

CITY COUNCIL

Kevin Johnson, Mayor

Angelique Ashby, Mayor Pro Tem, District 1

Allen Warren, Vice Mayor, District 2

Jeff Harris, District 3

Steve Hansen, District 4

Jay Schenirer, District 5

Vacant, District 6

Rick Jennings, II, District 7

Larry Carr, District 8

CHARTER OFFICERS

James Sanchez, City Attorney

Shirley Concolino, City Clerk

John F. Shirey, City Manager

Russ Fehr, City Treasurer



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, March 24, 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.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

General Conduct for the Public Attending Council Meetings

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the City Council

Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

Speaker Time Limits. In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

DRAFT MINUTES

Tuesday, March 24, 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.

Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, March 24, 2015 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson (departed 6:45 p.m.).

Pledge of Allegiance– led by People Reaching Out representative Telice.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Sacramento Youth Commission Presentation and a Presentation on their Anti-Bullying Campaign**
Action: Program presented by Sacramento Youth Commission
- b. **Recognizing the Legacy of Cesar Chavez and the 2015 March**
Action: Resolution presented by Member Steve Hansen
- c. **Recognizing the 2015 Cesar Chavez Day of Service and Learning**
Action: Resolution presented by Member Steve Hansen

Consent Calendar Estimated Time: 5 minutes (Actual time: 12 minutes)

Action: Moved/Seconded: Member Jay Schenirer / Member Steve Hansen

Yes: Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, 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. (Pass for Publication) Proposed Development Program for the Natomas Basin under A99 Flood Zone Designation**
Report # 2015-00285
Location: Natomas Basin, Districts 1, 3, and 4
Action: 1) Reviewed an Ordinance amending Chapter 15.104 of the Sacramento City Code relating to floodplain management regulations; and 2) passed for publication the Ordinance title as required by Sacramento City Charter § 32(c), with the Ordinance to be adopted on March 31, 2015.
Contact: Scot Mende, Principal Planner, (916) 808-4756; Ryan DeVore, Interim Community Development Director, (916) 808-8860, Community Development Department
- 2. Resolution of Intention to Establish McKinley Village Community Facilities District No. 2014-03**
Report # 2015-00228
Location: District 3
Action: Passed 1) **Resolution No. 2015-0077** of Intention to establish the McKinley Village Community Facilities District No. 2014-03 (Services) and set a time and place for a public hearing on April 28, 2015; and 2) **Motion No. 2015-0060** authorizing the City Manager to execute an agreement with Encore McKinley Village, LLC for maintenance of public amenities.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 3. Agreement: Transfer and Acceptance of Vehicular Equipment from California Governor's Office of Emergency Services (Cal OES)**
Report # 2015-00272
Location: Citywide
Action: Passed **Motion No. 2015-0061** authorizing the City Manager or his designees, to execute the agreement for temporary transfer of vehicular equipment (Type III Engine) to the City of Sacramento Fire Department.
Contact: Walt W. White, Fire Chief, (916) 808-1601, Fire Department
- 4. (Pass for Publication) Ordinance: Reduction of Single-Use Plastic and Paper Bags**
Report # 2015-00280
Location: Citywide
Action: Public comment heard from Charles Yarbrough, Sue Vang, Delphine Brody and Kevin Carter; 1) Reviewed a Resolution certifying an Environmental Impact Report and adopting Findings of Fact for an ordinance relating to the reduction of single-use plastic and paper bags; 2) reviewed an Ordinance **as amended** adding Chapter 5.154 to the Sacramento City Code, relating to the reduction of single-use plastic and paper bags; and 3) passed for publication the Ordinance title as required by Sacramento City Charter section 32(c), to be adopted on March 31, 2015.
Contact: Erin Treadwell, Program Specialist, (916) 808-4934, Department of General Services

- 5. City Auditor's Activity Report for 2nd Quarter of Fiscal Year 2014/15**
Report # 2015-00235
Location: Citywide
Action: Passed **Motion No. 2015-0062** accepting the Auditor's Quarterly Audit Activities Report for the 2nd Quarter of Fiscal Year 2014/15.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 6. Supplemental Agreements and Transfer of Funds for the Sacramento Railyards West Tunnel Ramps Access Project**
Report # 2015-00240
Location: District 3
Action: Public comment heard from Mac Worthy, passed **Resolution No. 2015-0078:** 1) authorizing the City Manager to execute Supplemental Agreement No. 4 (City Agreement No. 2014-0449) in the amount of \$65,000 with Vali Cooper & Associates, Inc.; 2) transferring funds in the amount of \$50,000 (Fund 2025) from the Pedestrian Improvements Program (T15100400) to the Sacramento Railyards West Tunnel Ramps Access Project; and 3) resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2014-0449.
Contact: Matthew Johns, Associate Civil Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 7. Supplemental Agreements: Sacramento Valley Station Phase 2 Intermodal Project**
Report # 2015-00267
Location: 401 I Street, District 3
Action: Passed **Motion No. 2015-0063:** 1) authorizing the City Manager or the City Manager's designee to execute: a) Supplemental Agreement No. 9 with Zimmer Gunsul Frasca Architects, LLP (City Agreement No. 2012-0754) in an amount not to exceed \$312,729; and b) Supplemental Agreement No. 5 with Enovity, Inc. (City Agreement No. 2013-0663) in an amount not to exceed \$86,5932; and 2) ratifying Supplemental Agreements 1 through 8 with Zimmer Gunsul Frasca Architects, LLP (City Agreement No. 2012-0754), to reset the City Manager's authority to issue supplemental agreements for Agreement 2012-0754.
Contact: Gregory Taylor, AIA, LEED AP, Supervising Architect/Project Manager, (916) 808-5268; Jerry Way, Director of Public Works; Department of Public Works
- 8. North Natomas Street Tree Fee Refund**
Report # 2015-00269
Location: District 1

Action: Moved/Seconded: Member Jay Schenirer / Member Steve Hansen
Yes: Members Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.
Abstain: Member Angelique Ashby (recused)

Removed from Consent Calendar for separate discussion and action; passed **Motion No. 2015-0064**: 1) directing the City Manager or his designee to refund, by direct refund, unexpended portions of the Street Tree Fund (Fund 2027) in the amount of \$1,752,900 to the property owners of record as identified on the last equalized assessment roll as of January 12, 2015 in the amounts stated for the parcels listed in Exhibit A; and 2) directing the City Manager or his designee to complete all necessary financial transactions to distribute the \$1,752,900 by refund to the property owners of record as identified on the last equalized assessment roll of as of January 12, 2015 and in the amounts stated for the parcels listed in Exhibit A **as amended**.

Contact: Bill Spencer, Administrative Officer, (916) 808-8130; Jerry Way, Director of Public Works, (916) 808-7100, Department of Public Works

Public Hearings

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

9. Urban Agriculture Ordinance (Noticed 03/06/2015; Passed for Publication 03/17/2015; Published 03/20/2015)

Report # 2015-00097

Estimated Time: 30 minutes

(Actual time: 143 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Steve Hansen

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

No: Member Larry Carr

Absent: Mayor Kevin Johnson.

Public comment heard from Charles Mason, Leandrew Rigmaden, Nancy Kitz, Cha Vang, Robin Kristufek, Kate Wilkins, James Clark, Robert Coplin, Kevin Carter, Chanewk Yisrael, Jonathon Gainsbrugh, Richard Guerrero, Mary Kimball, Alberto Mercado, Laura Rubalcaba, Fatina Malik, Yemanya Napue, Paula Lomazzi, James Brady, Mac Worthy, Lorraine Brown, Chu Thao, Paul Towers, Sue Vang, Kau Vue, Amber Stott, Isis Johnson, Earl Withycombe, Robyn Krock, Michael Viscuso, Mac Cooper, Thai Thao, Jose Chavez, Joseph Hazziez, Matt Reid, Patrick Kenney, Brenda Ruiz Bridgitt Rivers, Joshua Foster, Nathan Sween, Corey Gibson, Delphine Brody, Ed Roeher, Charles Mason, Todd McPherson, and Earl Lagomarsino; 1) Passed **Ordinance No. 2015-0005 as amended** amending sections 9.44.330 and 9.44.340 in Title 9 and amending, adding, and repealing various sections in Title 17, of the Sacramento City Code relating to urban agriculture; and 2) pass a Motion authorizing the City Manager or City Manager's designees to forward the Urban Agriculture Incentive Zone Ordinance to the Sacramento County Board of Supervisors for approval **with direction to return to the Law Legislation Committee in 6 months for complete status report addressing all concerns expressed by Council followed by report to City Council**.

Contact: Helen Selph, Associate Planner, (916) 808-7852, Community Development Department

Discussion Calendar

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

10. Ordinance Amending Various Sections in Chapters 5.32, 17.216, 17.220 and 17.224 of the Sacramento City Code Relating to Cardrooms (Passed for Publication 03/17/2015;

Published 03/20/2015)

Report # 2015-00250

Estimated Time: 20 minutes

Location: Citywide

Action: **Continued to April 7, 2015** an **Ordinance** amending various sections in Chapters 5.32, 17.216, 17.220 and 17.224 of the Sacramento City Code relating to cardrooms.

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

Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

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

1. Homeless
 - a. Marcus Anzelone
 - b. Jonathon Gainsbrugh
 - c. Delphine Brody
 - d. James Clark
 - e. Claire White
2. Network Management
 - a. Darlene Anderson
3. 311 responses
 - a. Christine Cross
4. East Sac Parking
 - a. Christine Cross
5. Misc.
 - a. Michelle
 - b. Lorraine Brown
6. LWV and Eye on Sacramento Event
 - a. Laura Rubalcaba
7. Ribbon Cutting
 - a. Kevin Carter
8. Jobs
 - a. Mac Worthy

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Larry Carr

1. Council discussion re state of the art community benefits

2. Board/Commission Appointments (correction to 3-17-15 appointments)

a. City and County Bicycle Advisory Committee

1. Jonathan Lee

b. Civil Service Board

1. Brandon Leibrock

c. Ethel Mac Leod Hart Trust Fund Advisory Committee

1. Lynn Stevenson

d. Natomas Basin Conseravance Board of Directors

1. David Christophel

- e. Paratransit Inc. Board of Directors
 - 1. Eanad Lott
 - 2. Jason Campbell
- f. Sacramento Environmental Commission
 - 1. Anthony DeRiggi

Adjourned – 9:45 p.m. in memory of Nick Peters and Celso Brida