

## **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  
Howard Chan, Interim City Manager  
John Colville, Interim City Treasurer



# **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, November 29, 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](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.

# City of Sacramento

## City Council

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Tuesday, November 29, 2016

6:00 PM

City Hall Council Chamber

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### REGULAR MEETING AGENDA

#### 915 I Street, 1<sup>st</sup> Floor

*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 6:03 p.m. Tuesday, November 29, 2016 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Larry Carr (departed at 8:35), Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren (departed 8:30), and Mayor Kevin Johnson (departed 8:30).

**Pledge of Allegiance**– led by Stephanie Nguyen, Asian Resources

**Closed Session Report** – None.

#### **Consent Calendar**

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

**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. Confirmation of Board and Commission Appointments**

File ID: 2016-01486

**Action:** Passed **Motion No. 2016-0356** confirming board/commission appointment(s): 1) Civil Service Board – Brian Weathersby (Seat B), Ryan Gronsky (Seat D); 2) Compensation Commission – Kathleen MacColl (Seat C), David Kawada (Seat D); 3) Sacramento Disabilities Advisory Commission – Ray Daryabigi (Seat B); 4) Sacramento Heritage, Inc. Board of Directors – William Burg (Seat C).

**Location:** Citywide

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

- 2. City Board and Commission Term Expiration List for 2017 (Maddy Act)**  
File ID: 2016-01438  
**Location:** Citywide  
**Action:** Received and filed.  
**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
- 3. (Pass for Publication) Ordinance Amending Subsection D of Section 17.404.030 of the Sacramento City Code Relating to Alcohol Sales for Off-Premise Consumption in Buildings Less than 15,000 square feet in the Broadway-Stockton Special Planning District (M15-011)**  
File ID: 2016-01229  
**Location:** District 5 and District 6  
**Action:** 1) Reviewed an ordinance amending Subsection D of Section 17.404.030 of the Sacramento City Code, relating to alcohol sales for off-premise consumption in buildings less than 15,000 square feet in the Broadway-Stockton Special Planning District; and 2) passed for publication the ordinance title as required by Sacramento City Charter section 32(c) to be adopted on December 6, 2016.  
**Contact:** Joy Patterson, Principal Planner, 916-808-5607, Community Development Department
- 4. (Pass for Publication) Use of Artificial Turf in Required Front and Street Side Yard Setbacks (M15-008)**  
File ID: 2016-01339  
**Location:** Citywide  
**Action:** Public comment heard from Chris Brown; 1) Reviewed an ordinance amending section 17.612.010 of the Sacramento City Code relating to landscape requirements and the use of artificial turf; and 2) passed for publication the ordinance title as required by Sacramento City Code section 32 (c) to be adopted on December 6, 2016.  
**Contact:** Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

**5. (Pass for Publication) Natomas Fountains Retail Center (P16-012)**

File ID: 2016-01341

**Location:** West of the intersection of Gateway Park Boulevard and North Freeway Boulevard, District 1

**Action:** 1) Reviewed a) a Resolution approving Mitigated Negative Declaration Findings per General Plan Master Environmental Impact Report; b) a Resolution approving a Development Agreement; c) a Resolution approving a General Plan Amendment to re-designate 12.54± acres from Employment Center Mid Rise (ECMR) to Regional Commercial Center (RCC); d) an Ordinance approving a rezone of 12.54± acres from Employment Center (EC-40) to Shopping Center (SC) zone within the Coral Business Center PUD; e) a Resolution approving a PUD Schematic Plan Amendment to the Coral Business Center Planned Unit Development; f) a Resolution approving the Natomas Fountains project, including Site Plan and Design Review and a Tree Removal Permit; and 2) passed for publication the ordinance title as required by Sacramento City Charter section 32(c) to be considered on December 6, 2016.

