

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Vice Mayor, District 1
Allen Warren, District 2
Steve Cohn, District 3
Steve Hansen, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, 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

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

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

**Tuesday, October 1, 2013
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, October 1, 2013
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 Vice Mayor Angelique Ashby at 6:04 p.m. Tuesday, October 1, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren

Members Absent: Member Darrell Fong and Mayor Kevin Johnson

Pledge of Allegiance– led by Youth at City Council representative Jovana Henderson.

Closed Session Report – None.

Special Presentations/General Communications

a. Recognizing October as Domestic Violence Awareness Month

Action: Resolution presented by Member Angelique Ashby

b. Declaring October as ARTober Month

Action: Recognition presented by Member Angelique Ashby

c. Recognition of Shriners Kids Day

Action: Recognition presented by Member Angelique Ashby

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

1. Government Shutdown
 - a. Mac Worthy
2. Charter Amendment
 - a. San Van Vleck
 - b. Matt Yancey
 - c. Erika Bjork
 - d. David Nagler
 - e. Bill Camp
 - f. Eric Sunderland
 - g. Michael Murphy
 - h. Kimberly Cargile
3. Community
 - a. Leon Henderson
4. Oak Park
 - a. Ron Emslie
5. Miscellaneous
 - a. Lorraine Brown
6. Illegal dumping/asbestos
 - a. Donald Charlow
7. Illegal Camping Ordinance
 - a. Paula Lomazzi
 - b. Tracie Rice Bailey
 - c. Jenn Rogar
8. Movie Night in the Park
 - a. Kim Moen
9. Jose Montoya
 - a. Melina Ramirez
 - b. Ramona Landeros

Consent Calendar **Estimated Time: 5 minutes** (Actual time: 8 minutes)

Action: Moved/Seconded: Member Steve Cohn/Member Kevin McCarty

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren.

Absent: Member Darrell Fong 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 # 2013-00761

Location: Citywide

Issue: The City Clerk delivers the minutes to the legislative body before certifying them for the official record.

Action: Passed **Motion No. 2013-0251** approving the City Council Meeting Minutes dated September 3, 2013.

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

2. **City Clerk Job Description Update**

Report # 2013-00731

Location: Citywide

Issue: The City Clerk job description has not been updated in over 15 years. Current and relevant job descriptions are best practices and part of the ongoing Clerk's Office improvement plan.

Action: Passed **Motion No. 2013-0252** adopting the updated City Clerk job description.

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

3. **August 2013 Monthly Investment Transactions Report**

Report # 2013-00719

Location: Citywide

Issue: The City Treasurer provides monthly reports to the City Council on current investment activity.

Action: Received and filed.

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

4. **(Pass for Publication) Ordinance Amending Chapter 15.148 of the City Code Relating to Sign Regulation (M07-015)**

Report # 2013-00722

Location: Citywide

Issue: Some local business owners have recently expressed concern that the City's sign regulations—in particular, the restrictions on A-frame signs—are unduly restrictive and inconsistently applied. To address these concerns, staff recommends that the City Council adopt an ordinance amending sections 15.148.025 (message substitution), 15.148.030 (sign permit generally required), 15.148.050 (application for a sign permit), 15.148.060 (issuance of sign permits), 15.148.090 (inspection of signs), 15.148.600 (exempt signs), 15.148.670 (other prohibited signs), and 15.148.1170 (definitions) of the Sacramento City Code.

Action: Public comment heard from Robert Hansen and Ron Emslie; reviewed an Ordinance amending sections 15.148.025, 15.148.030, 15.148.050, 15.148.060, 15.148.090, 15.148.600, 15.148.670, and 15.148.1170 of the Sacramento City Code, relating to sign regulation; and 2) passed for publication the Ordinance title as required by Sacramento City Charter section 32(c), with the Ordinance to be adopted on October 8, 2013.

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

5. Supplemental Agreement: Consultant Services for 2035 General Plan Update Project

Report # 2013-00736

Location: Citywide

Issue: Additional scope of work for the current consultant services is needed to support the completion of the 2035 General Plan Update, preparation of the Housing Element, and associated Master Environmental Impact Report (MEIR).

Action: Passed **Motion No. 2013-0253** authorizing the City Manager or his designee to execute a supplemental professional services agreement with Mintier Harnish Planning Consultants for \$126,000 to assist staff with completion of a five-year update to the 2030 General Plan and Master Environmental Impact Report.

