

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Mayor Pro Tem, District 1
Allen Warren, District 2
Steve Cohn, District 3
Steve Hansen, District 4
Jay Schenirer, Vice Mayor, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Vacant, District 8

CHARTER OFFICERS

James Sanchez, City Attorney
Shirley Concolino, City Clerk
John F. Shirey, City Manager
Russ Fehr, City Treasurer



DRAFT Minutes

City Council Financing Authority Housing Authority Public Financing Authority

City Hall-Council Chamber
915 I Street, 1st Floor
Published by the Office of the City Clerk
(916) 808-5163

Thursday, November 6, 2014
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

Thursday, November 6, 2014

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. Thursday, November 6, 2014 at the Sacramento City Hall Council Chamber.

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

Pledge of Allegiance– led by Girl Scout Troop 1089

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognizing Sacramento Historic Steamboat, the “Sitka”**
Action: Resolution presented by Member Allen Warren
- b. **Recognizing the Sacramento Vegan Chef Challenge**
Action: Resolution presented by Member Allen Warren

Consent Calendar Estimated Time: 5 minutes

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, 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. September 2014 Monthly Investment Transactions Report

Report # 2014-00793

Location: Citywide

Action: Received and filed.

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

- 2. (Pass for Publication) Croasman/Nigro House Landmark Nomination (M14-016)**
Report # 2014-00818
Location: 2305 K Street, District 4
Action: Public comment heard from Larry Bell; 1) Reviewed an Ordinance listing the Croasman/Nigro House, located at 2305 K Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on November 18, 2014.
Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department
- 3. (Pass for Publication) 3600 Power Inn Road Rezone and Conditional Use Permit (P14-044)**
Report # 2014-00820
Location: 3600 Power Inn Road, District 6
Action: 1) Reviewed a) a Resolution determining the project exempt from review under the California Environmental Quality Act, b) an Ordinance to rezone 1.27 acres from Manufacturing, Research and Development (MRD-SWR) zone to General Commercial (C-2-SWR) zone within the Solid Waste Restricted Overlay, and c) a Resolution approving a conditional use permit to operate a medical marijuana dispensary in the proposed General Commercial (C-2-SWR) zone within the Solid Waste Restricted Overlay; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on November 18, 2014.
Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Lindsey Alagozian, Senior Planner, (916) 808-2659; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department
- 4. Allocation of Sewer Credits to Domus Development, LLC for the Curtis Park Court Project**
Report # 2014-00810
Location: District 5
Action: Passed **Resolution No. 2014-0356** allocating 68.25 Economic Development Treatment Capacity Bank Credits to Domus Development, LLC for the Curtis Park Court Project located between 10th Avenue and 24th Street.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department

5. **Contract: Citywide Purchases for Janitorial Supplies** (Reviewed 10/28/2014)
Report # 2014-00766
Location: Citywide
Action: Passed **Motion No. 2014-0282:** 1) awarding janitorial supplies contracts for two years with three one-year renewal options to a) Abe Janitorial Supply Company for an amount not-to-exceed \$731,213; b) Sac Val Janitorial Supply for an amount not-to-exceed \$558,495; c) Staples Facility Solutions for an amount not-to-exceed \$124,908; d) Unisource Worldwide for an amount not-to-exceed \$79,315; and e) Waxie Sanitary Supply for an amount not-to-exceed \$115,243, for the purchase of various janitorial supplies and equipment citywide; and 2) authorizing the City Manager or his designee to execute contracts and renewal options for the not-to-exceed amount specified for the vendors for a total not-to-exceed amount of \$1,609,174 during the terms of each respective contract specified above provided that sufficient funds are available in the adopted budget of the applicable fiscal year.
Contact: Gary O'Neill, Program Analyst, (916) 808-7432; Craig Lymus, Procurement Manager, (916) 808-5524, Department of Finance
6. **Parking Enforcement Citation and Arrest Authority**
Report # 2014-00812
Location: Citywide
Action: Public comment heard from Mac Worthy and Lorraine Brown; passed **Resolution No. 2014-0357** granting citation and arrest authority to new parking enforcement officers.
Contact: Ramon Gibbons, Operations General Supervisor, (916) 808-5871; Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works
7. **Amendment to Emergency Water Agreement with Sacramento Suburban Water District**
Report # 2014-00723
Location: Citywide
Action: Public comment heard from Lorraine Brown; passed **Motion No. 2014-0283** authorizing the City Manager or his designee to sign Amendment No. 1 to Agreement No. 2013-0468 with Sacramento Suburban Water District (SSWD), to 1) clarify that the Agreement will apply to emergency conditions occurring during or after completion of the Water Treatment Plants Rehabilitation Project; and 2) allow the City to provide water credits to SSWD for water supplied to the City by SSWD.
Contact: Bill Busath, Interim Director, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
8. **Agreement: Guidepost Solutions LLC for the Department of Utilities Security Standards**
Report # 2014-00796
Location: Citywide
Action: Public comment heard from Lorraine Brown; passed **Motion No. 2014-0284** authorizing the City Manager or the City Manager's designee to execute a professional services agreement with Guidepost Solutions LLC, for the Department of Utilities Security Standards in an amount not-to-exceed \$184,620.

