

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Vice-Mayor, District 1
Allen Warren, District 2
Steve Cohn, District 3
Steve Hansen, District 4dbu
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

Tuesday, March 26, 2013

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.

DRAFT Minutes

**City Council
Financing Authority
Housing Authority**

**City Hall-Council Chamber
915 I Street, 1st Floor
and
RIAD MYRA-13,
Rue Salaj Batha - Fes - Morocco.**

**Published by the
Office of the City Clerk
(916) 808-7267**

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 26, 2013

6:00 p.m.

City Hall – 915 I Street- First Floor Council Chamber

RIAD MYRA-13, Rue Salaj Batha - Fes - Morocco.

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 26, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren and Mayor Kevin Johnson.

Pledge of Allegiance - led by Youth at City Council representative Sylvania Moore

Closed Session Report – None.

Special Presentations/General Communications

a. Cesar E. Chavez Day of Service and Learning

Action: Resolution presented by Member Kevin McCarty

b. Cesar E. Chavez Banquet and March

Action: Resolution presented by Member Kevin McCarty

Public Comments-Matters Not on the Agenda (Actual Time: 27 minutes)

- | | |
|------------------------|---------------------------|
| 1. Housing | 4. Shoeshine Guy business |
| a. Sandra Strong | a. A. Gee |
| b. Leon Henderson | |
| 2. Oak Park | 5. Lower Arcade Creek |
| a. Ron Emslie | a. Mary Tappel |
| b. Mac Worthy | 6. Sacramento River Cats |
| | a. Nike Barnbaum |
| 3. Trust in Government | 7. Big Box Ordinance |
| a. J Phillips | a. Bill Camp |

Consent Calendar **Estimated Time: 5 minutes** (Actual Time: 3 minutes)

Action: Moved/Seconded: Member Angelique Ashby /Member Kevin McCarty
Roll call vote due to Member Jay Schenirer attending via teleconference.

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, 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 Boards/Commission Appointments

Report # 2013-00281

Location: Citywide

Issue: The Mayor's appointments to boards and commission require Council confirmation.

Action: Passed **Motion No. 2013-0071** confirming board/commission appointment(s): 1) Administrative, Investment & Fiscal Management Board – Donald Sperling; 2) Ann Land/Bertha Henschel Memorial Fund Commission – Wanda Yanez; 3) Civil Service Board – Lauren Lee Morgan; 4) Paratransit, Inc. Board of Directors – Bill Ernest Durant; 5) Preservation Commission – Chat Moffett (Category B) and Matthew Piner (Category D) and 6) Sacramento Housing & Redevelopment Commission – Louis Hazle Morton.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

2. (Pass for Publication) Ordinance Modifications to City Code Chapter 2.13 (Contribution Limits) Periodic Review

Report # 2013-00258

Location: Citywide

Issue: City Code requires periodic updating to campaign contribution limits based on changes in the consumer price index. City Charter requires all Ordinances be Passed for Publication before adoption.

Action: Reviewed an Ordinance amending City Code Chapter 2.13 (Contribution Limits) to reflect changes in the Consumer Price Index; and Pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on April 2, 2013.

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; and Shirley Concolino, City Clerk, 808-5442; City Clerk's Office

3. Agreements: Curtis Park Village Proposition 1C Grant

Report # 2013-00262

Location: District 5

Issue: State Proposition 1C Grant funds require the City, as recipient of the funds on behalf of the Curtis Park Village developer, to review and approve grant draw requests before funds are released. The State Department of Housing and Community Development (HCD) Grant agreements allow the City to provide the funds to the developer as the grant sub-recipient completes infrastructure work.

