



CITY COUNCIL

- Kevin Johnson**, Mayor
- Angelique Ashby**, Vice Mayor, District 1
- Allen Warren**, District 2
- Steve Cohn**, District 3
- Steve Hansen**, District 4
- Jay Schenirer**, District 5
- Kevin McCarty**, District 6
- Darrell Fong**, District 7
- Bonnie Pannell**, District 8

CHARTER OFFICERS

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

Agenda
City Council
Financing Authority
Housing Authority

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

Tuesday, January 7, 2014
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

AGENDA

Tuesday, January 7, 2014

6:00 p.m.

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 6:00 p.m.

Roll Call

Pledge of Allegiance

Closed Session Report

Special Presentations/General Communications

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

- a. **Recognizing the 20th Anniversary of the Sacramento Fire Department Providing ALS/EMS Services to the Sacramento Area**

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

Consent Calendar **Estimated Time: 5 minutes**

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

1. Confirmation of Board/Commission Appointments

Report # 2014-00031

Location: Citywide

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

Recommendation: Pass a Motion confirming board/commission appointment(s): 1) Ethel MacLeod Hart Advisory Committee - Kay Merrill and Ophelia H.F. Zeff (category C); and 2) Sacramento Environmental Commission – Mark J. Barry and Secret Charles-Ford (Category A).

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

2. City Attorney Compensation Adjustment

Report # 2014-00049

Location: Citywide

Issue: The City Council as the appointing authority establishes the compensation of the City Attorney and desires to make a salary adjustment.

Recommendation: Pass a Motion approving a 2% salary increase for a total annual salary of \$228,480.

Contact: John F. Shirey, City Manager, (916) 808-7495, Office of the City Manager

3. November 2013 Monthly Investment Transaction Report

Report # 2014-00019

Location: Citywide

Issue: The City Treasurer provides monthly reports to the City Council on current investment activity.

Recommendation: Receive and file.

Contact: John Colville, Senior Investment Officer, (916) 808-8297, Office of the City Treasurer

4. (Pass for Publication) Ordinance Amendments: Various sections of Title 15 of the Sacramento City Code and adoption of local amendments to the California Building Standards Code

Report # 2014-00007

Location: Citywide

Issue: The State of California recently adopted the 2013 California Building Standards Code (Title 24 of the California Code of Regulations). The adoption of the 2013 California Building Standards Code requires amendments to the City Code. These amendments update the City Code to reflect the 2013 California Building Standards Code and make local amendments to the 2013 California Building Standards Code. The local amendments are reasonably necessary due to local climatic, topographical, or geological conditions.

Recommendation: 1) Review the proposed Ordinance updating the City Code to reflect the adoption of the 2013 California Building Standards Code and create new local amendments to the new requirements published in the 2013 California Building Standards Code; and 2) pass for publication the ordinance title as required by Sacramento City Charter Section 32(c), with the ordinance to be adopted January 14, 2014.

Contact: Winfred DeLeon, Supervising Engineer, (916) 808-5475, Community Development Department

5. Contract: Chemicals and Fertilizers for Parks and Open Spaces

Report # 2014-00022

Location: Citywide

Issue: The City has an ongoing need for chemicals and fertilizers to maintain and beautify the City's parks and open spaces.

Recommendation: Pass a Motion 1) awarding five-year contracts for chemicals and fertilizers to Target Specialty Products in an amount not to exceed \$430,000 for the five-year term; and 2) authorizing the City Manager or the City Manager's designee to execute the contracts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

Contact: Marc Robles, Program Analyst, (916) 808-6343; Craig Lymus, Procurement Services Manager, (916) 808-5524, Department of Finance

6. Agreement: Law Enforcement Terrorism Prevention-Oriented Services with Knowledge and Intelligence Program Professionals Training

Organization (Two-Thirds Vote Required)

Report # 2014-00030

Location: Citywide

Issue: As a condition of receiving Urban Area Security Initiative (UASI) grant funding, the City is required to utilize 25 percent of its grant award to support law enforcement terrorism prevention activities. To meet this requirement, it is recommended the City Council authorize the City Manager to enter into an agreement with a training organization to provide these services. Pursuant to Sacramento City Code, City Council approval is required to suspend competitive bidding requirements and enter into agreements equal to or greater than \$100,000.

