

CITY COUNCIL

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Allen Warren, Vice Mayor, District 2
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Larry Carr, District 8

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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
Redevelopment Agency
Successor Agency**

**City Hall-Council Chamber
915 I Street, 1st Floor**

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

**Tuesday, September 15, 2015
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. **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 meeting agendas on the City website, 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. All meeting materials are also available at the meeting for public review. Contracts subject to the 10-day review period, as required by the Council Rules of Procedure, can be found on the City's website at: <http://portal.cityofsacramento.org/Clerk/Contract-Posting>

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams 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.

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*).

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, September 15, 2015

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. Summer Nights Turned Right

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. Final Legal Expenses for the Entertainment and Sports Center Term Sheet Litigation

(Published for Review 09/03/2015)

Report # 2015-00798

Location: Downtown Plaza, District 4

Recommendation: Pass a **Resolution:** 1) authorizing the City Manager or his designee to transfer \$550,000 from the Arco Arena Debt Service Fund (4010) to the FY2015/16 General Fund fund balance; 2) authorizing the City Manager or his designee to transfer \$1.5 million from FY2015/16 General Fund fund balance to the Entertainment and Sports Center project budget (I02000500) in order to reimburse the City's outside legal counsel for final expenses incurred in the defense of the City in the Gonzalez et al. v. Johnson et al. litigation; 3) authorizing the City Attorney or his designee to increase the contract with the City's outside legal counsel Meyers Nave Riback Silver and Wilson (Meyers Nave) by \$1.32 million, to a final amount not to exceed \$3.7 million.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager

2. **(Pass for Publication) Ordinance Amendments to Title 15 of the Sacramento City Code Relating to Small Residential Rooftop Solar Energy Systems**

Report # 2015-00764

Location: Citywide

Recommendation: 1) Review an Ordinance amending Section 15.04.040 of and adding Section 15.08.180 to the Sacramento City Code, relating to small residential rooftop solar energy systems; and 2) pass for publication the ordinance title per Sacramento City Charter Section 32(c) for consideration on September 24, 2015.

Contact: Susanne Cook, Administrative Analyst, (916) 808-5375; Winfred DeLeon, Chief Building Official, (916) 808-5475, Community Development Department

3. **Cooperative Agreement: U.S. Department of the Interior, Fish and Wildlife Service (USFWS) funding for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project for Fiscal Year 2015/16**

Report # 2015-00756

Location: Citywide

Recommendation: Pass a **Resolution** authorizing the City Manager, or his designee, to: 1) apply for USFWS Research Grant (Generic), Domestic Assistance Number 15.650 funding for Fiscal Year 2015/16, for up to the maximum amount of \$150,000, for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project (Project); 2) if the grant is awarded, accept federal funds in the amount awarded and execute the Cooperative Agreement and any subsequent modifications; and (3) establish an operating grant for the Project, including revenue and expenditure budgets, for the amount awarded.

Contact: Tom Gohring, Executive Director, (916) 808-1998, Citywide & Community Support, City-County Office of Metropolitan Water Planning (CCOMWP)

4. **Agreement: Lower American River Design, Implementation and Post Project Assessment for Spawning Gravel Augmentation Project (G14140100)**

Report # 2015-00757

Location: Citywide

Recommendation: Pass a Motion authorizing the City Manager, or his designee, to execute a Professional Services Agreement with cbec, inc., eco-engineering in the amount of \$126,000, for technical work associated with the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning.

Contact: Tom Gohring, Executive Director, (916) 808-1993, Citywide and Community Support, Sacramento City-County Office of Metropolitan Water Planning (CCOMWP)

- 5. Reimbursement of Eligible Expenses: Natomas Central Community Facilities District No. 2006-02**
Report # 2015-00774
Location: District 1
Recommendation: Pass a **Resolution** appropriating \$1.15 million from special taxes collected for Natomas Central Community Facilities District No. 2006-02 (CFD 2006-02) to allow for the reimbursement of eligible developer expenses.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Special Districts' Manager (916) 808-8788, Department of Finance
- 6. Appointment of Pamela Sloan as an Interim Employee under California Government Code Section 21221(h)**
Report # 2015-00814
Location: Citywide
Recommendation: Pass a **Resolution** appointing Pamela Sloan as an Interim Employee under California Government Code Section 21221(h).
Contact: Ken Cosgrove, Human Resources Manager, (916) 808-7473, Human Resources
- 7. City Auditor's Activity Report for 3rd Quarter of Fiscal Year 2014/15**
Report # 2015-00776
Location: Citywide
Recommendation: Pass a Motion accepting the City Auditor's Activity Report for the 3rd Quarter of Fiscal Year 2014/15.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 8. City Auditor's Activity Report for 4th Quarter of Fiscal Year 2014/15**
Report # 2015-00777
Location: Citywide
Recommendation: Pass a Motion accepting the City Auditor's Activity Report for the 4th Quarter of Fiscal Year 2014/15.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 9. First Amendment to Lease for the Public Safety Administration Building with My Sister's House**
Report # 2015-00427
Location: 5770 Freeport Blvd, Suites 42, 48, and 53; District 5
Recommendation: Pass a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute a seven-year First Amendment to Lease with three one-year renewal options with My Sister's House; 2) authorizing the City Manager or City Manager's designee to execute such other documents as necessary to implement the First Amendment to Lease; 3) establishing a Capital Improvement Project for the Public Safety Administration Building Retail Improvements Project (C13000350); and 4) transferring funding in the amount of \$63,452 from the Department of Public Works FY2015/16 operating budget (General Fund, Fund 1001) to the Public Safety Administration Building Retail Improvements Project (C13000350).

Contact: Ken Hancock, Real Property Agent (916) 808-5752; Bill Sinclair, Facilities & Real Property Superintendent, (916) 808-1905, Department of Public Works

- 10. Re-establishing and Reducing Speed Limits, Changing Zone Boundaries on Various Streets and Rescinding Resolution No. 2014-0280**
Report # 2015-00661
Location: Citywide
Recommendation: Pass a **Resolution** to Re-establish and Reduce Speed Limits, Change Zone Boundaries on Various Streets; and Rescind Resolution No. 2014-0280.
Contact: Zarah Lacson, Assistant Civil Engineer, (916) 808-8494; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works
- 11. Contract: Mama Marks Park Restroom Project (L19196100)**
Report # 2015-00735
Location: 1140 Roanoke Avenue, Council District 2
Recommendation: Pass a Motion 1) approving the construction plans and specifications; 2) awarding a construction contract to Buskirk Construction, the lowest responsive and responsible bidder, in an amount not to exceed \$106,000 for the Mama Marks Park Restroom Project; and 3) authorizing the City Manager or the City Manager's designee to execute the contract specified above.
Contact: Jeff Blanton, Senior Architect, (916) 808-8423; Jon Blank, Facilities Manager (916) 808-7914, Department of Public Works
- 12. Contract Award for 15th Street and 16th Street from J Street to L Street Streetlight Replacement (T15103302)**
Report # 2015-00786
Location: District 4
Recommendation: Pass a Motion: 1) approving the Plans and Specifications for the 15th Street to 16th Street from J Street to L Street Streetlight Replacement Project; 2) awarding the construction contract to Pacific Excavation Inc. for an amount not to exceed \$221,077; and 3) authorizing the City Manager to execute a contract with Pacific Excavation Inc. in an amount not to exceed \$221,077 for the 15th Street and 16th Street from J Street to L Street Streetlight Replacement Project.
Contact: John Matoba, Project Manager, (916) 808-7891; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