Contact: Bill Busath, Interim Director, (916) 808-1434; Pete Millino, Operations & Maintenance Superintendent, (916) 808-5173, Department of Utilities

9. Agreements: Cityworks Update and Support and Software License

Report # 2014-00815

Location: Citywide

Action: Passed **Motion No. 2014-0285:** 1) ratifying the Department of Utilities' prior approval of the License Agreement and Update and Support Agreement with Azteca Systems, Inc. for the Cityworks® asset management system, as amended (Azteca Systems Contract No. C115803), and approving the Department's expenditures under these agreements from 2004 through 2013, in the total amount of \$206,200; and 2) authorizing the City Manager or the City Manager's designee to a) sign a new License Agreement and Update and Support Agreement with Azteca Systems, Inc., for the upgrade and continued use of the Cityworks® system for an initial term of one-year with up to four one-year renewals, in an amount not-to-exceed \$313,900 for the maximum five-year term; and b) approve the annual renewals provided that sufficient funds are available for this purpose in the budget adopted for the applicable fiscal year(s).

Contact: Michael Malone, Operations Manager, (916) 808-6226; Elsie Fong, Program Specialist, (916) 808-4079, Department of Utilities

Public Hearings

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

10. Adoption of the 2015 One-Year Action Plan for the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) Funded Projects and Programs; Amendment of Prior Year Action Plans; Amendment of the Sacramento Housing and Redevelopment Agency (SHRA) Budget; and Related Actions and Findings (Noticed 08/29/2014)

Report # 2014-00606 **Estimated Time: 10 minutes** (Actual time: 2 minutes)

Location: Citywide

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

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

Conducted a public hearing and upon conclusion passed **Resolution No. 2014-0358:** 1) making environmental findings; 2) adopting amendments to prior years' Action Plans to defund activities and add the programs and projects; 3) adopting the 2015 One-Year Action Plan to allocate anticipated CDBG, HOME, HOPWA and ESG funds ; 4) authorizing SHRA to amend its budget to allocate the CDBG, HOPWA and ESG funding for programs and projects in accordance with the amendment of the prior years' Action Plans and the 2015 One-Year Action Plan; and amend the CDBG Capital Reserve, HOME, HOPWA and ESG budgets if the United States Housing and Urban Development (HUD) grant award is less or greater than

