

Meeting Date: 11/26/2013

Report Type: Consent

Report ID: 2013-00823

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 November 5, 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-November 5, 2013 DRAFT Minutes

City Attorney Review

Approved as to Form

Matthew Ruyak

11/19/2013 10:45:16 AM

Approvals/Acknowledgements

Department Director or Designee: Shirley Concolino - 11/19/2013 9:25:18 AM

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

Tuesday, November 5, 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, November 5, 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 6:00 p.m. Tuesday, November 5, 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 Scout Troop 402

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognizing Sacramento Sanctuary Congregations for their Contribution to Sanctuary**
Action: Resolution presented by Member Jay Schenirer
- b. **Recognizing Downtown Macy's 50th Anniversary**
Action: Resolution presented by Member Steve Hansen

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

- 1. Martin Luther King
 - a. Michael Alcalay
- 2. Lower American River Parkway
 - a. Mary Tappel
- 3. Finances
 - a. Mac Worthy
- 4. CSUS tobacco free
 - a. Hornets for a Healthy Hive
- 5. Arena
 - a. KenPayne
- 6. Oak Park
 - a. Ron Emslie
- 7. Senior Issues
 - a. Bill Grant
- 8. Homeless
 - a. Sandra Strong
 - b. Deborah Mack

Consent Calendar **Estimated Time: 5 minutes** (actual time 15 minutes)

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

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 # 2013-00820

Location: Citywide

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

Action: Passed **Motion No. 2013-0287** approving the City Council Meeting Minutes dated October 8, 2013.

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

2. North Natomas Drainage Fees Disbursement and Settlement Agreement

Report # 2013-00813

Location: District 1

Issue: Drainage fees have been collected or reserved to reimburse Lennar Communities for drainage improvements benefitting civic uses. Appropriations are necessary to complete the transaction. A settlement agreement is necessary to release the City from any liability for past fee collections.

Action: **Withdrew** a Resolution 1) appropriating funds to reimburse Lennar Communities from drainage fees for expenses incurred in the construction of drainage facilities benefitting schools and civic uses; and 2) authorizing a settlement agreement regarding the collection of drainage fees.

Contact: Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

3. Establish Park Capital Improvement Projects with Proposition 1C Grant Funding

Report # 2013-00816

Location: Triangle Park, 2579 Traction Avenue, District 2; Lawrence Park, 5130 McGlashan Street, District 5; Temple Park, 3901 34th Street, District 5; Colonial Park, 5315 19th Avenue, District 5; Pollack Ranch Park, 3800 Robinridge Way, District 8

Issue: City Code requires City Council action for the creation, cancellation, and/or transfer of funds for capital improvement projects.

Action: Public comment heard from Ron Emslie; passed **Resolution No. 2013-0355** 1) establishing a new capital improvement project for Triangle Park Renovation as (L19012300) and appropriating \$113,154 from Proposition 1C Grant (Fund 3704) and \$23,000 from Park Development Impact Fees (Fund 3204) for a total of \$136,154 to L19012300; 2) establishing a new capital improvement project for Lawrence, Temple and Colonial Parks Renovation as (L19012400) and appropriating \$130,248 from Proposition 1C Grant (Fund 3704) and \$26,000 from Park Development Impact Fees (Fund 3204) for a total of \$156,248 to L19012400; and 3) establishing a new capital improvement project for Pollack Ranch Park Landscape Renovation as (L19012200) appropriating \$191,473 from Proposition 1C Grant (Fund 3704) \$28,000 from Quimby Act (Fund 2508) for a total of \$219,473 to L19012200.

Contact: Gary Hyden, Supervising Landscape Architect, (916) 808-1949; Sonja Jarvis, Senior Account Auditor, (916) 808-8824, Parks and Recreation.

4. Approve Supplemental Agreement No. 5 and Transfer Funds for the Interstate 5 Riverfront Reconnection Project (T15998100)

Report # 2013-00802

Location: District 4

Issue: Approval of Supplemental Agreement No. 5 with Parsons Brinckerhoff, Inc. is required to complete final plans, specifications, and estimates for the I-5 Riverfront Reconnection Project (T15998100).