- 13. Contracts: Mobile Services and General Maintenance and Repair for Vehicles and Equipment (Two-Thirds Vote Required)**
Report # 2015-00794
Location: Citywide
Recommendation: Pass a **Resolution:** 1) suspending competitive bidding in the best interests of the City and rejecting all bids for the purchase of mobile services and general maintenance and repair for off road vehicles and equipment; 2) awarding Pacific Consolidated, Inc. a one-year contract with three one-year renewal options for the purchase of mobile services and general maintenance and repair for off road vehicles and equipment in an amount not to exceed \$103,256 for the potential four-year term; 3) awarding Howard & Son Truck Service a one-year contract with three one-year renewal options for the purchase of mobile services and general maintenance and repair for medium and heavy duty vehicles in an amount not to exceed \$414,328 for the potential four-year term; and 4) 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: Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works
- 14. Contract: Greenhaven Drive Sewer Forcemain Extension**
Report # 2015-00700
Location: District 7
Recommendation: Pass a Motion 1) approving the contract plans and specifications for the Greenhaven Drive Sewer Forcemain Extension project, and 2) awarding the contract to Caggiano General Engineering Inc., for an amount not-to-exceed \$227,998.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities
- 15. Department of Water Resources Water-Energy Grant Award and Supplemental Agreement for District Metered Areas for Water Loss Control (Continued from 09/01/2015)**
Report # 2015-00729
Location: Citywide
Recommendation: Pass a **Resolution** authorizing the City Manager or the City Manager's designee to 1) establish the newly awarded California Department of Water Resources (DWR) Water-Energy Grant project (G14160100) to utilize funding awarded for District Metered Area (DMA) Management for Water Loss Control; 2) establish revenue and expenditure budgets in an amount not to exceed \$2,500,000; and 3) execute Supplemental Agreement No. 1 to Agreement 2014-1006 with Water Systems Optimization, Inc. to continue and augment the DMAs Program for Water Loss Control for an additional amount of \$650,504, bringing the agreement's total not-to-exceed amount to \$819,897.
Contact: Michael Malone, Operations Manager, (916) 808-6226; Julie Friedman, Program Specialist, (916) 808-7898, Department of Utilities

16. **(Pass for Publication) Ordinance Amending Sacramento City Code 13.04.900 Relating to Outdoor Water Conservation**
Report # 2015-00743
Location: Citywide
Recommendation: 1) Review an Ordinance amending Sacramento City Code section 13.04.900, relating to Outdoor Water Conservation, to incorporate an administrative review step into the notice of violation appeal process; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on September 24, 2015.
Contact: William Granger, Water Conservation Administrator, (916) 808-1417; Bill Busath, Director, (916) 808-1434, Department of Utilities
17. **Supplemental Agreement: Combined Sewer System Regulatory Compliance Support**
Report # 2015-00772
Location: Citywide
Recommendation: Pass a Motion authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 2 to City Agreement No. 2013-0898 with Larry Walker Associates in an amount of \$348,079, to add FY2016 services and increase the agreement not-to-exceed amount to \$1,118,599.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities
18. **(Housing Authority) Alder Grove Health and Wellness Clinic**
Report # 2015-00674
Location: Alder Grove Public Housing Community - Revere Street, District 4
Recommendation: Pass a **Housing Authority Resolution** 1) authorizing the Executive Director, or designee, to accept \$150,000 in funding from the County of Sacramento, amend the Agency budget and allocate those funds for the rehabilitation of the proposed Alder Grove Health and Wellness Clinic; 2) authorizing the Executive Director, or her designee, to solicit and contract to rehabilitate the clinic located at 752 Revere Street; 3) authorizing the Executive Director, or her designee, to solicit and contract with a provider to administer, operate and occupy the proposed Primary Care Clinic; 4) authorizing the creation of a committee to select a provider for the proposed clinic which will include the following members: one individual assigned by County Supervisor Phil Serna, one individual assigned by City Councilmember Steve Hansen, one individual assigned by the Sacramento Housing and Redevelopment Agency (SHRA), one representative from Sacramento County Health and Human Services Division, and one SHRA Commissioner.
Contact: Mary Liz Paulson, Housing Authority Assistant Director, (916) 440-1334, Sacramento Housing and Redevelopment Agency