Action: Passed **Resolution No. 2013-0095** 1) approving the Standard Agreement and the Disbursement Agreement for the \$9,085,000 Transit-Oriented Development (TOD) Housing Program Infrastructure Grant under Proposition 1C with the State Department of Housing and Community Development for the Curtis Park Village Project and authorizing the City Manager to execute the TOD Grant Agreements, 2) approving an Assignment and Assumption Agreement for the TOD Grant for the Curtis Park Village Project with Calvine & Elk Grove Florin, LLC, and authorizing the City Manager or his designee to execute the Assignment Agreement, and 3) establishing the Curtis Park Village TOD Capital Improvement Project (B02000100); and 4) establishing a \$9 million capital grant (Fund 3704) revenue and expenditure budget in B02000100 to be funded with the Proposition 1C TOD Infrastructure grant funds.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

4. **(Pass for Publication) Title 17 Planning and Development Code (LR11-006)**

Report # 2013-00197

Location: Citywide

Issue: A comprehensive update of the City's zoning code is a priority measure of the 2030 General Plan. City Charter requires all Ordinances be Passed for Publication before adoption.

Action: Reviewed 1) a Resolution approving the environmental review for the planning and development code as a subsequent project under the general plan master environmental impact report; 2) an Ordinance repealing and adding Title 17; repealing Chapters 2.36, 2.112 and 18.12; repealing Sections 5.08.090, 12.72.400, and 16.24.100; and amending Sections 5.08.100, 12.56.120, 12.64.060, and 12.72.390 of the Sacramento City Code; and repealing Ordinance numbers 96-007, 2003-019, 2008-050, and 2009-010 and Resolution numbers 96-403 and 2002-675, relating to planning and zoning; 3) an Ordinance adding Chapter 2.58 to Title 2 of the Sacramento Code relating to the Preservation Commission; 4) a Resolution approving the industrial design guidelines; 5) a Resolution establishing fees for site plan and design review; and 6) passed for publication the ordinance titles as required by Sacramento City Charter Sections 32(c) to be adopted April 9th, 2013.

Contact: Teresa Haenggi, Associate Planner, (916) 808-7554, Community Development Department

5. **(Pass for Publication) Ridgeway Hotel Landmark Nomination (M12-016)**

Report # 2013-00155

Location: 912 12th Street, District 4

Issue: Pursuant to City Code Section 17.134.170(A)(1)(a), property must meet eligibility criteria to be included in Sacramento Register of Historic and Cultural Resources as a landmark.

Action: 1) Reviewed an Ordinance listing the Ridgeway Hotel, 912 12th Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics; and 2) Passed for Publication the Ordinance title as required by Sacramento City Charter 32c to be adopted April 2, 2013.

Contact: Susanne Cook, Associate Planner, (916) 808-5375, Community Development Department

6. **Agreement: Cost-Sharing on the Unionhouse Creek Improvement Project**

Report # 2013-00220

Location: District 7, 8

Issue: : Authorization of the proposed agreement will allow the City to recover Regional Transit's pro-rata share of work performed on the Unionhouse Creek flood improvements (a SAFCA Project).

Action: Passed 1) **Motion No. 2013-0072** authorizing the City Manager or the City Manager's designee to sign an agreement between the City, the Sacramento Area Flood Control Agency (SAFCA), and the Sacramento Regional Transit District (RT) for cost sharing on the project, and 2) Passed **Resolution No. 2013-0096** authorizing the City Manager or the City Manager's designee to establish a reimbursement fund in the Drainage Channel Improvement Program (W14130400) to account for RT's payment to the City of RT's cost share under the agreement in the amount of \$522,996.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

**7. Contract Award: Sump 101 Electrical Improvements Project (PN: W14003401)
Report # 2013-00209**

Location: District 3

Issue: Due to the age of electrical equipment, and replacement parts are no longer available, it is necessary to equip Sump 101 with new electrical switchgear and motor control centers.

Action: Passed 1) **Resolution No. 2013-0097** amending 209 Sump 101 Electrical Improvements Project budget by transferring \$160,000 from the Drainage Base CIP Reserve (W14000200), and 2) **Motion No. 2013-0073** approving the contract plans and specifications for the Project, and awarding the contract to Clyde G. Steagall, Inc., for an amount not-to-exceed \$876,816.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Dave Hansen, Supervising Engineer, (916) 808-1421, Department of Utilities

**8. Supplemental Agreement: Department of Utilities Organizational Assessment
Report # 2013-00252**

Location: Citywide

Issue: A supplemental Contract to 2013-0783 is needed to continue the completion and implementation of the Utilities department's Strategic Plan.

