

## CITY COUNCIL

Kevin Johnson, Mayor  
Angelique Ashby, Mayor Pro Tem, District 1  
Allen Warren, District 2  
Steve Cohn, District 3  
Steve Hansen, District 4  
Jay Schenirer, Vice Mayor, 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 Public Financing Authority

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

**Tuesday, May 20, 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](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.
  - o 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.
  - o 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.
  - o 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.
  - o 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.
  - o **Matters not on the Agenda.** Two (2) minutes per speaker.
  - o **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.
  - o **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, May 20, 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 National Public Works Week**
- b. **Recognizing Bike Month**

## **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. **Second Response to the Findings and Recommendations of the Sacramento Grand Jury Report - Ballot Arguments - November 2012 Elections**  
Report # 2014-00308  
**Location:** Citywide  
**Recommendation:** Pass a Motion 1) approving the City Council's second responses to the findings and recommendations contained in the 2012-13 Sacramento County Grand Jury Report regarding the Ballot Arguments-November 2012 Elections, 2) directing the City Attorney to amend City Code Section 1.16.070, bypass Law and Legislation Committee and return the Ordinance to City Council for adoption; and 3) directing the City Clerk to submit the initial and second responses on behalf of the Mayor and City Council.  
**Contact:** Shirley Concolino, City Clerk (916) 808-5442, Office of the City Clerk; James Sanchez, City Attorney, (916) 808-5346

**2. City Council Confidentiality Policy**

Report # 2014-00254

**Location:** Citywide

**Recommendation:** Pass a **Resolution** 1) approving the City Council Confidentiality Policy; and 2) repealing Resolution No. 2010-108.

**Contact:** James Sanchez, City Attorney, (916) 808-5346, Office of the City Attorney

**3. Agreement for Digital Communication Management**

Report # 2014-00383

**Location:** Citywide

**Recommendation:** Pass a Motion authorizing the City Manager to enter into a one year agreement with four, one-year options with GovDelivery for an amount not to exceed \$170,049.

**Contact:** Amy Williams, Communications and Media Manager, (916) 808-5014, Office of the City Manager

**4. (Pass For Publication) 2031 3rd Street Rezone**

Report # 2014-00277

**Location:** District 4

**Recommendation:** 1) Review a) a Resolution determining the 2031 3rd Street Rezone project exempt from review under the California Environmental Quality Act, b) an Ordinance rezoning approximately 0.07 acres from the Multi-Unit (R-3A) Zone to the General Commercial (C-2) Zone, and c) a Site Plan and Design Review for deviations to the outdoor open space standards for residential units; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on May 27, 2014.

**Contact:** Antonio Ablog, Associate Planner, (916) 808-7702; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department

**5. Initiate Formation Proceedings for Curtis Park Village Community Facilities District (CFD) No. 2014-02 (Improvements)**

Report # 2014-00212

**Location:** District 5

**Recommendation:** Pass 1) a **Resolution** approving the Agreement for Bond Counsel Services; 2) a **Resolution** of Intention to establish the CFD, levy a special tax, approve the boundary map, and set the public hearing date for June 24, 2014; and 3) a **Resolution** of Intention to incur bonded indebtedness.

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

- 6. River District Property and Business Improvement District (PBID) No. 2014-01: Resolution of Intention to Renew**  
Report # 2014-00087  
**Location:** Districts 3 and 4  
**Recommendation:** Pass a **Resolution** of Intention to Renew the River District Property and Business Improvement District (PBID) No. 2014-01 and set a time and place of Public Hearing for July 15, 2014.  
**Contact:** Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 7. Supplemental Agreement No. 3: Landfill General Engineering Technical Support Services (Reviewed 05/13/2014)**  
Report # 2014-00290  
**Location:** 20 28th Street, District 3  
**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 3 to City Agreement No. 2009-0670 with SCS Engineers for general engineering technical support services for the 28th Street Landfill, Dellar Landfill, and Old Elvas Landfill for an amount not to exceed \$1,169,855 and extend the agreement term to May 31, 2017.  
**Contact:** Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services
- 8. City Auditor's Audit of City Inventory Systems – Part 1 of 2**  
Report # 2014-00376  
**Location:** Citywide  
**Recommendation:** Pass a Motion approving the City Auditor's Audit of City Inventory Systems – Part 1 of 2.  
**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 9. Special Events Management Agreement for Cesar Chavez Plaza and St. Rose of Lima Parks**  
Report # 2014-00313  
**Location:** District 4  
**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to renew the Special Events Management Agreement with the Downtown Partnership for Cesar Chavez Plaza and St. Rose of Lima Parks.  
**Contact:** Teresa Jackson, General Recreation Supervisor, (916) 808-3818; Vincene Jones, Neighborhood Services Manager, (916) 808-5072, Department of Parks and Recreation