Action: Passed **Resolution No. 2013-0356** 1) transferring funds in the amount of \$122,000 (Fund 2001) from the Measure A Major Street Construction Improvements Project (T15138000) to the Interstate 5 Riverfront Reconnection Project (T15998100); 2) authorizing the City Manager to execute Supplemental Agreement No. 5 for a not to exceed amount of \$121,942 with Parsons Brinckerhoff, Inc. for the I-5 Riverfront Reconnection Project (T15998100); and 3) resetting the administrative authority for the Interstate 5 Riverfront Reconnection Project (T15998100).

Contact: Zuhair Amawi, Associate Civil Engineer, (916) 808-7620; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

5. **(City Council/Housing Authority) Approval of Final Loan Documents for Glen Ellen Estates**

Report # 2013-00794

Location: 2380-2398 Glen Ellen Circle, District 5

Issue: Glen Ellen Estates is an existing 35-unit affordable housing complex in need of rehabilitation. City Council has approved a loan to fund a portion of the rehabilitation, and approval of the final loan documents is now requested.

Action: Passed 1) **City Council Resolution No. 2013-0357** authorizing the Sacramento Housing and Redevelopment Agency (Agency) to enter into and execute a \$500,000 Loan Agreement and related documents with South Sacramento Mutual Housing LP (Developer); and 2) **Housing Authority Resolution No. 2013-0017** authorizing the Executive Director or her designee to enter into and execute an approximately \$311,000 Loan Assumption and Modification Agreement and related documents with the Developer, and to reconvey a deed of trust associated with an existing conditional grant.

Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353; Celia Yniguez, Program Manager, Development Finance, (916) 440-1302, Sacramento Housing and Redevelopment Agency

6. **(Agreement/Contract for Information and Review) Labor Agreement: International Association of Machinists and Aerospace Workers Memorandum of Understanding.**

Report # 2013-00854

Location: Citywide

Issue: Resolution No. 2013-0117 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000.

Action: 1) Reviewed the Memorandum of Understanding between the International Association of Machinists and Aerospace Workers and the City of Sacramento; and 2) continued to November 12, 2013 for approval.

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

7. **(Agreement/Contract for Information and Review) Contract Award: Parking Meter Procurement**

Report # 2013-00815

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 City's current parking meters are obsolete and in need of replacement to meet the City's Parking Modernization goals and objectives.

Action: Public comment heard from Adam Sartain; reviewed report 1) awarding purchase of 6,000 single-space parking meters, for an amount not to exceed \$5,577,264, per the proposal from IPS Group, Inc.; 2) awarding contract to IPS Group, Inc. for services, maintenance, and parts for 6,000 single-space parking meters, for an amount not to exceed \$4,076,625; 3) authorizing the City Treasurer or his designee to secure financing for the acquisition of the parking meters and approve, execute, and deliver related financing documents; 4) declaring the City's official intent to use proceeds of an obligation, i.e. the proceeds obtained through the Master Agreement, to reimburse itself for the original expenditures; 5) authorizing the City Manager or his designee to amend the Public Works' department budget to reflect the procurement and financing as secured by the City Treasurer or his designee; 6) authorizing the City Manager or his designee to execute the purchases specified above provided sufficient funds are available in the budget adopted for the applicable fiscal year; and 7) continued to November 12, 2013 for adoption.

Contact: Mike King, Program Specialist (916) 808-1172; Matt Eierman, Interim Parking Services Manager (916) 808-5849; Department of Public Works

Public Hearings

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

8. **Housing Case Fees and Penalties - Findings of Fact for Special Assessment**

Report # 2013-00818 **Estimated Time: 5 minutes** (actual time 2 minutes)

Location: Citywide

Issue: Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and a special assessment against the respective properties.

Action: Moved/Seconded: Member Steve Hansen /Member Allen Warre

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

Conducted a public hearing and upon conclusion passed **Resolution No. 2013-0358 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

9. Neighborhood Code Compliance Case Fees and Penalties-Findings of Fact for Special Assessment

Report # 2013-00817 **Estimated Time: 5 minutes** (actual time 2 minutes)

Location: Citywide

Issue: Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and a special assessment against the respective properties.

Action: Moved/Seconded: Member Darrell Fong /Member AllenWarren

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

Conducted a public hearing and upon conclusion passed **Resolution No. 2013-0359 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

10. Formation of Natomas Crossing Youth Services Community Facilities District No. 2013-01 (Published 10/11/2013) [Continued from 10/22/2013]
Report # 2013-00648 **Estimated Time: 5 minutes** (actual time 3 minutes)
Location: District 1

Issue: Pursuant to Mello-Roos Communities Facilities Law of 1982, a public hearing is a required component of the process for establishing the Natomas Crossing Youth Services Community Facilities District No. 2013-01 (District).