Recommendation: Pass a **Resolution** 1) suspending competitive bidding requirements in the best interests of the City for the purpose of entering into an agreement with Knowledge and Intelligence Program Professionals (KIPP); and 2) authorizing the City Manager, or the City Manager's designee, to enter into an agreement with KIPP for a total amount not to exceed \$103,600 through May 31, 2015.

Contact: Dennis Joy, Police Lieutenant, Homeland Security, (916) 808-0306, Police Department

7. Sacramento Valley Station – Phase 2 Intermodal (T15029041) – Resetting City Manager's Authority for Agreement No. 2013-0571

Report # 2014-00021

Location: 401 I Street, District 3

Issue: An urgent supplemental agreement was necessary for Rudolph & Sletten Inc. to assume responsibility for scaffolding in place before Diede Construction vacated the site. Without the supplemental agreement, the scaffolding would have had to be removed then reinstalled by Rudolph & Sletten Inc. at a greater expense to the City. City Code requires that increases exceeding \$25,000 approved by the City Manager require City Council to subsequently ratify the supplemental agreement.

Recommendation: Pass a Motion resetting the City Manager's authority for City Agreement No. 2013-0571 with Rudolph & Sletten, Inc. per City Code Section 3.64.040.

Contact: Gregory Taylor, AIA, LEED AP, Urban Design Manager, Project Manager, (916) 808-7481; Jerry Way, Director of Public Works, (916) 808-7100, Department of Public Works

8. Approve Memorandum of Understanding with the County of Sacramento to Continue Red Light Camera Program Administration Services (Continued from 12/03/2013 and 12/17/2013)

Report # 2013-00870

Location: Citywide

Issue: The current automated red light camera program within the City of Sacramento is administered by the County of Sacramento. In order to extend these services as well as enhance the existing program, Council approval is required to enter into a Memorandum of Understanding with the County of Sacramento and authorize installation of additional red light cameras.

Recommendation: Pass a Motion 1) approving a Memorandum of Understanding (MOU) with the County of Sacramento to continue to administer the automated red light camera program in the City of Sacramento for an initial term of three years; 2) authorizing the City Manager to execute four additional one-year extensions to the MOU up to a total term of seven years and any amendments to the MOU; and 3) authorizing the Director of Public Works to authorize installation of up to nine new red light cameras in the City after appropriate analysis.

Contact: Angie Louie, Senior Engineer (916) 808-7921; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Public Works

9. Appointments: Sacramento Groundwater Authority

Report # 2014-00014

Location: Citywide

Issue: The City Council appoints specified representatives to the Sacramento Groundwater Authority Board of Directors. Vacancies in these positions require new appointments to be made.

Recommendation: Pass a **Resolution** appointing the following California American Water representatives to the Sacramento Groundwater Authority (SGA) Board of Directors: S. Audie Foster and Grady Stevens (alternate).

Contact: Dave Brent, Director, (916) 808-1400; Jim Peifer, Supervising Engineer, (916) 808-1416, Department of Utilities

10. (Agreement/Contract for Review and Information) Contract Award and Naming Artivio Guerrero Park

Report # 2013-00729

Location: 6000 61st Street, District 6

Issue: Park naming, awards of contracts in excess of \$100,000 and bid protests require City Council action.

Recommendation: Review report recommending 1) a Motion considering the bid protest filed by Olympic Land Construction on the Park Site FB2 Project, adopting the findings of fact and recommended determination issued by the hearing examiner on the bid protest, and denying the bid protest; 2) approving construction plans and specifications for the Artivio Guerrero Park Project, awarding the contract to J.M. Slover Inc., and authorizing the City Manager or City Manager's designee to execute the contract with J.M. Slover Inc. for an amount not to exceed \$2,188,823; 3) a Resolution approving the naming of Park Site FB2 as Artivio Guerrero Park; and 4) continue to January 14, 2014 for approval.

Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949; Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Department of Parks and Recreation

11. (Agreement/Contract for Review and Information) Contract: McClatchy Park Renovation (L19136500)

Report # 2014-00010

Location: 3500 5th Avenue, District 5

Issue: Pursuant to the City's Park and Recreation Safety Implementation Plan, \$2.3 million in capital improvements and operational enhancements are planned at McClatchy Park to improve the park for users. City Code requires City Council action to approve the award of a construction contract exceeding \$100,000.