- 10. Guy West Bridge Rehabilitation Project (K15105000) – Contract Award** (Reviewed 05/13/2014)  
Report # 2014-00338  
**Location:** The Guy West Bridge spans the American River between California State University Sacramento and University Avenue in the Campus Commons community. The bridge is located in Council Districts 3 and 6.  
**Recommendation:** Pass a Motion 1) approving the Plans and Specifications for the Guy West Bridge Rehabilitation Project (K15105000); and 2) awarding a construction contract to F.D. Thomas Inc. in an amount not to exceed \$1,531,875.  
**Contact:** Ricky Chuck, Associate Engineer, (916) 808-5050; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 11. Contract and Agreements: Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000)** (Reviewed 05/13/2014)  
Report # 2014-00157  
**Location:** Interstate 5, one mile south of Pocket Road/Meadowview Road, from Franklin Boulevard west to Freeport Boulevard, Districts 7 and 8  
**Recommendation:** Pass a **Resolution** 1) authorizing the City Manager or his designee to execute Change Order No. 8 to City Agreement No. 2013-0023 with Teichert Construction in an amount not to exceed \$2,961,432 for the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000); 2) ratifying Change Order No. 7 to City Agreement No. 2013-0023 with Teichert Construction; 3) resetting the City Manager's authority to issue change orders for City Agreement No. 2013-0023; 4) authorizing the City Manager to execute the First Amendment to the Agreement between City and M&H Realty Partners VI, L.P. in the amount of \$4,400,000; 5) authorizing the City Manager to execute the Agreement between the City and SMUD in the amount of \$287,827; 6) appropriating \$4,400,000 (Fund 3702) to the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000); and 7) transferring \$2,000,000 (\$1M Fund 2001 and \$1M Fund 2007) from the State and Federal Grant Match Project (T15007200) to the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000).  
**Contact:** Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 12. Agreement: Engineering Services for East Sacramento Water Main Replacement Phase 3 Project**  
Report # 2014-00329  
**Location:** District 3  
**Recommendation:** Pass a Motion authorizing the City Manager or his designee to execute a Professional Services Agreement with West Yost Associates to provide design and project management services for the Project in an amount not to exceed \$600,000.  
**Contact:** Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

**13. Agreement: Delegation of Notice of Violation Authority for Levee Encroachments Where City is Local Maintaining Agency**

Report # 2014-00333

**Location:** Citywide

**Recommendation:** Pass a Motion authorizing the City Manager or his designee to: 1) sign an agreement with the Central Valley Flood Protection Board delegating the Department of Utilities authority to issue Notices of Violation, on behalf of the Board, for encroachments that violate State law or regulation on facilities of the State Plan of Flood Control for which the City is the local maintaining agency; and 2) issue a written notice of revocation as provided in the agreement, if deemed necessary.

**Contact:** Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Tony Bertrand, Supervising Engineer, (916) 808-1461, Department of Utilities

**Public Hearings**

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

**14. Entertainment and Sports Center EIR and Planning Entitlements (Passed for Publication 04/29/2014; Noticed 05/01/2014; Published 05/01/2014; Continued from 05/13/2014)**

Report # 2014-00311

**Estimated Time: 90 minutes**

**Location:** Districts 1, 2, 3, 4, 7 and 8

**Recommendation:** Conduct a public hearing and upon conclusion 1) pass a **Resolution** certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program, Findings of Fact, and a Statement of Overriding Consideration; 2) pass an **Ordinance** for a Development Agreement between the City of Sacramento and Sacramento Basketball Holdings, LLC; 3) pass an **Ordinance** to establish an Entertainment and Sports Center Special Planning District (ESC SPD); 4) pass an **Ordinance** to rezone parcels out of the Central Business District SPD and into the ESC SPD; 5) pass an **Ordinance** to Rezone four proposed digital billboard sites (Site 1: Interstate-5 at Water Tank, Site 3: Business 80 at Sutter's Landing Park, Site 4: Business 80 at Del Paso Regional Park/Haggin Oaks, and Site 6: Interstate-5 at Bayou Road) to allow the development and operation of digital billboards on City owned property; 6) pass a **Resolution** for a Water Supply Assessment Report for the ESC project; and 7) pass a **Resolution** adopting the findings of fact and approving the Entertainment and Sports Center project, including a Tentative Map, Conditional Use Permits, Site Plan and Design Review with deviations, and Variances.

