

Meeting Date: 2/16/2016

Report Type: Consent

Report ID: 2016-00152

Title: Approval of City Council Meeting Minutes

Location: Citywide

Recommendation: Pass a Motion approving the City Council Meeting Minutes dated February 2, 2016.

Contact: Shirley Concolino, MMC, 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-February 2, 2016 DRAFT Council Minutes

Approvals/Acknowledgements

Department Director or Designee: Shirley Concolino – 2/9/2016 10:36:47 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 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.

Local Business Enterprise (LBE): None.

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, District 1
Allen Warren, District 2
Jeff Harris, District 3
Steve Hansen, District 4
Jay Schenirer, District 5
Eric Guerra, District 6
Rick Jennings, II, Vice Mayor, District 7
Larry Carr, Mayor Pro Tem, District 8

CHARTER OFFICERS

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

City of
SACRAMENTO

DRAFT Minutes

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, February 2, 2016
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.

DRAFT MINUTES

Tuesday, February 2, 2016

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, February 2, 2016 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Larry Carr (departed 9:00 p.m.), Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer (departed 7:55 p.m.), Allen Warren (departed 7:55 p.m.), and Mayor Kevin Johnson (departed 6:30 p.m.)

Pledge of Allegiance– led by Audience students.

Special Presentations/General Communications

A. Remarks Regarding Outgoing City Treasurer Russell Fehr

Action: Remarks given by all Councilmembers

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Steve Hansen / Member Larry Carr

Yes: Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, and Rick Jennings

Absent: Members 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 # 2016-00032

Location: Citywide

Action: Passed Motion No. 2016-0022 approving City Council Meeting Minutes dated January 19, 2016.

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

2. Confirmation of Board and Commission Appointments

Report # 2016-00129

Location: Citywide

Action: Moved/Seconded: Member Steve Hansen / Member Jeff Harris

Yes: Members Eric Guerra, Steve Hansen, and Jeff Harris

No: Members Angelique Ashby, Larry Carr, and Rick Jennings

Absent: Members Jay Schenirer, Allen Warren and Mayor Kevin Johnson

Removed from the Consent Calendar by Member Steve Hansen. **Failed substitute motion** to refer Seat J (Robbie Waters) back to P&PE for reopening and consideration of alternative candidates.

Action: Moved/Seconded: Member Larry Carr / Member Rick Jennings

Yes: Members Angelique Ashby, Eric Guerra, and Rick Jennings

No: Members Larry Carr, Steve Hansen, and Jeff Harris

Absent: Members Jay Schenirer, Allen Warren and Mayor Kevin Johnson

Failed motion confirming board/commission appointment(s) to: 1) Administration, Investment, & Fiscal Management Board – Manuel Leon (Seat E); 2) Planning and Design Commission – Robbie Waters (Seat J) and Jia Wang-Connelly (Seat K); and 3) Sacramento Youth Commission – Johnny Coleman (Seat V)

Action: Moved/Seconded: Member Angelique Ashby / Member Rick Jennings

Yes: Members Angelique Ashby, Eric Guerra, Steve Hansen, Jeff Harris, and Rick Jennings.

No: Member Larry Carr

Absent: Members Jay Schenirer, Allen Warren and Mayor Kevin Johnson

Passed Motion No. 2016-0023 confirming board/commission appointment(s) to: 1) Administration, Investment, & Fiscal Management Board – Manuel Leon (Seat E); 2) Planning and Design Commission – Jia Wang-Connelly (Seat K); and 3) Sacramento Youth Commission – Johnny Coleman (Seat V).4) **continuing** Planning and Design Commission Robbie Waters (Seat J) to February 9, 2016.

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

- 3. December 2015 Monthly Investment Transactions Report**
Report # 2016-00095
Location: Citywide
Action: Received and filed.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer
- 4. Increased U.S. Department of the Interior, Fish and Wildlife Service (USFWS) grant funding for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project for Fiscal Years 2015/16 through 2018/19**
Report # 2016-00075
Location: Citywide/Regional
Action: Passed **Resolution No. 2016-0028** authorizing the City Manager, or his designee, to: 1) apply for a modification to increase USFWS Research Grant (Generic), Domestic Assistance Number 15.650 funding for the Project up to the maximum amount of \$900,000; 2) if the grant increase is awarded, accept federal funds in the amount awarded and execute a modification to Cooperative Funding Agreement C2015-1717; and 3) increase the operating grant for the Project, including revenue and expenditure budgets, for the amount awarded, bringing the total budgeted Project to an amount up to \$1,050,943.
Contact: Tom Gohring, Executive Director, (916) 808-1998, Citywide & Community Support, City-County Office of Metropolitan Water Planning (CCOMWP)
- 5. Arts & Cultural Facilities Grant Program**
Report # 2016-00094
Location: Citywide
Action: Passed **Motion No. 2016-0024** approving amendment of the Arts and Cultural Facilities Grant Program parameters.
Contact: Shelly Willis, Director, (916) 808-3971, Sacramento Metropolitan Arts Commission
- 6. Grant/Agreement: California Task Force Seven (CA TF-7) Urban Search and Rescue (US&R) Team's Hurricane Joaquin Red Incident Support Team (IST) Deployment (G12702900)**
Report # 2016-00057
Location: Citywide
Action: Passed **Resolution No. 2016-0029:** 1) authorizing the City Manager, or Fire Chief as his designee, on behalf of the City of Sacramento, to execute the agreement (EMW-2013-CA-USR-0008, Amendment M003) accepting federal funding in the amount of \$61,600 for the CA TF-7 US&R Team Hurricane Joaquin Red IST Deployment; 2) establishing an operating grant for CA TF-7 US&R Team Hurricane Joaquin Red IST Deployment (G12702900); and 3) establishing a \$61,600 revenue and expenditure budget for the CA TF-7 US&R Team Hurricane Joaquin Red IST Deployment (G12702900).
Contact: Chris Costamagna, Deputy Chief, (916) 808-1604; Denise Pinkston-Maas, Support Services Manager, (916) 808-1605, Fire Department

- 7. Appointment of John Colville as Interim City Treasurer under City of Sacramento Charter Article VI Section 73**
Report # 2016-00166
Location: Citywide
Action: Passed Resolution No. 2016-0030 appointing John Colville as Interim City Treasurer under City of Sacramento Charter Article VI Section 73.
Contact: Ken Cosgrove, Human Resources Manager, (916) 808-7473, Human Resources Department
- 8. Contract: Measure U Park Irrigation Improvements – Package B-1**
Report # 2016-00080
Location: District 6
Action: Passed Motion No. 2016-0025: 1) approving the construction plans and specifications for Measure U Park Irrigation Improvements – Package B-1; 2) awarding the contract to Saenz Landscape Construction for an amount not to exceed \$108,399; and 3) authorizing the City Manager or City Manager’s designee to execute the contract with Saenz Landscape Construction for an amount not to exceed \$108,399.
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Jeff Nittka, Landscape Technician II, (916) 808-5996, Department of Parks and Recreation
- 9. “ParkeBridge Green” Park Master Plan and Park Name**
Report # 2016-00081
Location: District 3
Action: Passed Resolution No. 2016-0031: 1) approving the Master Plan for ParkeBridge Green Park; and 2) approving the park name "ParkeBridge Green".
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Department of Parks and Recreation
- 10. Contract: Niño’s Parkway Community Garden Project**
Report # 2016-00121
Location: District 3
Action: Passed Motion No. 2016-0026: 1) approving the construction plans and specifications for Niño’s Parkway Community Garden project; 2) awarding the contract to Saenz Landscape Construction for an amount not to exceed \$186,230; and 3) authorizing the City Manager or City Manager’s designee to execute the contract with Saenz Landscape Construction for an amount not to exceed \$186,230.
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation

- 11. Second Amendment to Operation and Maintenance Agreement for Two Rivers Trail – Phase II**
Report # 2016-00122
Location: District 3
Action: **Passed Motion No. 2016-0027** approving the Second Amendment with the American River Flood Control District to the Operation and Maintenance Agreement for Two Rivers Trail – Phase II in the amount of \$166,243.
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Department of Parks and Recreation
- 12. Agreement: Sutter General Hospital Police Security Services**
Report # 2016-00116
Location: Citywide
Action: Public comment heard from Lorraine Brown; **passed Resolution No. 2016-0032** authorizing the City Manager, or the City Manager’s designee, to 1) enter into an agreement with Sutter General Hospital in an amount not to exceed \$394,834 through December 31, 2016; and 2) maintain the four (4) Full Time Equivalent (FTE) Police Officer positions previously authorized by Agreement 2014-0436.
Contact: William Champion, Police Captain, Contract Services, (916) 808-0714, Police Department
- 13. Agreement: Fire Station 14, Architectural and Engineering Services**
Report # 2016-00015
Location: 1400 North B Street, District 3
Action: **Passed Motion No. 2016-0028** authorizing the City Manager or the City Manager’s designee to execute a professional services agreement with Brown Reynolds Watford Architects, Inc. for the architectural and engineering design services for Fire Station 14 in an amount not to exceed \$363,982.
Contact: Amy Smith, Associate Architect, (916) 808-2262; Jon Blank, Facilities Manager, (916) 808-7914, Department of Public Works
- 14. Appropriation of Funds and Award of Procurement Contract for the Midtown Street Lighting Project**
Report # 2016-00059
Location: District 4
Action: **Passed Resolution No. 2016-0033:** 1) appropriating funds in the amount of \$140,000 (Fund 2700); and 2) awarding the procurement contract for Ornamental Streetlight Commodities for the Midtown Street Lighting Project to Azco Supply for an amount not to exceed \$134,537.
Contact: John Matoba, Project Manager, (916) 808-7891; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

15. Smart Cities Challenge Grant Application

Report # 2016-00117

Location: Citywide

Action: Passed Resolution No. 2016-0034 authorizing the City Manager or his designee to submit a grant application to the U.S. Department of Transportation “Smart Cities Challenge” program.