Contact: Jim McDonald, Senior Planner, 916-808-5723; Desmond Parrington, Entertainment & Sports Center Project Manager, 916-808-5044

6. Repeal of Chapter 2.100 of the City Code and approval of the new Sacramento County Local Task Force Responsibilities and Organization

(Passed for Publication 09/10/2013; Published 09/13/2013)

Report # 2013-00484

Location: Citywide

Issue: The Solid Waste Advisory Committee (SWAC) is being restructured to become only the Sacramento County Local Task Force (LTF), which has the primary purpose of reviewing and commenting on new and/or revised jurisdictional integrated waste management planning documents. To allow the reorganization, the City must repeal Chapter 2.100 of the City Code and approve the new rules for the restructured LTF.

Action: Passed 1) **Ordinance No. 2013-0022** repealing Chapter 2.100 of the City Code, relating to the Solid Waste Advisory Committee; and 2) passed **Resolution No. 2013-0322** a) approving the new terms of the Sacramento County Local Task Force (LTF) Responsibilities and Organization; and b) appointing the Integrated Waste General Manager, or the Integrated Waste General Manager's designee, as the City's LTF member.

Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services

7. Rejection of Bids: St. Francis & Heilbron Oaks Streetlight Refurbishment Phase 1 Project, and Curtis Park Neighborhood Streetlight Replacement Project

Report # 2013-00732

Location: St. Francis & Heilbron Oaks Neighborhood, Curtis Park Neighborhood, District 5

Issue: The St. Francis Heilbron Oaks and Curtis Park Streetlight Replacement projects will replace existing street lights which have exceeded their useful life. The projects were initially advertised for construction following the City's standard streetlight pole replacement procedures. Subsequently, the existing street lights were determined to be possibly eligible for listing as a historic resource by the City of Sacramento's Preservation Director. This required the plans and specifications to be substantially revised. Rejection of all bidders and re-advertising of the projects with the revised plans and specifications is required.

Action: Passed **Motion No. 2013-0254** rejecting all bids for the St. Francis & Heilbron Oaks Streetlight Refurbishment Phase 1 and the Curtis Park Neighborhood Streetlight Replacement Projects.

Contact: Kaleb Haile, Senior Engineer, (916) 808-7020; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

8. (Agreement/Contract for Review and Information) Contract for Park Site FB2 (L19801100) and the Naming of Park Site FB2, Artivio Guerrero Park

Report # 2013-00729

Location: 6000 61st Street, District 6

Issue: Park Site FB2 is a 2.5 acre neighborhood park located at 6000 61st Street in Community Plan Area 5 (PA5). The District 6 Council Office is proposing that the park site FB2 be named Artivio Guerrero Park, which is consistent with the City's naming policy.

Action: Withdrew Review report 1) approving construction plans and specifications for Park Site FB2 (L19801100) project; 2) awarding contract to J.M. Slover Inc. for an amount not to exceed \$2,188,823; 3) authorizing the City Manager or City Manager's designee to execute the contract with J.M. Slover Inc. for an amount not to exceed \$2,188,823; 4) approving the naming of Park Site FB2, Artivio Guerrero Park; and 5) continued to October 15, 2013 for approval.

Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949; Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Parks & Recreation Department.

Public Hearings

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

9. Culver House/Alpha Kappa Alpha Sorority House, Eta Gamma Omega

Chapter Landmark Nomination (Passed for Publication 09/17/2013;

Published on 09/20/2013 & 09/26/2013)

Report # 2013-00614 **Estimated Time: 10 minutes** (Actual time: 12 minutes)

Location: 3500 2nd Avenue, Sacramento, District 5

Issue: Owner of property at 3500 2nd Avenue requests listing of the property as a Landmark in the Sacramento Register of Historic & Cultural Resources.

Listing requires City Council passage of an ordinance identifying the property's significant features and characteristics and directing the Preservation Director to add the property to the Sacramento Register.

Action: Moved/Seconded: Member Jay Schenirer /Member Bonnie Pannell

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Allen Warren

Absent: Member Darrell Fong and Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Donna Anderson, Aaron Whitlow, Mac Worthy, and Yvette Page, and upon conclusion passed

Ordinance No. 2013-0023 adding 3500 2nd Avenue property to the Sacramento Register of Historic & Cultural Resources as a Landmark.