**Contact:** Arwen Wacht, Associate Planner, (916) 808-1964; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

**6. Ordinance Amendment: Various Chapters and Sections of Title 15 and Title 8 of the Sacramento City Code and Adoption of Local Amendments to the California Building Standards Code (Passed for Publication 11/22/2016; To Be Published in its Entirety with 10-Days of Approval)**

File ID: 2016-01392

**Location:** Citywide

**Action:** Passed **Ordinance No. 2016-0052** amending various Chapters and Sections of Title 15 and Title 8 of the Sacramento City Code including new local amendments to the new requirements published in the 2016 California Building Standards Code.

**Contact:** Anna Tekautz, Supervising Engineer, (916) 808-7877; Winfred DeLeon, Chief Building Official, (916) 808-5475; Susanne Cook, Administrative Analyst, (916) 808-5375, Community Development Department

**7. Supplemental Agreement No. 5 to Contract No. 2014-0545 for North Natomas Community and Aquatic Complex Feasibility Study**

File ID: 2016-01312

**Location:** District 1

**Action:** Passed **Resolution No. 2016-0407:** 1) authorizing the City Manager, or City Manager's designee, to enter into a Supplemental Agreement No. 5 for the North Natomas Community and Aquatic Complex Feasibility Study Project (I19000900) with BCA Architects, Inc. in an amount not to exceed \$23,944 for a total contract amount of \$158,052; and 2) appropriating \$23,944 from the North Natomas Financing Plan Public Facilities Fee Fund (3206) to I19000900.

**Contact:** Camille Wise, Resource Development Specialist, (916) 808-8830, Department of Parks and Recreation

**8. Supplemental Agreement No. 2: Fire Station 14 (F13000800)**

File ID: 2016-01401

**Location:** 1400 North B Street, District 3

**Action:** Passed **Motion No. 2016-0357:** 1) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 2 to Contract No. 2016-0160 with Brown Reynolds Watford Architects, Inc. to increase the architectural and engineering design services fees for Fire Station 14 by \$141,500 for a revised total contract amount not to exceed \$511,350; and 2) ratifying Supplemental Agreement No. 1 previously issued under the City Manager authority.

**Contact:** Amy Smith, Associate Architect, (916) 808-2262, Department of Public Works; Chris Costamagna, Deputy Fire Chief, (916) 808-1604, Fire Department

**9. Transfer of Funds and Cooperative Agreement with the City of West Sacramento for the Broadway Bridge Project (T15155300)**

File ID: 2016-01443

**Location:** The Sacramento River south of the Highway 50 Pioneer Bridge near Broadway, District 4

**Action:** Passed **Resolution No. 2016-0408:** 1) transferring \$750,000 from the State and Federal Grant Match Project (T15007200, Major Street Construction Fund, Fund 2007) to the Broadway Bridge Feasibility Project (T15155300); 2) renaming the Broadway Bridge Feasibility Project (T15155300) to the Broadway Bridge Project (T15155300); and 3) authorizing the City Manager or the City Manager's designee to execute a cooperative agreement with the City of West Sacramento for the project approval and the environmental document phase.

**Contact:** Jesse Gothan, Supervising Engineer (916) 808-6897; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Public Works

**10. Cooperative Purchase Agreement: Fire Ambulances**

File ID: 2016-01428

**Location:** Citywide

**Action:** Passed **Resolution No. 2016-0409:** 1) authorizing the City Manager or the City Manager's designee to increase the expenditure and revenue budget in the Department of Public Works (DPW) FY2016/17 operating budget (Fleet Fund, Fund 6501) in the amount of \$886,404; 2) approving the use of the Houston-Galveston Area Council (HGAC) cooperative purchase agreement with Braun Northwest, Inc. (Contract No. AM10-16) for the purchase of four replacement and two new additional ambulances in an amount not to exceed \$886,404; and 3) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works

**11. Cooperative Purchase Agreement: New Additional Sweepers**

File ID: 2016-01435

**Location:** Citywide

**Action:** Passed **Resolution No. 2016-0410:** 1) authorizing the City Manager or the City Manager's designee to increase the expenditure and revenue budget in the Department of Public Works (DPW) FY2016/17 operating budget (Fleet Fund, Fund 6501) in the amount of \$383,364; 2) approving the use of the Houston-Galveston Area Council (HGAC) cooperative purchase agreement with Johnston North America (Contract No. SW04-16) for the purchase of two new additional sweepers in an amount not to exceed \$668,364; and 3) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works