anticipated to the extent necessary to implement and ensure the timely completion of the activities ; 5) authorizes and delegates authority to SHRA to act as agent on behalf of the City of Sacramento to submit the amendment of prior years' Action Plan(s) and the 2015 One-Year Action Plan to HUD; execute the subsequent grant agreements with HUD, and execute agreements and contracts with the appropriate entities to carry out the CDBG, HOME, HOPWA and ESG programs and projects in accordance with the Action Plans in compliance with applicable federal laws and regulations; 6) authorizing the City Manager or his designee to execute agreements with SHRA to carry out the activities contained in the 2015 One-Year Action Plan and amendment to the various years' Action Plans in compliance with applicable federal laws and regulations, in a form approved by SHRA Counsel and the City Attorney; 7) authorizing SHRA to issue a request for proposal for the Regional Analysis of Impediments to Fair Housing Choice, to execute related contracts and agreements as approved to form by SHRA Counsel and to amend its budget accordingly; 8) authorizing SHRA to issue a CDBG Notice of Funding Availability (NOFA) and to execute related contracts and agreements as approved to form by SHRA Counsel and amend its budget accordingly; 9) authorizing SHRA to solicit environmental assessment, remediation and legal consulting competitive bids and proposals and award and execute contracts in accordance with adopted CDBG and Agency Procurement Policy and Procedures in support of implementing approved CDBG activities; and 10) authorizing SHRA to issue a request for proposal for the Emergency Repair Program, to execute related contracts and agreements as approved to form by SHRA Counsel and to amend its budget accordingly.

Contact: LaShelle Dozier, Executive Director, (916) 440-1319; Geoffrey M. Ross, Federal Programs Manager, (916) 440-1357, Sacramento Housing and Redevelopment Agency

11. (City Council/Housing Authority) 2015 Sacramento Housing and Redevelopment Agency Proposed Budget (Noticed on 09/16/2014)

Report # 2014-00798 **Estimated Time: 20 minutes** (Actual time: 30 minutes)

Location: Citywide

Action: Moved/Seconded: Member Angelique Ashby / Member Steve Hansen

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

Conducted a public hearing with public comment heard from Lorraine Brown, Mac Worthy and Ron Emslie; and upon conclusion passed 1) **Council Resolution No. 2014-0359:** a) approving the 2015 Proposed Budget for the Sacramento Housing and Redevelopment Agency (Agency); b) delegating authority to the Agency to administer certain federal funds; c) authorizing the Agency to submit grant applications for activities within the jurisdiction of the Agency; d) authorizing the Agency to enter into contracts, make fund transfers, transfer project appropriations, amend the Agency budget and undertake other actions necessary to implement the delegated authorizations; and e) consenting to the Agency's submittal of the annual housing operating budgets and application for Capital Fund Plan funding to HUD; and 2) passed **Housing Authority Resolution No. 2014-0018:** a) approving the 2015 proposed

budget for the Housing Authority of the City of Sacramento (Authority); b) delegating authority to administer certain federal funds; c) authorizing the Authority to submit grant applications for activities within the jurisdiction of the Authority; d) authorizing the Executive Director to submit the annual housing operating budgets to HUD and the application to HUD for Capital Fund Plan funding; and e) authorizing the Executive Director to enter into contracts, make fund transfers, transfer project appropriations, amend the Agency budget and undertake other actions necessary to implement the delegated authorizations.

Contact: Don Cavier, Finance Director, (916) 440-1325; LaShelle Dozier, Executive Director, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Discussion Calendar

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

12. Funding for B Street Theatre

Report # 2014-00843 **Estimated Time: 10 minutes** (Actual Time: 33 minutes)

Location: District 4

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

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

Public comment heard from Karen young, Lorraine Brown, Aulaina Hansen, Chris Worden, and Patti Bonstetter; passed **Resolution No. 2014-0360** conditionally approving \$2.5 million from the General Fund Administrative Contingency for the B Street Theatre Project to include allocation of 16 district shows a year.

Contact: Leslie Fritzsche, Senior Project Manager, (916) 808-5450, Economic Development Department

13. (City Council/Housing Authority) Amendment to the Section 32 Homeownership Plan

(Reviewed 09/30/2014) (Continued from 10/21/2014)

Report # 2014-00728 **Estimated Time: 10 minutes** (Actual Time: 6 minutes)