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

Conducted a public hearing and upon conclusion passed **Resolution No. 2013-0360** establishing the Natomas Crossing Youth Services Community Facilities District No. 2013-01 (District), providing for Levy of Special Tax, and calling for a Special Election on November 18, 2013.

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

11. (City Council/Housing Authority) 2014 Sacramento Housing and Redevelopment Agency Proposed Budget (Published 10/07/2013)
Report # 2013-00793 **Estimated Time: 20 minutes** (actual time 30 minutes)
Location: Citywide

Issue: Council and Housing authority board approval of various projects and programs administered by SHRA for 2014.

Action: Moved/Seconded: Member Steve Hansen /Member Angelique Ashby

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

Conducted a public hearing with public comment heard from Mac Worthy and Michael Alcalay, and upon conclusion passed 1) **City Council Resolution No. 2013-0361** a) approving the 2014 Proposed Budget for the Sacramento Housing and Redevelopment Agency (Agency); b) delegating authority to i) administer and accept certain federal entitlement grants, execute all related documents, and amend the budget in the event that the actual federal entitlement grant exceeds or is less than, that estimated in the budget: ii) submit grant applications for activities delegated to the Agency; and iii) enter

into contracts, make fund transfers, transfer project appropriations, amend the Agency budget in accordance with the limitations of the Resolution, and undertake other actions necessary to implement the aforementioned; and c) consenting to the Agency's submittal of the annual housing operating budgets and application for Capital Fund Plan funding to HUD; and 2) **Housing Authority Resolution No. 2013-0018** (Authority) a) approving the 2014 proposed budget for the Housing Authority of the City of Sacramento; b) delegating authority to administer certain federal funds and authorizing the Housing Authority to: i) submit the Comprehensive Plan to United States Department of Housing and Urban Development (HUD); ii) submit to HUD the One-Year Action Plan for the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Shelter Grant (ESG), American Dream Down Payment Initiative (ADDI), and Housing Opportunities for People with AIDS (HOPWA) programs; iii) submit grant applications for activities within the jurisdiction of the Authority; and c) authorizing the Executive Director to: i) submit the annual housing operating budgets and application for Capital Plan funding to HUD; and ii) enter into contracts, make fund transfers, transfer project appropriations, amend the Authority budget in accordance with the limitations of the resolution, and undertake other actions necessary to implement the aforementioned.

Contact: Don Cavier, Finance Director, (916) 440-1325; LaShelle Dozier, Executive Director, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Discussion Calendar

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

12. Homeless Services Overview

Report # 2013-00863 **Estimated Time: 15 minutes** (actual time: 15 minutes)

Location: Citywide

Issue: This report provides an update on homeless programs in the City of Sacramento.

Action: Public comment heard from Mac Worthy; received and filed.

Contact: Shamus Roller, Interim Executive Director, (916) 993-7702, Sacramento Steps Forward; LaShelle Dozier, Executive Director, (916) 440-1319, Sacramento Housing and Redevelopment Agency

13. Sacramento Checks and Balances Act of 2014 to the November 2014 Ballot

Report # 2013-00864 **Estimated Time: 60 minutes** (actual time 40 minutes)

Location: Citywide

Issue: On October 15, 2013, the City Council passed a Motion requesting the Sacramento Checks and Balances Act of 2014, with amendments, be called to the November 2014 ballot.

Action: Moved/Seconded: Member Allen Warren /Member Jay Schenirer

Yes: Members Angelique Ashby, Steve Cohn, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

No: Members Steve Hansen, Kevin McCarty, Darrell Fong, Bonnie Pannell

Public comment heard from Bill Camp, Lola Acosta, Ardell Harrison, Peter Tateishi, Josh Wood, Alice Perez, James Beckwith, Dennis Rogers, Preston Collier, David Nagler, Adam Sartain, Dr. Anthony Wallace, Stan Van Vleck, Rick Cole, passed **Resolution No. 2013-0362 as amended** calling the Sacramento Checks and Balances Act of 2014 to the November 2014 Ballot.

Contact: Matthew Ruyak, Assistant City Attorney, (916) 808-5346, Office of the City Attorney

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Hansen

1. Are parking restrictions still necessary in midtown and downtown for solid waste purposes

2. Board/Commission Appointments

None

Adjourned – 8:20 p.m. in memory of Al Enlo