**12. Cooperative Purchase Agreement: Replacement Tree Chipper Truck**

File ID: 2016-01442

**Location:** Citywide

**Action:** Passed **Resolution No. 2016-0411:** 1) authorizing the City Manager or the City Manager's designee to a) decrease the expenditure budget in the Department of Public Works (DPW) FY2016/17 operating budget (General Fund, Fund 1001) in the amount of \$44,369; b) increase the expenditure budget in the DPW multi-year operating project (MYOP) for replacement vehicles and equipment (I06150017, General Fund, Fund 1001) in the amount of \$44,369; c) increase the expenditure and revenue budgets in the DPW FY2016/17 operating budget (Fleet Fund, Fund 6501) in the amount of \$107,446; 2) approving the use of the Houston-Galveston Area Council (HGAC) cooperative purchase agreement with Houston Freightliner, Inc. (Contract No. HT06-16) for the purchase of one replacement tree chipper truck in an amount not to exceed \$107,446; and 3) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works

**13. Agreement: Engineering Services for the 3<sup>rd</sup> St. Relief Sewer**

File ID: 2016-01397

**Location:** District 4

**Action:** Passed **Resolution No. 2016-0412:** 1) authorizing the City Manager or the City Manager's designee to sign a professional services agreement with NV5 for engineering services for the 3rd St. Relief Sewer project, for an amount not-to-exceed \$600,760; and 2) transferring \$600,760 from the available fund balance of Sewer Development Fees (Fund 6002) into X14010000.

**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413; Mark Elliott, Project Manager, (916) 808-8894, Department of Utilities

**14. Supplemental Agreement: On-Call Flow Monitoring Services**

File ID: 2016-01398

**Location:** Citywide

**Action:** Passed **Motion No. 2016-0358** authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 1 to City Agreement 2015-2170 with SFE Global, to provide additional on-call flow monitoring services for an amount not-to-exceed \$140,000, bringing the agreement's total not-to-exceed amount to \$265,000.

**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Gary Gulseth, Senior Engineer, (916) 808-1412, Department of Utilities

**Public Hearings****15. Appeal of the Preservation Commission's Determination of Exemption Under the California Environmental Quality Act for a Proposed Three-Story Single-Unit Dwelling with Attached Garage at 519 8th Street within the Alkali Flat West Historic District (PB16-006) [Noticed 11/18/2016]**

File ID: 2016-01287

**Location:** 519 8th Street, District 4**Action:** Moved/Seconded: Member Steve Hansen / Member Jeff Harris**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 appellant Mark Merin, applicant Raveen Shankar and Dan Franfield and upon conclusion rejected the appeal and passed **Resolution No. 2016-0413** approving the use of two CEQA exemptions for the project: 1) CEQA Guidelines exemption 15332 (related to infill development); and 2) CEQA Guidelines exemption 15303 (related to the construction of one single-family residence), thereby denying the CEQA appeal.

**Contact:** Tom Buford, Senior Planner, (916) 808-7931, Robert W. Williams, Associate Planner, (916) 808-7686, Community Development Department**16. S34 Lofts Residential Subdivision Project (P16-032) (Noticed 11/18/2016; Passed for Publication 11/22/2016; To Be Published in its Entirety within 10-Days of Approval)**

File ID: 2016-01454

**Location:** District 4**Action:** Moved/Seconded: Member Steve Hansen / Member Rick Jennings**Yes:** Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, and Mayor Kevin Johnson.**Abstain:** Member Allen Warren

Conducted a public hearing and upon conclusion passed 1) **Resolution No. 2016-0414** exempting the project from CEQA; 2) **Ordinance No. 2016-0053** rezoning approximately 0.24 acres from General Commercial (C-2-SPD) and Single-Unit Residential (R-1-SPD) to Multi-Unit Residential (R-3A-SPD) in the Alhambra Corridor Special Planning District; and 3) **Resolution No. 2016-0415** approving the Tentative Subdivision Map with deviations for lot size and dimensions; Subdivision Modification; Site Plan and Design Review with deviations for rear yard setbacks, lot coverage, and width of the proposed homes; and Tree Permit for seven new townhomes and replacement of two City street trees.

**Contact:** Michael Hanebutt, Assistant Planner, (916) 808-7933; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department

### **Discussion Calendar**

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

**17. Ordinances Amending City Code Relating Office of Public Safety Accountability and Sacramento Community Police Review Commission and Resolutions Adopting the Officer Next Door Framework and City Council Policy on Use of Force (Passed for Publication 11/22/2016; Published 11/23/2016)**

File ID: 2016-01504

**Action:** Moved/Seconded: Member Larry Carr / Member Allen Warren

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

Public comment heard from Tanya Faison, Trina Allen, Lynette Davies, Allen Asch, Russel Rawlings, James Clark, Clif Roberts, Tho Vinh Banh, Rev., Rodger Brayfindley, Danielle Williams, Les Simmons, Elika Bernard, Mac Woerthy, Bob Erhenbush, Carly Brannin, Mike Jackson, Andy Noguchi, Pastor Anthony Sadler, John Kane, Richard Owen, Radhid Sidqe; passed **Ordinance No. 2016-0054 as amended** adding Chapter 2.22 to the Sacramento City Code Relating to the Office of Public Safety Accountability; 2) passed **Ordinance No. 2016-0055** repealing and adding Chapter 2.110 and amending Section 2.40.030 of the Sacramento City Code Relating to Establishment of the Sacramento Community Police Review Commission; 3) passed **Resolution No. 2016-0416** adopting the Officer Next Door framework; and 4) pass a **Resolution No. 2016-0417** adopting the City Council Policy on Use of Force **with direction to the City Manager to meet with SPOA and police command staff early 2017 to establish regulations for the commission.**

**Location:** Citywide

**Contact:** Francine Tournour, Director of Office of Public Safety Accountability, (916) 808-7345; Howard Chan, Interim City Manager, (916) 808-7488, Office of the City Manager

**18. Policy for Property Assessed Clean Energy (PACE) Programs**

File ID: 2016-01432

**Location:** Citywide

**Continued to December 6, 2016** a Resolution establishing a policy for Property Assessed Clean Energy (PACE) Programs in the City of Sacramento.

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

**Information Item**

*This item is for information only and is not eligible for action at this time.*

**19. Notification of Final Map Approval for 20<sup>th</sup> Street Townhomes**

File ID: 2016-01480

**Location:** District 4

**Action:** Received and filed.

**Contact:** Jerry Lovato, Program Analyst, (916) 808-7918, Department of Public Works

**20. Notification of Final Map Approval for Broadway Redux**

File ID: 2016-01481

**Location:** District 4

**Action:** Received and filed.

**Contact:** Jerry Lovato, Program Analyst, (916) 808-7918, Department of Public Works

**Public Comments-Matters Not on the Agenda**

- |                     |                      |                         |
|---------------------|----------------------|-------------------------|
| 1. Standing Rock    | g. Christina LeMoine | 4. Computer Security    |
| a. C.T. Weber       | h. Juliette Flores   | a. Steven Lerman        |
| b. Ya-nah Mandiyano | i. Dan Balker        | 5. Police               |
| c. Wes Elliott      | 2. Community Center  | a. James Clark          |
| d. Lee Watson       | a. Kevin Carter      | b. Anamaria Ragland     |
| e. Liliana Adams    | 3. Misc.             | c. Wanda Cleveland      |
| f. Mika Jackson     | a. Lorraine Brown    | 6. Lower American River |
|                     | b. Mac Worthy        | a. Mary Tappel          |

**Council Comments-Ideas, Questions and AB1234 Reports****1. Information Requests**

- a. Members Ashby, Hansen and Guerra

1. Requested a resolution supporting opposition to Dakota Pipeline Project (Standing Rock) be placed on the Consent Calendar for the December 6, 2016 meeting for Council consideration

**2. Board/Commission Appointments**

None.

**Adjourned** – 9:20 p.m.