**Contact:** Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department; Desmond Parrington, AICP, ESC Project Manager, (916) 808-5044, Office of the City Manager

15. **Amendment to Sacramento City Code Section 15.148.815 and Adding Section 15.148.965, Relating to Digital Billboards on City-Owned Lands (M14-003)**  
[Passed for Publication 04/29/2014; Notice Not Required; Published 05/01/2014; Continued from 05/13/2014]  
Report # 2014-00294      **Estimated Time: 30 minutes**  
**Location:** Citywide  
**Recommendation:** Pass an **Ordinance** amending Sacramento City Code Section 15.148.815 and adding section 15.148.965, relating to digital billboards on City-owned lands.  
**Contact:** Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department
16. **(City Council/Public Financing Authority) Entertainment and Sports Center - Authorize Issuance and Sale of Lease Revenue Bonds Series 2014 (ESC Project) in an Amount Not to Exceed \$325 Million** (Noticed 05/06/2014 and 05/14/2014; Continued from 05/13/2014)  
Report # 2014-00354      **Estimated Time: 30 minutes**  
**Location:** Citywide  
**Recommendation:** Pass 1) a **City Council Resolution** a) authorizing the issuance and sale of Sacramento Public Financing Authority Lease Revenue Bonds in one or more series to finance the City's share of the cost to acquire, design, construct, and equip a multipurpose entertainment-and-sports center; b) approving the forms of related financing documents; c) authorizing the City Treasurer or his designee to approve, execute, and deliver the related financing documents; and d) authorizing certain other actions in connection with the bonds and the financing; 2) a Sacramento Public **Financing Authority Resolution** a) authorizing the issuance and sale of Sacramento Public Financing Authority Lease Revenue Bonds in one or more series to finance the City's share of the cost to acquire, design, construct, and equip a multipurpose entertainment-and-sports center; b) approving the forms of related financing documents; c) authorizing the Treasurer or his designee to approve, execute, and deliver the related financing documents; and d) authorizing certain other actions in connection with the bonds and the financing; and 3) a **City Council Resolution** establishing revenue and expenditure budgets for the entertainment-and-sports center project and the Sacramento Public Financing Authority Lease Revenue Bonds, Series 2014.  
**Contact:** Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

## Discussion Calendar

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

### 17. Entertainment and Sports Center Terms and Agreements

Report # 2014-00346      **Estimated Time: 45 minutes**

**Location:** Downtown Plaza, District 4

**Recommendation:** Pass 1) a **Resolution:** a) finding it in the best interest of the City to convey City real property to SBH Downtown LLC, SBH Natomas LLC, SBH Real Estate Group, and SG Downtown LLC without bids; b) finding and determining that special circumstances make the use of a bid procedure inappropriate for the lease of the Entertainment and Sports Center (“ESC”) and the City real property upon which the ESC will be constructed; c) rescinding Resolution 96-921, regarding the approval for financing the construction of a sports facility; d) suspending the application of the City’s Facility Naming Policy (Resolution 2008-112) to the ESC; e) authorizing the City Manager or his designee to execute the following agreements for the development, operation, and financing of the Entertainment and Sports Center: Comprehensive Project Agreement (with Sacramento Basketball Holdings LLC (“SBH”), Sacramento Downtown Arena LLC (“ArenaCo”) and Sacramento Kings Limited Partnership (“TeamCo”)); Arena Design and Construction Agreement (with ArenaCo)); Arena Management, Operation, and Lease Agreement (with ArenaCo); Team Non-Relocation Agreement (with TeamCo); Arena Finance and Funding Agreement (with ArenaCo); Property Conveyance Agreement (with SBH Downtown LLC, SBH Natomas LLC, SBH Real Estate Group, and SG Downtown LLC); Arena Parking Management Agreement (with ArenaCo); Agreement for Interim Parking Operations Management (with ArenaCo); Master Lease for Digital Billboards (with Arena Co); and First Amendment to Property Acquisition, Cost, and Indemnity Agreement (with SBH); f) authorizing the City Manager or his designee to make, execute, and deliver on the City’s behalf technical, clerical, and minor amendments to the aforementioned agreements, subject to approval as to form by the City Attorney or his designee; g) authorizing the City Manager to execute and deliver on the City’s behalf any and all agreements, certificates, documents, and instruments, including but not limited to escrow agreements, referenced in, or necessary to implement, the aforementioned agreements; h) directing the City Manager and the City Clerk to execute deeds for the conveyance of the real property identified in the Property Conveyance Agreement; 2) a **Resolution:** a) authorizing the City Manager or his designee to loan on a short-term basis up to a maximum of \$12,000,000 from the City’s Risk Management Fund to ArenaCo to pay for application fees, permit fees, and development-impact fees that must be paid to the City or to other governmental entities when obtaining building permits for the ESC project, subject to repayment as set forth in the Arena Finance and Funding Agreement; and b) and authorizing the City Manager or his designee to implement necessary budget adjustments associated with this short-term loan transaction; and 3) a **Motion** waiving Council Rule of Procedure 7.E.2.d, which requires a 10-day public review of agreements with a value of \$1 million or more, for the Arena Finance and Funding Agreement.

