the Sacramento Housing and Redevelopment Agency ("SHRA") to amend its budget to allocate \$1,400,000 of City Housing Trust Fund ("HTF") to repay the Greenfair HOME loan; c) authorizes SHRA to reimburse the HOME revolving loan fund in the amount of \$2,631,000 with HTF and Housing Authority funds; d) authorizes the release of existing HOME regulatory restrictions on the property concurrent with

repayment of HOME funds; and e) authorizes SHRA to receive the proceeds from the Housing Authority's Greenfair property sale and deposit them into the City HTF; and 2) a Housing Authority Resolution that a) finds the proposed action to be exempt from the California Environmental Quality Act ("CEQA") and makes a National Environmental Policy Act ("NEPA") finding of No Significant Impact; b) authorizes the Executive Director or her designee to amend the Sacramento Housing and Redevelopment Agency ("SHRA") budget to allocate \$1,400,000 of City Housing Trust Fund ("HTF") and \$1,231,000 of unexpended Greenfair projects funds for repayment of the \$2,631,000 Greenfair HOME loan obligation; c) authorizes the Executive Director or her designee to repay the Greenfair HOME loan obligation; d) authorizes the Sacramento Housing and Redevelopment Agency ("SHRA") on behalf of the Housing Authority to dispose of the Greenfair property, subject to SHRA procurement policy; e) authorizes the Executive Director or designee to dispose of the Greenfair property through a publicly noticed auction with minimum bid based upon the appraised value or to list the property for sale at the appraised value in the event that the publicly noticed auction results in no acceptable offers; f) authorizes the Executive Director or her designee to deposit Greenfair property net sale proceeds into the City HTF of which \$200,000 will be applied to repay Greenfair HTF loan; and g) continued to October 15, 2013 for approval.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Information Requests** – None.
2. **Board/Commission Appointments**
 - a. **Capitol Area Committee**
 1. **Lynne Freeman**

Adjourned – 6:37 p.m.