Action: Passed **Motion No. 2013-0074** authorizing the City Manager or the City Manager's designee to sign a supplemental agreement to City Agreement No. 2012-0783 with CH2M Hill Engineers, Inc., to provide additional services to assist the Department in completing implementation of the Strategic Plan and revised organizational structure, increasing the agreement amount from \$90,000 to an amount not to exceed \$160,000.

Contact: Dave Brent, Director, (916) 808-1400, Department of Utilities

**9. Contract Award: P/Q Alley Sewer Improvements, 25th to 27th Street
(PN: X14010074)**

Report # 2013-00249

Location: District 4

Issue: A closed circuit television inspection revealed sags and cracked sections of sewer pipe that require replacement of 800 linear feet.

Action: Passed **Motion No. 2013-0075** approving the contract plans and specifications for the P/Q Alley Sewer Improvements, 25th to 27th Street project, and awarding the contract to Lamon Construction Company, Inc. for an amount not to exceed \$244,765.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

**10. Contract Award: I Street Water Main Project - 12th to 23rd Street
Report # 2013-00250**

Location: District 4

Issue: The replacement of a corroding and deteriorating riveted steel water main installed in 1935 that is critical to the City's downtown water distribution system is needed.

Action: Passed **Motion No. 2013-0076:** 1) approving the contract plans and specifications for the I Street Water Main Project, 12th Street to 23rd Street (Z14007500); and 2) awarding the contract to Navajo Pipelines, Inc for an amount not-to-exceed \$238,882.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

11. On-Call Master Contractor Services List for Public Facilities

[Two-Thirds Vote Required]

Report # 2013-00256

Location: Citywide

Issue: The City's existing on-call master contractor list for public facilities begins to expire on July 2, 2013.

Action: Passed **Resolution No. 2013-0098** suspending competitive bidding in the best interests of the City to authorize the use of a Request for Qualifications process to establish an On-Call Master Contractor List for 38 various services.

Contact: Gary Holm, Facilities & Real Property Superintendent (916) 808-6321; Yadi Kavakebi, Facilities and Real Property Superintendent, (916) 808-8427, General Services Department

12. Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300)

Report # 2013-00219

Location: Richards Boulevard and Interstate 5, Bercut Drive and Jibboom Street, located just north of Downtown, Districts 3 and 4

Issue: Change Order No. 9 will compensate the contractor for the project's final construction item quantities.

Action: Passed **Motion No. 2013-0077:** 1) authorizing the City Manager to execute Change Order No. 9 in an amount not to exceed \$42,744 with O.C. Jones & Sons, Inc. for the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300) and; 2) resetting the City Manager's administrative authority.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

13. Notification of Final Map Approval for Hampton Station Unit No. 2

Report # 2013-00291

Location: District 8

Issue: Section 16.28.110 of the Sacramento City Code requires notification to Council regarding decisions on final maps.

Action: Received and filed.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Department of Public Works

14. Change Order: McClellan Heights Infrastructure Project

Report # 2013-00242

Location: North Avenue between Pinell Street and Winters Street and Pinell Street between Bell Avenue and North Avenue, District 2

Issue: Change order #2 in the amount of \$183,000 is sought on the \$3.6 million McClellan Heights Infrastructure Project to cover additional costs for constructing drainage improvements, adding solar electrical controllers, removing a tree, repairing a water main leak, and constructing additional curb/gutter, relocated valve boxes, chain link fence, drainage pipe, and driveway conforms.

Action: Passed **Resolution No. 2013-0099:** 1) authorizing the City Manager to execute Change Order No. 2 in an amount not to exceed \$147,072 with Navajo Pipelines, Inc.; 2) transferring funds in the amount of \$183,000; 3) resetting the City Manager's Change Order Authority; and 4) resetting the administrative authority for the Major Street Improvements Project (T15138000) and the McClellan Heights Infrastructure Project (T15016000).

Contact: Tim Mar, Supervising Engineer, (916) 808-7531; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

15. Agreement: Master Consultant Services Agreements For On-Call Construction Inspection Services

Report # 2013-00229

Location: Citywide

Issue: Master consultant service agreements to augment staffing levels during peak workloads to assist with inspection of private development projects, encroachment permits, construction management, and small capital improvement projects are needed.

Action: Passed **Motion No. 2013-0078** approving Master Consultant Services Agreements in an amount not to exceed \$200,000 each with Vali Cooper & Associates and Salaber Associates.

Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

16. Supplemental Agreement: Downtown/Riverfront Transit Project

Report # 2013-00210

Location: District 3 and 4

Issue: An amendment to the City's existing MOU with the City of West Sacramento, Regional Transit and the Yolo County Transit District is necessary to facilitate participation in the federal Small Starts Grant program for the Downtown/Riverfront Streetcar Project.

Action: Passed **Motion No. 2013-0079** authorizing the City Manager to sign Amendment #1 to the Memorandum of Understanding (MOU) for cooperative planning work and Project Development among the Cities of Sacramento and West Sacramento, the Sacramento Area Council of Governments (SACOG), Regional Transit (RT) and the Yolo County Transit District (YCTD) to advance a transit project that would operate between downtown Sacramento and the City of West Sacramento.

Contact: Fedolia "Sparky" Harris, Senior Planner, 808-2996; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

17. Caltrans Transportation Planning Grant Applications

Report # 2013-00272

Location: District 4

Issue: Caltrans has issued a call for projects for the 2013-2014 Transportation Planning Grants. Applications are due April 2, 2013.

Action: Passed **Resolution No. 2013-0100:** 1) directing the City Manager to submit an application for a Community-Based Transportation Planning Grant for the Broadway Complete Streets Plan for an amount up to \$300,000; and 2) authorizing the City Manager to accept the award of grant funding from Caltrans following project selection.

Contact: Fedolia "Sparky" Harris, Senior Planner, 808-2996; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

Discussion Calendar

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

18. Entertainment and Sports Center Term Sheet (To Be Delivered)

Report # 2013-00266 Estimated Time: 90 minutes (Actual Time: 206 minutes)

Location: Citywide

Issue: Consideration of the preliminary term sheet for private development of a downtown entertainment and sports center.

Action: Moved/Seconded: Member Steve Cohn /Member Allen Warren
Roll call vote due to Member Jay Schenirer attending via teleconference.

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

Noes: Members Darrell Fong and Kevin McCarty

Public comment heard from Jessica Archer, Brian Lavender, Conny Anderson, Kerri Asbury, Isaac Gonzalez, Julian Camacho, Mac Worthy, Bob Blymyer, Patrich Soluri, Jean Fleury, J. Phillips, Jeffrey Anderson, Patty Casey, Dennis Canevari, Peter Tateishi, Patrick Blackshire, Jason Goff, Kipp Blewett,, Richard Lewis, John Hodgson, Terry Harvego, Dough Warren, Phil Oates, Melissa Smith, Bill Blake, Bill Camp, Roger Niello, Tim Ghorso, Lino Pedres, Carina Lamdart, Erika Bjork, and Joshua Wood; passed **Motion Document No. 2013-0080** to approve the Entertainment and Sports Center term sheet.

Contact: John Dangberg, Assistant City Manager, (916) 808-1222, City Manager's Office

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Cohn

1. Report on Powerhouse Science Center funding deadline during budget hearings

b. Member Ashby

1. Support letter to Senator Boxer for Natomas Levee Improvement legislation (WRDA)

2. Board/Commission Appointments

a. Community Racial Profiling

1. Amina Merritt

b. Parks & Recreation Commission

1. Dave O'Toole (Category C)
2. David Heitstuman (Category C)

c. Sacramento Environmental Commission

1. Anthony DeRiggi

d. Board of Plumbing Examiners

1. David Heitstuman (Category C)
2. Dave O'Toole (Category C)

Adjourned – 10:06 p.m. in memory of Kathryn Lee and Josiah Humphrey