Contact: Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

10. Ordinance Related to Medical Marijuana Dispensaries (M13-009)

[Passed for Publication 09/17/2013; Published on 09/11/2013 & 09/19/2013]
{Continued from 09/24/2013}

Report # 2013-00625 **Estimated Time: 45 minutes** (Actual time: 45 minutes)

Location: Citywide

Issue: Existing medical marijuana dispensaries established prior to October 26, 2010, which have filed a phase one application with the City Revenue Division, are unable to complete the dispensary permit process as they cannot meet all of the sensitive use distance requirements found in the Planning and Development Code. The Law and Legislation Committee of the Sacramento City Council looked at various alternatives to allow dispensaries to apply for a waiver to the distance requirements as part of a conditional use permit request. The committee directed the City Manager to have his staff prepare an ordinance amending various sections of the Sacramento City Code relating to the location of dispensaries and deadlines for processing applications and refer the ordinance to the City Council for consideration.

Action: Moved/Seconded: Member Steve Cohn/Member Steve Hansen

Yes: Members Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

No: Member Angelique Ashby

Absent: Member Darrell Fong and Mayor Kevin Johnson

Abstain: Member Bonnie Pannell

Conducted a public hearing with public comment heard from Ryan Landers, Rich Miller, Mac Worthy, James Anthony, Ron Mullins Sherry Martines, Marcia Blount, Lanette Davies, Jolie, and upon conclusion passed **Ordinance No. 2013-0024** amending Chapter 5.150 and Chapter 17.228, Article VII of the Sacramento City Code relating to medical marijuana dispensaries.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

Discussion Calendar

Discussion Calendar items include an oral presentation including those recommending "receive and file".

11. Capitol Area Development Authority Transition Plan Framework

Report # 2013-00549 **Estimated Time: 15 minutes** (Actual time: 40 minutes)

Location: District 4

Issue: At the request of the State, the Capitol Area Development Authority (CADA) has developed a framework for the disposition of the state-owned property leased to CADA in the Capitol area which involves a transition plan for the CADA organization.

Action: Moved/Seconded: Member Steve Hansen/Member Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Bonnie Pannell, Jay Schenirer, and Allen Warren

Absent: Member Darrell Fong and Mayor Kevin Johnson

Abstain: Member Kevin McCarty (sphere of influence recusal)

Public comment heard from Bob Lagomarsino, Toni Colley-Parry, Emily Baine Michaels, Michael Ault, Lizz Marringer Lagomarsino, Lynne Freeman, Costa Apostolos, Lorraine Brown, Mac Worthy; passed **Resolution No. 2013-0323** supporting Implementation of the Capitol Area Development Authority (CADA) Transition Plan.

Contact: Wendy Saunders, Executive Director, (916) 322-2114, Capitol Area Development Authority; Leslie Fritzsche, Senior Project Manager, (916) 808-5450, Economic Development Department

12. Capitol Area Development Authority Year End Report (Oral Report)

Report # 2013-00286 **Estimated Time: 10 minutes**

Location: Districts 1, 3, 4, 5

Issue: Each year the Capitol Area Development Authority (CADA) presents an oral year-end report.

Action: Received and filed.

Contact: Wendy Saunders, Executive Director, (916) 322-2114, Capitol Area Development Authority

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Jay Schenirer
 - 1. Review year old tabled negotiated agreement between food truck operators and brick and mortar restaurant operators by L&L
- b. Member Steve Hansen
 - 1. Additional funding needed for William Land Park and Cesar Park Plaza maintenance due to magnitude of usage
 - 2. Review of space for cans in midtown related to green waste and recycling; garbage and claw pick up in midtown needs to be on the same day; status report re every-other-week recycling in midtown
 - 3. Review marijuana ordinance for minor adjustment to allow cultivation for personal use for those with medical need
- c. Members Cohn and Hansen
 - 1. Report on study trip to Philadelphia on September 17-20 (AB1234 compliance)

2. Board/Commission Appointments

- a. Sacramento Youth Commission
 - 1. Matthew Signorotti (Mayor)
 - 2. Angela Neely (Mayor)
 - 3. Aiden Willett (Mayor)
 - 4. Henzi Kou (Mayor)
 - 5. Ashley Kyakwazi (Mayor)

Adjourned - 9:12 p.m. in memory of Jose Montoya and Bishop Carthen