Contact: Ryan Moore, Principal Engineer, (916) 808-6629; and Jerry Way, Director of Public Works, (916) 808-6381, Department of Public Works

16. Contract: Sump 40 & 146 Reconstruction Project

Report # 2016-00009

Location: Districts 2 and 5

Action: Passed Resolution No. 2016-0035 awarding a contract for the Sump 40 & 146 Reconstruction Project to T&S Construction for an amount not-to-exceed \$827,623, and approving related budget transfers.

Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

17. (Pass for Publication) Ordinance for Sacramento Children's Fund Ballot Initiative

Report # 2016-00181

Location: Citywide

Action: 1) Reviewed an Ordinance to place the Sacramento Children's Fund Initiative on the June 7, 2016 ballot; and 2) passed for publication the ordinance title per Sacramento City Charter Section 32(c) to be considered on February 9, 2016.

Contact: Councilmember Jay Schenirer, District 5, (916) 808-7005

Public Hearings

18. Ordinance Amending Title 17 of the Sacramento City Code Relating to Cannabis

Cultivation (Noticed 01/15/2016; Passed for Publication 01/19/2016; Published 01/22/2016)

[Four-Fifths Vote Required] {Continued from 01/26/2016}

Report # 2016-00187 **Estimated Time: 40 minutes** (Actual Time: 86 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Larry Carr

Yes: Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, and Allen Warren

Absent: Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Caleb Counts, Jill Zimmerman, Lorraine Brown, Kimberly Cargile, Richard Miller, Marcia Blount, Bryan Davis, Robert Kitay, David Plag, Kevin Lutz, Darla Lusk, Rebecca Davis, Lanette Davies, Mac Worthy, Larry Taylor, Patty Kleinknecht, Sally Freedlander, Tom Burruss, Bernardo Hubbard, Tracey Schaal, Nathan Sands, and upon conclusion, 1) passed **Ordinance No. 2016-0006 as amended** amending various sections in title 17 of the Sacramento City Code relating to cannabis cultivation; and 2) passed **Ordinance No. 2016-0007 as amended** imposing a 45-day moratorium on cannabis cultivation with direction to staff to meet with the community to assess the type of CUP, distance buffers and the cap on number of uses in a district or city, returning to the Law and Legislation Commission.

Contact: Ryan DeVore, (916) 808-8860, Director of Community Development; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

19. Ordinance Amending Title 5 of the Sacramento City Code Relating to the Relocation of a Medical Marijuana Dispensary (Noticed 01/15/2016; Passed for Publication 01/19/2016; Published 01/22/2016) **{Continued from 01/26/2016}**

Report # 2016-00186 **Estimated Time: 30 minutes** (Actual Time: 56 minutes)

Location: Citywide

Action: Moved/Seconded: Member Eric Guerra / Member Steve Hansen

Yes: Members Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, and Rick Jennings

No: Member Angelique Ashby

Absent: Members Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Conducted a public hearing with public comment heard from Max Del Real, Donald Davies, Darla Lusk, Lanette Davies, Bryan Davies, Mac Worthy, and upon conclusion, passed **Ordinance No. 2016-0008** amending various sections of chapter 5.150 of the Sacramento City Code relating to the relocation of a medical marijuana dispensary with direction to staff to outreach and review permitting as it relates to land use changes and land use notifications.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance; 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”.

20. City Credit Ratings: Meaning and Implications

Report # 2016-00072 **Estimated Time: 20 minutes** (Actual Time: 20 minutes)

Location: Citywide

Action: Received and filed.

Contact: Russ Fehr, City Treasurer, (916) 808-5832; Brian Wong, Debt Manager, (916) 808-5811, Office of the City Treasurer

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

1. Homelessness
 - a. Pastor Gainsbrugh
 - b. CJ Psomas
 - c. Andrew Liman
 - d. Weijia Chua
 - e. Garret Hannickel
 - f. Hannah Balstad, Devin Hannickel
 - g. Niki Jones
 - h. Kathleen Philbrack
 - i. Jamie Todd
 - j. Jmar Jewfferson
 - k. Tiana Marshall
 - l. Theo onn-Brown
 - m. Nazeela Awan
 - n. Malvina Martin
 - o. Robert Coplin
 - p. Joe Homeless
 - q. Thom Mai
 - r. Asadullah Awan
 - s. Michelle
 - t. Rose Marshall
 - u. David Andre
 - v. Bryan Davis
 - w. Trina Allen
 - x. Alex
 - y. Lestaria
 - z. David Rodriguez
 - aa. James Clark
 - bb. Laurie Blazich
 - cc. Holly Clas
 - dd. Wanda
 - ee. Mac Worthy
 - ff. Ian Kim
 - gg. Omar Sahak
2. Military Misconduct
 - a. Lorraine Brown
3. Disabled Persons/Animals
 - a. Jonathan Bobbins
4. L Street Street Cleaning
 - a. Frank Topping
5. Plastic Bag Ban
 - a. David Allen
6. Mary Tappel
 - a. Lower American River Parkway Safety

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Harris

1. Report on the process for individual council members to engage staff resources

2. Board/Commission Appointments

None.

Adjourned – 10:35 p.m.