Location: Citywide

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

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

Public comment heard from Ron Emslie and Mac Worthy; passed 1) **Housing Authority Resolution No. 2014-0019:** a) affirming Sacramento Housing and Redevelopment Agency (SHRA) as the Purchase and Resale Entity (PRE) for the Section 32 Homeownership Plan; b) offering to sell up to 54 vacant single family homes to the SHRA as the PRE through a seller

carry-back loan for fair market value given their as-is condition; c) authorizing the Executive Director, or designee, to amend the budget and expend up to \$2,341,106 from the City Public Housing Homeownership Fund to pay the expenses of the PRE attributed to Section 32 homes located in the City, including preservation costs, rehabilitation expenses, and sales fees; d) authorizing the Executive Director, or designee to execute documents to amend the Section 32 Homeownership Plan, to establish a PRE agreement with SHRA and to execute the seller carry-back loan agreement; and e) determining these properties are not required for foreseeable needs of the Housing Authority; and 2) **Council Resolution No. 2014-0361**: a) authorizing SHRA to enter into Purchase and Resale Agreements with the Housing Authority of the City of Sacramento to acquire the 54 homes; b) authorizing SHRA to execute the Housing Authorities' seller carry-back loan in an amount not to exceed \$5.5 million dollars; c) amending the SHRA budget to use, transfer, accept and/or expend funds from the City Public Housing Homeownership Fund to pay for the preservation, rehabilitation and sale of the homes; and d) authorizing the Executive Director to publicly solicit and pay for the services of various vendors related to the preservation, rehabilitation of the homes.

Contact: Tyrone Roderick Williams, Director of Development, (916) 440-1316; Kyle Flood, Program Manager, (916) 440-1311, Sacramento Housing and Redevelopment Agency

Agreement/Contract Review Only – No Action Required

Agreements and/or Contracts are provided for review and will be presented for approval as noted in the recommendation.

14. (Agreement/Contract for Review and Information) Cooperative Purchase Agreement: Fleet Parts and Inventory Program Services

Report # 2014-00802

Location: Citywide

Action: 1) Reviewed a report a) approving the use of the National Joint Powers Alliance (NJPA) cooperative purchase agreement with Genuine Parts Company, dba National Auto Parts Association (NAPA) (Contract No. 010511-GPC) for on-site fleet parts and inventory program services; b) authorizing the City Manager or the City Manager's designee to execute: i) an agreement with NAPA (NAPA Agreement), implementing the NJPA cooperative purchase agreement, in an amount not to exceed \$8.3 million through February 24, 2016 or until the NJPA cooperative purchase agreement is no longer available for use; and ii) execute purchases specified in the NAPA Agreement provided that sufficient funds are available in the budget adopted for the applicable fiscal year; and 2) continued to November 13, 2014 for approval.

Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Keith Leech, Fleet Manager, (916) 808-5869, Department of General Services

15. (Agreement/Contract for Information and Review) Labor Agreement: Plumbers and Pipefitters, Local 447 Memorandum of Understanding

Report # 2014-00830

Location: Citywide

Action: 1) Reviewed the Memorandum of Understanding between Local 447 and the City of Sacramento; and 2) continued to November 13, 2014, for approval.

Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources

16. (Agreement/Contract for Review and Information) Labor Agreement: Stationary Engineers, Local 39 Memoranda of Understanding

Report # 2014-00850

Location: Citywide

Action: 1) Reviewed the Memoranda of Understanding between the Stationary Engineers, Local 39 and the City of Sacramento; and 2) continued to November 13, 2014, for approval.

Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources

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

1. Oak Park
 - a. Ron Emslie
2. Homelessness/Police Harassment
 - a. Rev. Paul Sr.
3. Misc.
 - a. Mac Worthy

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Mayor Johnson
 1. Re commissioned Check and Balances Ad Hoc to newly purposed Good Governance Ad Hoc comprised of the Mayor, Allen Warren (chair), Angelique Ashby, and Jay Schenirer. Scope of ad hoc to include but not limited to review of Ethics Commission, Sunshine Ordinance, Independent Budget Analyst, Redistricting Commission and Neighborhood Advisory Commission with first report to Council within 30 days to include timeline and work plan.
- b. Member Hansen
 1. City Clerk to modify campaign finance ordinance to align with State requirements.
 2. City Clerk to bring to council a report to consider new Mello Roos District for Riverfront Street Car Project.

2. Board/Commission Appointments

None.

Adjourned – 8:15 p.m. in memory of Spencer Pershall (former Councilmember Rob Kerth's nephew)