Recommendation: Review report recommending 1) a Motion approving the construction plans and specifications for McClatchy Park Renovation (L19136500) project; 2) awarding the contract to Goodland Landscape Construction, Inc. for an amount not to exceed \$2,359,800; 3) authorizing the City Manager or City Manager's designee to execute the contract with Goodland Landscape Construction, Inc. for an amount not to exceed \$2,359,800; and 4) continue to January 14, 2014 for approval.

Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633; C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

Public Hearings

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

12. Appeal of the Planning and Design Commission Decision for 860 Arden Way Shell Alcohol Sales (P13-015) (Published 11/27/2013) (Continued from 12/10/2013)

Report # 2013-00865 **Estimated Time: 15 minutes**

Location: District 2

Issue: The owner Shell service station has appealed the City's Planning Commission's denial of a Special Permit to establish the sale of alcoholic beverages (beer and wine) onsite. Based on the applicant's willingness to adhere to a list of restrictive conditions, staff is now recommending support for the Special Permit to allow the sale of alcohol at this site.

Recommendation: Conduct a public hearing and upon conclusion, 1) pass a **Resolution** exempting the project from CEQA; and 2) pass a **Resolution** approving the appeal thereby approving the project.

Contact: Robert W. Williams, Associate Planner, (916) 808-7686; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

13. Appeal: I Street Senior Housing (P13-029) (Published 11/27/2013) (Continued from 12/10/2013)

Report # 2013-00875 **Estimated Time: 45 minutes**

Location: 3325 and 3333 I Street, District 3

Issue: A third party has appealed to the City Council the Planning and Design Commission's decision to allow the construction of a new 3-story residential care facility for the elderly in the R-1-SPD zone in the Alhambra Corridor Special Planning District.

Recommendation: Conduct a public hearing and upon conclusion pass 1) a **Resolution** determining the project is exempt under CEQA Section Guidelines Sections 15332 (Infill Development) and 15061(b)(3) (No Significant Effect), and Public Resources Code section 21094.5 (consistent with the Sustainable Communities Strategy in reducing greenhouse gas emissions); and 2) a **Resolution** approving the Conditional Use Permit and the Site Plan and Design Review with deviations to construct a new 3-story residential care facility for the elderly in the R-1-SPD zone in the Alhambra Corridor Special Planning District.

Contact: David Hung, Associate Planner, (916) 808-5530; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department

Discussion Calendar

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

14. Vice Mayor Selection for Calendar Year 2014

Report # 2014-00042 **Estimated Time: 10 minutes**

Location: Citywide

Issue: The Sacramento City Charter and the Council Rules of Procedure require that a Vice Mayor be elected by a majority vote at the Council's first meeting in January.

Recommendation: Pass a Motion selecting a Vice-Mayor for the year 2014.

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

15. 600 K Street Resolution of Necessity and Order of Immediate Possession (Two-Thirds Vote Required)

Report # 2014-00037 **Estimated Time: 45 minutes**

Location: District 4

Issue: The City of Sacramento is pursuing the development of an entertainment and sports center and an adjacent public plaza (“ESC” or “the Project”). The City is making efforts to assemble the site and acquire the necessary parcels through negotiated settlement and in accordance with state law. One of the necessary properties for the project is the former “Macy’s building” site located at 600 K Street (Exhibit “C”). This property is owned by CalPERS. U.S. Bank holds a ground lease on the property. The City obtained an appraisal of the property, and has attempted to negotiate with CalPERS and U.S. Bank to purchase the property. However, to date, a negotiated settlement has not been achieved. Because the City needs site control to proceed with the ESC Project, the City needs to consider exercising its eminent domain authority to acquire the property.

Recommendation: Pass a **Resolution of Necessity** determining that the public interest and necessity require the acquisition of certain property interests by eminent domain; authorizing the City Attorney to commence eminent domain proceedings; authorizing the filing of a motion for an order for prejudgment possession; and authorizing the City Manager to take the necessary budget and accounting actions to properly account for this transaction.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment