

## 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  
Eric Guerra, 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

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, 1<sup>st</sup> Floor

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

**Tuesday, September 1, 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](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, September 1, 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, September 1, 2015 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Pledge of Allegiance** – led by Tom Pace.

**Closed Session Report** - None

### **Consent Calendar Estimated Time: 5 minutes**

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

**Yes:** Members Angelique Ashby, Larry Carr, Eric Guerra, 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. Approval of City Council Meeting Minutes**

Report # 2015-00775

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0226** approving the City Council Meeting Minutes dated July 14, July 21, and July 28, 2015.

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

#### **2. Confirmation of Board and Commission Appointments**

Report # 2015-00787

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0227** confirming board/commission appointment(s): 1) Ethel MacLeod Hart Trust Fund Advisory Committee – David Pacheco (Seat 7); 2) Retirement Hearing Commission – Walena Gaspard (Seat C); 3) Sacramento Housing and Redevelopment Commission – Staajabu Staajabu (Seat 5); 4) Sacramento Youth Commission – Abrina LeMar (Seat O); and 5) Utilities Rate Advisory Commission – Andrew Day (Seat 4), Ryan McManus (Seat 6), and Timothy Horner (Seat 2).

**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. Agreement for Funding Operations of the Comprehensive Alcohol Treatment Center**

Report # 2015-00751

**Location:** Citywide

**Action:** Public comment heard from David Baumgartner and Laura Rubalcaba, passed  
**Resolution No. 2015-0283:** 1) authorizing the City Manager or his designee to enter into a Memorandum of Understanding with the Sacramento Housing and Redevelopment Agency (SHRA) to administer the Comprehensive Alcohol Treatment Center (CATC) for an amount not to exceed \$708,351; and 2) amending the SHRA budget to account for the \$708,351 CATC program funds.

**Contact:** Emily Halcon, Homeless Services Coordinator, (916) 808-7896, Office of the City Manager

**4. Support League of California Cities' Priorities for the Extraordinary Legislative Session on Transportation**

Report # 2015-00768

**Location:** Citywide

Removed from Consent Calendar by Member Eric Guerra; substitute motion to adopt staff recommendation made by Member Jeff Harris failed for lack of a second.

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

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

Passed **Resolution No. 2015-0284 as amended** supporting the League of California Cities priorities for transportation infrastructure funding.

**Contact:** Randi L. Knott, Director of Government Affairs, (916) 808-5771, Office of the City Manager

**5. July 2015 Monthly Investment Transactions Report**

Report # 2015-00750

**Location:** Citywide

**Action:** Received and filed.

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

6. **(Pass for Publication) Park Plaza Walgreens Project (P12-016)**  
Report # 2015-00713  
**Location:** 1600 – 1620 West El Camino Avenue, District 3  
**Action:** 1) Reviewed a) a Resolution determining that the project is exempt under CEQA Guidelines Section 15332-Infill Development; b) a Resolution approving the General Plan Amendment to change approximately 0.08 acres from a Parks and Recreation to a Suburban Center designation; c) a Resolution approving the Planned Unit Development (PUD) Guidelines Amendment to modify landscape, parking, and signage criteria in the Creekside Oaks PUD; d) a Resolution approving the Park Plaza Walgreens' Tentative Map and Site Plan and Design Review to develop an approximately 15,019 square-foot retail building in the Shopping Center PUD (SC-PUD) zone; and e) an Ordinance rezoning approximately 0.08 acres from Office Business Low-Rise Mixed-Use Planned Unit Development (OB-PUD) to SC-PUD; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c and continue to September 8, 2015 for adoption.  
**Contact:** David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department
7. **(City Council/Redevelopment Agency Successor Agency) Acquisition of 408 J Street**  
Report # 2015-00770  
**Location:** 408 J Street, District 4  
**Action:** 1) Passed **City Council Resolution No. 2015-0285 as amended** authorizing a) acquisition of 408 J Street for \$1.64 million, b) execution of the Compensation Agreements with the taxing entities, c) transfer of \$1.64 million from the Arco Arena Debt Service Fund (Fund 4010) to the Innovation and Growth Fund (Fund 2031) and expenditure authority to disburse \$1.64 million from Fund 2031 to the County Auditor-Controller for the purchase of property at 408 J Street, d) the deposit the City's share of the 408 J Street sale proceeds received from the County Auditor-Controller to Fund 2031; and 2) passed **Redevelopment Agency Successor Agency Resolution No. 2015-0007** authorizing a) the sale of 408 J Street to the City of Sacramento for the appraised value of \$1.64 million, and b) the execution of the grant deed by the City Manager.  
**Contact:** Leslie Fritzsche, Senior Project Manager, (916) 808-7223, Economic Development Department
8. **Sacramento Streetcar Community Facilities District (CFD) No. 2015-01 Abandon Formation Proceedings**  
Report # 2015-00009  
**Location:** District 4  
**Action:** Passed **Resolution No. 2015-0286** abandoning proceedings related to the formation of the Sacramento Streetcar Community Facilities District No. 2015-01.  
**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

- 9. Authority to Collect and Examine Utility Users Tax on Prepaid Wireless**  
Report # 2015-00726  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0287** authorizing the City Manager to execute an agreement with the State Board of Equalization for implementation of the Local Prepaid Mobile Telephony Services Collection Act; and 2) **Resolution No. 2015-0288** authorizing the examination of prepaid mobile telephony services surcharge and local charge records.  
**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance
- 10. Labor Agreement: Western Council of Engineers** (Published for Review 08/20/2015)  
Report # 2015-00752  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0289** approving the Memorandum of Understanding between the Western Council of Engineers and the City of Sacramento.  
**Contact:** Shelley Banks-Robinson, Manager, Labor Relations, (916) 808-5541, Human Resources Department
- 11. Agreement: Forensic Medical Examination Services for Sexual Assault, Child Abuse, Physical Abuse, Neglect and Violence Against Women's Act (VAWA)**  
[Published for Review 08/20/2015]  
Report # 2015-00737  
**Location:** Citywide  
**Action:** Public comment heard from Katie Chapman, passed **Motion No. 2015-0228** to: 1) authorize the City Manager, or City Manager's designee, to execute an agreement with Sutter Medical Foundation (SMF) (Initial term of one year and options to extend for four additional one-year terms, up to a total agreement term of five years) to perform sexual assault, child abuse, physical abuse, neglect and VAWA forensic examinations, for an annual amount of \$250,000 and a total agreement not-to-exceed amount of \$1,250,000; and 2) authorize the City Manager, or City Manager's designee, to enter into such extension(s) for the foregoing annual not-to-exceed amount, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).  
**Contact:** Marc Coopwood, Police Captain, Investigations, (916) 808-0551, Police Department
- 12. Parking Enforcement Citation and Arrest Authority**  
Report # 2015-00747  
**Location:** Citywide  
**Action:** Public comment heard from Carole Thomas, Faygo, Jason Miller; passed **Resolution No. 2015-0290** granting citation and arrest authority to new parking enforcement officers.  
**Contact:** Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works

- 13. Contract: Cervantes Park Expansion Project (K15125102)**  
Report # 2015-00754  
**Location:** District 4  
**Action:** Passed **Resolution No. 2015-0291:** 1) approving the Plans and Specifications for the Cervantes Park Expansion Project (K15125102); 2) transferring \$136,200 (Fund 3204) from the Plaza Cervantes Improvements Project (L19111200) to the Freeport Boulevard Bike Lane Project (K15125100) for the Cervantes Park Expansion Project (K15125102); 3) appropriating \$55,000 (Fund 3204) in Park Impact Fee Contingency to the Freeport Boulevard Bike Lane Project (K15125100) for the Cervantes Park Expansion Project (K15125102); and 4) awarding a construction contract to Olympic Land Construction for an amount not to exceed \$284,997.  
**Contact:** Adam Randolph, Associate Civil Engineer, (916) 808-7803; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 14. Contract: L Street 18th-20th Sewer Replacement Project (PN: X14010086)**  
Report # 2015-00727  
**Location:** District 4  
**Action:** Passed **Resolution No. 2015-0292:** 1) approving the contract plans and specifications for the L Street 18th-20th Sewer Replacement Project; 2) awarding the contract to CSI Engineering for an amount-not-to exceed \$274,876; and 3) authorizing the transfer of Base CIP Wastewater funds (X14000500, fund 6320) in the amount of \$193,000 to the Combined Sewer System Project (X14010000).  
**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1416; 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**  
Report # 2015-00729  
**Location:** Citywide  
**Action:** **Continued to September 15, 2015** 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. **Agreement: National Pollutant Discharge Elimination System (NPDES) Program Stormwater Monitoring Services (I14010200)**  
 Report # 2015-00741  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0229** authorizing the City Manager or City Manager's designee to execute a Professional Services Agreement with Larry Walker Associates, Inc., to provide Stormwater Monitoring Services for FY2015/2016 for an amount not to exceed \$600,000.  
**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities
17. **2013-2017 Consolidated Plan Substantial Amendment to include Housing Initiative and Promise Zone Areas (Continued from 08/25/2015)**  
 Report # 2015-00673  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0293** adopting the 2013-2017 Consolidated Plan Substantial Amendment and authorizing submittal to the United States Department of Housing and Urban Development  
**Contact:** Geoffrey Ross, Program Manager, (916) 440-1393, Sacramento Housing and Redevelopment Agency

**Public Hearings**

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

18. **Mixed Income Housing Ordinance Update (LR15-002)** [Noticed 08/21/2015; Passed for Publication 08/25/2015; Published 08/28/2015]  
 Report # 2015-00668 **Estimated Time: 60 minutes** (Actual Time 117 minutes)  
**Location:** Citywide  
**Action:** Moved/Seconded: Member Angelique Ashby / Member Steve Hansen  
**Yes:** Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.
- Conducted a public hearing with public comment heard from Laura Rubalcaba, Michelle, Faygo, Alejandro Cabrera, Chris Jensen, Courtney Poole, Russell Rawlings, Greg DeGiere, John Oastler, Isela Martinez, Eric Weisenthal, Elizabeth Sonnier, Matt Palm, Shireen Miles, Benjamin Spaulding, David Jensen, Rob Wiener, Howard Lawrence, John Krintz, Delphine Brody, Jessica Merrill, Robert Coplin, Rick Bettis, Terry Green, Darryl Rutherford, Monia Palmarea, Chris Parros, Chris Worden, Verna Curtis, Kianna Williamson, Robert Wurgler, Aurora Candelaria, John Parrinella, Michael Ault, John Griffin, Mike Wiley, Lynn Lenzi, Rob Smith, Patty Kleinknecht; and upon conclusion, passed **Ordinance No. 2015-0029:** a) repealing and reenacting chapter 17.712 and b) adding section 17.808.260 to the Sacramento City Code, relating to residential projects contributing to the construction of affordable housing; 2) **Resolution No. 2015-0294** establishing permit fees for new residential development; and 3)

a **Resolution No. 2015-0295** adopting the Residential Nexus Analysis for the Housing Impact Fee authorized by Chapter 17.712 of the Sacramento City Code.

**Contact:** Greg Sandlund, Acting Infill Coordinator, (916) 808-8931; Jim McDonald AICP, CFM, Interim Principal Planner, (916) 808-5723, Community Development Department

### **Discussion Calendar**

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

#### **19. Update on Deployment of Park Maintenance Services**

Report # 2015-00771      **Estimated Time: 45 minutes** (Actual Time: 40 Minutes)

**Location:** Citywide

**Action:** Public comment heard from Faygo, David Andre, Michelle; received and filed.

**Contact:** Josette Reina, Administrative Officer, (916) 808-1956, Department of Parks and Recreation

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

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. Homeless<ol style="list-style-type: none"><li>a. Katie Chapman</li><li>b. Laura Rubalcaba</li><li>c. Jonathan Gainsbrugh</li><li>d. David Andre</li><li>e. Michelle</li><li>f. Faygo</li></ol></li></ol> | <ol style="list-style-type: none"><li>2. Crimewatch<ol style="list-style-type: none"><li>a. Benjamin Spaulding</li><li>b. David Jenest</li></ol></li><li>3. Misc.<ol style="list-style-type: none"><li>a. Lorraine Brown</li><li>b. David Baumgartner</li><li>c. Leon Henderson</li></ol></li></ol> |
|---|---|

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

#### **1. Information Requests**

- a. Rick Jennings
  1. Requested that all proposed rate and fee increases including Proposition 218 fees go to Budget and Audit committee to include Independent Budget Analyst review prior to public or council review.
- b. Jeff Harris
  1. Requested City Manager to establish a pilot program for opening public restrooms using the European model where the restroom is staffed with an attendant and return to Council with status report.
- c. Mayor Johnson
  1. Requested the City Manager to continue working to create a top city bike accessible program
  2. Request City Manager to create team to explore moving forward re MLS interests with a strong City statement including a possible preliminary term sheet

## 2. Board/Commission Appointments

None.

**Adjourned** – 9:55 p.m. in memory of Garland and Tac Soi Lenh.