**Contact:** John Dangberg, Assistant City Manager, (916) 808-5704; Desmond Parrington, ESC Project Manager, (916) 808-5044; Office of the City Manager.

18. **(City Council/Financing Authority) Entertainment and Sports Center - Deletion of Property from Master Lease Program**

Report # 2014-00396      **Estimated Time: 10 minutes**

**Location:** District 4

**Recommendation:** Pass 1) a **City Council Resolution** authorizing the City Treasurer to execute and deliver amendments to the Master Lease Program, thereby removing two properties from the program, and approving certain other actions in connection therewith; and 2) a Sacramento City **Financing Authority Resolution** authorizing the Treasurer to execute and deliver amendments to the Master Lease Program, thereby removing two properties from the program, and approving certain other actions in connection therewith.

**Contact:** Janelle Gray, Treasury Manager, (916) 808-8296; Damien Charley, Debt Analyst, (916) 808-5517, Office of the Treasurer

**Agreement/Contract Review**

Agreements and/or Contracts are provided for review and will be presented for approval as noted in the recommendation.

19. **(Agreement/Contract for Review and Information) Agreement: Funding for Powerhouse Science Center**

Report # 2014-00412

**Location:** 400 Jibboom Street, District 4

**Recommendation:** Review a report 1) approving the Powerhouse Science Center Funding Agreement; 2) appropriating \$200,000 from the Economic Development Fund Contingency to I06100200; and 3) continue to May 27, 2014 for approval.

**Contact:** Rachel Hazlewood, Sr. Project Manager, (916) 808-8645, Economic Development Department

20. **(Agreement/Contract for Review and Information) Sacramento Railyards West Tunnel Ramps Access Project – Appropriate and Transfer Funds, Approve First Amendment to the Amended and Restated 6th Street Roadway Project Escrow Agreement, Approve First Amendment to the 5th Street Project Delivery Agreement, Award Contract and Approve Professional Services Agreement**

Report # 2014-00186

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

**Recommendation:** Review report 1) approving the First Amendment to the Amended and Restated 6th Street Roadway Project and Escrow Agreement; 2) approving the First Amendment to the 5th Street Project Delivery Agreement; 3) appropriating \$733,732 (Fund 3703) in federal funds to the Sacramento Intermodal Facility Project (T15029000); 4) transferring \$740,000 (Fund 3702) in escrow account funds from the 6th Street Roadway Project (T15116200) to the Sacramento Intermodal Facility Project (T15029000); 5) appropriating \$88,533 (Fund 3703) in federal funds to the Sacramento Intermodal Facility Project (T15029000) when funding is obligated; 6) reducing the total 5th Street and Railyards

Boulevard Project budget by \$100,000 to \$28,800,000; 7) approving Plans and Specifications for the Sacramento Railyards West Tunnel Ramps Access Project; 8) awarding a contract with B&M Builders in an amount not to exceed \$1,334,304; and 9) approving a Professional Services Agreement for construction management with Vali Cooper & Associates in an amount not to exceed \$167,811.

**Contact:** Tim Mar, Supervising Civil Engineer, (916) 808-7531; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

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

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

**Adjournment**