19. **(City Council/Housing Authority) Approval of New Maintenance Lead Classification and Pay Range**
Report # 2015-00766
Location: Citywide
Recommendation: Pass 1) a **City Council Resolution** authorizing the creation of a Maintenance Lead Classification and pay range; 2) a **Housing Authority Resolution** authorizing the creation of a Maintenance Lead Classification and pay range; and 3) authorizing the Executive Director to make minor changes to the Maintenance Lead Classification Description in order to make corrections.
Contact: James Shields, (916) 440-1306, Sacramento Housing and Redevelopment Agency
20. **Sacramento Employment and Training Agency (SETA) Operating Budget for Fiscal Year 2015/16**
Report # 2015-00651
Location: 915 I Street, District 1
Recommendation: Pass a **Resolution** approving the Fiscal Year 2015/16 Sacramento Employment and Training Agency (SETA) Operating Budget.
Contact: Dennis Kauffman, Operations Manager, (916) 808-5843, Department of Finance; Loretta Su, Fiscal Chief, (916) 263-3875, Sacramento Employment and Training Agency

Public Hearings

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

21. **Ordinance Amending Title 17 Relating to Front-Yard Setbacks (M15-010)** [Noticed 09/04/2015; Passed for Publication 09/08/2015; Published 09/11/2015]
Report # 2015-00795 **Estimated Time: 15 minutes**
Location: Citywide
Recommendation: Conduct a public hearing and upon conclusion pass an **Ordinance** amending various sections in Chapter 17.204 of the Sacramento City Code relating to front-yard setbacks for single-unit and duplex dwellings.
Contact: Bruce Monighan, Urban Design Manager, (916) 808-1241; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

Discussion Calendar

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

22. Gang Prevention & Intervention Task Force Update

Report # 2015-00810 **Estimated Time: 20 minutes**

Location: Citywide

Recommendation: Pass a **Resolution** 1) establishing the FY2016 Gang Prevention and Intervention Task Force MYOP (I80020400); 2) authorizing the City Manager to transfer \$1 million in Measure U Funds (Fund 2401) from the FY2016 Police Measure U MYOP (I80110400) to I80020400 and establish the appropriate labor reimbursements; and 4) adding a 1.0 full-time equivalent (FTE) Program Specialist position funded by I80020400 to the City Manager’s Office to support the program.

Contact: Howard Chan, Assistant City Manager, (916) 808-7488, Office of the City Manager

23. Good Governance Ad Hoc Committee Final Report and Recommendations

Report # 2015-00833 **Estimated Time: 30 minutes**

Location: Citywide

Recommendation: Approve the framework of recommendations proposed by the Good Governance Ad Hoc Committee and pass a Motion approving the following actions: 1) Direct the Independent Budget Analyst to work with the City Clerk to hold multiple public forums on budget priorities; 2) Approve moving forward with the establishment of an Independent Redistricting Commission and direct the City Clerk and City Attorney to return with language and the appropriate action for the Council to act on placing a measure for this purpose on the November 2018 ballot; 3) Direct the City Clerk to work with the City Attorney to draft an Ethics Code and bring forward the Code to City Council at midyear for review and approval; 4) Direct the City Clerk to establish an Office of Compliance and bring to City Council for review and approval by midyear a report defining the program and a proposed budget amendment to add staff to create an Office of Compliance in the City Clerk’s Office; 5) Direct the City Clerk to work with the City Attorney to draft an ordinance to implement an Ethics Commission and bring the ordinance forward to City Council for review and approval by midyear; 6) Direct the City Clerk to work with the City Attorney to draft a Sunshine Ordinance and bring the ordinance forward to City Council for review and approval within 60-90 days; and 7) Direct the City Clerk to implement the transparency and public engagement open government recommendations.

Contact: Angelique Ashby, Mayor Pro Tem, (916) 808-7001, District 1

24. City Auditor's Assessment of the City's Sexual Harassment Policy

Report # 2015-00778 **Estimated Time: 15 minutes**

Recommendation: Pass a Motion accepting the City Auditor's assessment of the City’s Sexual Harassment Policy.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment