

## CITY COUNCIL

Kevin Johnson, Mayor  
Angelique Ashby, Mayor Pro Tem, District 1  
Allen Warren, Vice Mayor, District 2  
Jeff Harris, District 3  
Steve Hansen, District 4  
Jay Schenirer, District 5  
Eric Guerra, District 6  
Rick Jennings, II, District 7  
Larry Carr, District 8

## CHARTER OFFICERS

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



# 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, May 19, 2015  
6:00 p.m.**

## **NOTICE TO THE PUBLIC**

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group. **Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.**

*Government Code 54950 (The Brown Act)* requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts meeting agendas on the City website, at City Hall as well as offsite meeting locations. The order and estimated time for agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The agenda provides a general description and staff recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. All meeting materials are also available at the meeting for public review. Contracts subject to the 10-day review period, as required by the Council Rules of Procedure, can be found on the City's website at: <http://portal.cityofsacramento.org/Clerk/Contract-Posting>

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams and indexed archives of meetings are available via the internet. Visit the City's official website at [http://sacramento.granicus.com/ViewPublisher.php?view\\_id=21](http://sacramento.granicus.com/ViewPublisher.php?view_id=21).

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

**Notice to Lobbyists:** When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

## **General Conduct for the Public Attending Council Meetings**

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

## **Members of the Public Addressing the City Council**

Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

**Speaker Time Limits.** In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

# DRAFT MINUTES

**Tuesday, May 19, 2015**

**6:00 p.m.**

## *City Hall – 915 I Street- First Floor Council Chamber*

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

### Open Session - 6:00 p.m.

Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, May 19, 2015 at the Sacramento City Hall Council Chamber.

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

**Pledge of Allegiance**– led by People Reaching Out representative Carolanne Boughton.

### **Special Presentations/General Communications**

- a. **Recognizing National Public Works Week as May 17 – 23, 2015**  
**Action:** Resolution presented by Member Jay Schenirer
- b. **Recognizing Citizen’s Planning Academy Graduates**  
**Action:** Recognition given by Raymond Constantino and Councilmembers
- c. **City Management Academy of 2015 Presentation**  
**Action:** Recognition given by Yvonne Reidlinger and Councilmembers

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

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

Report # 2015-00503

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0112** confirming board/commission appointment(s): 1) Capitol Area Development Authority Governing Board – Steven Maviglio (Seat 1); and 2) Planning and Design Commission – Darryl Lucien (Seat 8).

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

**2. Lower American River Salmonid Biological Monitoring Contract: Spawning Gravel Augmentation Project (G14140100)**

Report # 2015-00437

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0113** authorizing the City Manager, or his designee, to execute a Professional Services Agreement with S. P. Cramer & Associates, Inc. in the amount of \$316,000 for work associated with the Lower American River Salmonid Spawning Gravel Augmentation Project being administered by the City-County Office of Metropolitan Water Planning.

**Contact:** Tom Gohring, Executive Director, (916) 808-1993, Citywide and Community Support, Sacramento City-County Office of Metropolitan Water Planning

**3. Fiscal Year (FY) 2015/16 Proposed Operating Budget for the Sacramento City-County Office of Metropolitan Water Planning**

Report # 2015-00409

**Location:** Citywide

**Action:** Received and considered for final budget adoption.

**Contact:** Tom Gohring, Executive Director, (916) 808-1998, Sacramento City-County Office of Metropolitan Water Planning, Department of Citywide and Community Support

**4. Agreements: Cost Sharing Fiscal Year (FY) 2015/16 Sacramento City-County Office of Metropolitan Water Planning (CCOMWP)**

Report # 2015-00410

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0114** authorizing the City Manager or the City Manager's designee to execute: 1) an interagency cost share agreement for the Water Forum Successor Effort portion of the CCOMWP budget, with the County of Sacramento, City of Roseville, City of Folsom, Placer County Water Agency, and the San Juan Water District; and 2) an interagency cost share agreement for the Habitat Management Element portion of the CCOMWP budget with the County of Sacramento.

**Contact:** Tom Gohring, Executive Director, (916) 808-1998, Sacramento City-County Office of Metropolitan Water Planning, Department of Citywide and Community Support

5. **(Pass for Publication) The Creamery Infrastructure Community Facilities District (CFD) No. 2015-02, Declare Results of Special Mail Ballot Election and Pass For Publication an Ordinance to Levy a Special Tax**

Report # 2015-00013

**Location:** District 4

**Action:** Moved/Seconded: Member Allen Warren / Member Jeff Harris

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

**Abstain** Member Steve Hansen (recused)

Passed 1) **Resolution No. 2015-0127** declaring results of the special mailed ballot election, and, if an election is in the affirmative; 2) review an Ordinance to levy a special tax on land within the CFD; and 3) pass for publication the ordinance title as required by section 32(c) of the Sacramento City Charter for adoption on May 26, 2015.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

6. **(Pass for Publication) Expanding Mobile Food Truck Vending Options**

Report # 2015-00343

**Location:** Citywide

**Action:** 1) Reviewed an ordinance amending Food Vending Vehicles regulations in Title 5 of the Sacramento City Code to, among other things, remove the 30 minute time limit for vending on the public right-of-way and establish a business permit to allow extended vending on private property; 2) reviewed an ordinance amending section 17.108.160 of the Sacramento City Code to exclude the operation of one to two food vending vehicles from the Outdoor Market land use category; and 3) passed for publication the ordinance titles as required by Sacramento City Charter § 32(c), with the ordinances to be adopted May 26, 2015.

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

7. **Purchase/Cooperative Agreement: Citywide Office Supplies** (Published 05/07/2015 for Review)

Report # 2015-00399

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0115:** 1) approving the use of the National Joint Powers Alliance (NJPA) cooperative purchasing agreement (reference no. 010615-SCO) with Staples Advantage for the purchase of office supplies in an amount not-to-exceed \$4 million through July 31, 2019; and 2) authorizing the City Manager or the City Manager's designee to execute purchases in the amount specified above provided that sufficient funds are available in the budgets adopted for the applicable fiscal years.

**Contact:** Virginia Smith, Procurement Analyst, (916) 808-1229; Craig Lymus, Procurement Services Manager, (916) 808-6240, Department of Finance

**8. Contract Award for Egret Park Renovation (L19116200)**

Report # 2015-00397

**Location:** District 1

**Action:** Passed **Motion No. 2015-0116:** 1) approving the construction plans and specifications for the Egret Park Renovation project; 2) awarding the contract to Saenz Landscape Construction for an amount to not exceed \$170,799; and 3) authorizing the City Manager or City Manager's designee to execute the contract with Saenz Landscape Construction for an amount to not exceed \$170,799.

**Contact:** C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

**9. (Pass for Publication) Ordinance Amending Various Sections of Chapters 2, 10, 12 and 18 of the Sacramento City Code that Refer to the Department of Transportation to Reflect Current Departmental Organization**

Report # 2015-00080

**Location:** Citywide

**Action:** 1) Reviewed an Ordinance amending sections 2.62.030, 10.48.160, 12.12.010, 12.12.220, 12.32.010, 12.56.020, 12.60.020, 12.64.020, 18.04.020, 18.48.020, 18.48.090, 18.48.100, 18.48.120, 18.48.150, 18.48.160, 18.48.210 and 18.48.220 of the Sacramento City Code that reference the Department of Transportation to reflect current departmental organization as Department of Public Works; and 2) passed for publication the ordinance title as required by Sacramento City Charter Section 32(c), with the ordinance to be adopted May 26, 2015.

**Contact:** Bill Spencer, Administrative Officer, (916) 808-8130; Jerry Way, Director of Transportation, (916) 808-7100; Department of Public Works

**10. Cooperative Purchase Agreement: Sewer/Storm Drain Cleaning Trucks (Published 05/07/2015 for Review)**

Report # 2015-00393

**Location:** Citywide

**Action:** Passed **Resolution No. 2015-0128:** 1) authorizing the City Manager or the City Manager's designee to increase the expenditure and revenue budgets in the Department of Public Works FY2014/15 operating budget (Fleet Fund, Fund 6501) in the amount of \$496,190; 2) approving the use of the Houston Galveston Area Council (HGAC) cooperative purchase agreement with Vac-Con, Inc. (Contract No.SC01-15) for the purchase of two replacement, and one additional, sewer/storm drain cleaning trucks in an amount not to exceed \$1,399,772; and 3) authorizing the City Manager or the City Manager's designee to execute the purchases specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Steve Barker, Interim Fleet Manager, (916) 808-6289, Department of Public Works

- 11. Agreement: Master Consultant Services Agreements For On-Call Construction Inspection Services**  
Report # 2015-00412  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0117** approving Master Consultant Services Agreements in an amount not to exceed \$800,000 each with Salaber & Associates, Vali Cooper & Associates, and Psomas.  
**Contact:** Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 12. Cooperative Purchase Agreement: Parks Mowers**  
Report # 2015-00413  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0129:** 1) authorizing the City Manager or the City Manager's designee to increase the expenditure and revenue budgets in the Department of Public Works FY2014/15 operating budget (Fleet Fund, Fund 6501) in the amount of \$65,331; 2) approving the use of the National Intergovernmental Purchasing Alliance (NIPA) cooperative purchase agreement with The Toro Company (Contract No. 120535) for the purchase of two replacement mowers and one new additional mower in an amount not to exceed \$195,992; and 3) authorizing the City Manager or the City Manager's designee to execute the purchases specified above.  
**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Steve Barker, Interim Fleet Manager, (916) 808-6289, Department of Public Works
- 13. Cooperative Purchase Agreement: Tractor Loader**  
Report # 2015-00414  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0118:** 1) approving the use of the National Joint Powers Alliance (NJPA) cooperative purchase agreement with John Deere Construction Retail Sales (Contract No. 060311-JDC) for the purchase of one replacement tractor loader in an amount not to exceed \$133,698; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.  
**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Steve Barker, Interim Fleet Manager, (916) 808-6289, Department of Public Works
- 14. Cooperative Purchase Agreement: Vehicle Equipment and Installation Services**  
Report # 2015-00415  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0119:** 1) approving the use of the County of Placer cooperative purchase agreement with Lehr Auto Electric (Contract No. BP021656) for the purchase of equipment and installation services in an amount not to exceed \$350,000 through September 30, 2015 or until the agreement is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchases specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Steve Barker, Interim Fleet Manager, (916) 808-6289, Department of Public Works

**15. Cooperative Purchase Agreement: Aerial Bucket Truck**

Report # 2015-00418

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0120:** 1) approving the use of the National Joint Powers Alliance (NJPA) cooperative purchase agreement with Altec Industries, Inc. (Contract No. 031014-ALT) for the purchase of one replacement aerial bucket truck in an amount not to exceed \$151,579; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Steve Barker, Interim Fleet Manager, (916) 808-6289, Department of Public Works

**16. Annual Report on Residential Hotels**

Report # 2015-00291

**Location:** Citywide

**Action:** Received and filed.

**Contact:** Christine Weichert, Assistant Director, (916) 440-1353, Sacramento Housing and Redevelopment Agency

**17. Housing Trust Fund Annual Report**

Report # 2015-00292

**Location:** Citywide

**Action:** Received and filed.

**Contact:** Christine Weichert, Assistant Director, (916) 440-1353, Sacramento Housing and Redevelopment Agency

**Public Hearings**

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

**18. (Pass for Publication) Sacramento Maintenance Community Facilities District No. 2014-04 Unanimous Consent Process and Pass for Publication an Ordinance (Noticed 05/08/2015)**

Report # 2015-00301 **Estimated Time: 5 minutes** (Actual Time: 2 minutes)

**Location:** Citywide

**Action:** Moved/Seconded: Member Steve Hansen / Member Larry Carr

**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 and upon conclusion, 1) passed **Resolution No. 2015-0130** establishing the future annexation area for the Sacramento Maintenance Community Facilities District No. 2014-04 (District), levying a special tax within annexed areas and correcting the date of the date of the public hearing originally published in the Resolution of Intention

(Resolution 2015-0088); 2) passed **Resolution No. 2015-0131** establishing an accounting fund for the collection of special tax proceeds for Fiscal Year (FY) 2015/16; 3) review an ordinance levying a special tax solely within and relating to the District; and 4) pass for publication the ordinance title as required by City Charter Section 32(c), with the ordinance to be adopted on May 26, 2015.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

### **Discussion Calendar**

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

#### **19. Fiscal Year (FY) 2015/16 Proposed Budget for the Fire Department**

Report # 2015-00436      **Estimated Time: 30 minutes** (Actual Time: 120 minutes)

**Location:** Citywide

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

**Yes:**          Members Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer

**No:**          Members Angelique Ashby, Larry Carr, Allen Warren, Rick Jennings and Mayor Kevin Johnson

Public comment heard from Adam Keigwin, Faygo, Vina Guzman, Robert Wurgler, Laura Rubalcaba, David Baumgartner, Chris Andrew, John Vidac, Robynne Rose-Haymer, Mac Worthy, Michelle, Annette Boyd, Roman Porter, Bob Moreno, Stan Zezetarsia, Danielle Marshall, Tom Rutten, Karen Dhillon, Dustin Romero, Nola Linn, Leslie Rubalcava, Mateo Ramirez, Jason Alexander, Keith Sharward, Jesus Arredondo, Anna Vue, Brian Rice, Gabriel Robinson, George Azad, Joe Barletta, Tristan Godt, Jaymes Butler, Molly Fling, John Parrinello and Adam Sartain;

**Substitute Motion No. 2015-0121 failed** to defer any action on the Fire Department budget to the June 9, 2015 final budget adoption.

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**Action:**      Moved/Seconded: Member Angelique Ashby / Member Allen Warren

**Yes:**          Members Angelique Ashby, Larry Carr, Eric Guerra, Rick Jennings, Allen Warren and Mayor Kevin Johnson

**No:**          Members Steve Hansen, Jeff Harris and Jay Schenirer

**Motion No. 2015-0122** passed to approve staff recommendations with the addition of \$1 million to restore Truck 43 midyear and an additional \$200,000 for the restoration of one ambulance in district 8 and one ambulance in district one.

**Contact:** Walt W. White, Fire Chief, (916) 808-1601, Fire Department

**20. Proposed Fiscal Year (FY) 2015/16 Budget for the Sacramento Police Department**

Report # 2015-00428      **Estimated Time: 30 minutes** (Actual Time: 100 minutes)

**Location:** Citywide

**Action:** Public comment heard from Joe Talncon, Robert Wurgler, Christina Arechiga, David Baumgartner, Yvette Madkins, Laura Rubalcaba, Lorraine Brown, Dave Jenest, Kathi Windheim, Crystal Harrison, Angela Wood, Jasmine Davis, Esley Simmons, Armando Flores, Keith Sharwood, Pastor Anthony Sadler, Bernardo Gutierrez, Michelle, Rosario Dowling, Pastor Sergio Limon, Delphine Brody, Faygo, Dion Dwyer, Nina Delgadillo, Mac Worthy, Jamie Szutowicz, Richard Harris, Bishop Tim Lewis, and Sunday Moylan; received and filed.

**Contact:** Scott Pettingell, Police Administrative Manager, Administrative Services, (916) 808-0909, Police Department

**21. Fiscal Year (FY) 2015/16 Asset Forfeiture Expenditure Master Plan**

Report # 2015-00465      **Estimated Time: 10 minutes** (Actual Time: 20 minutes)

**Location:** Citywide

**Action:** Received and filed.

**Contact:** Samuel D. Somers Jr., Chief of Police, (916) 808-0800; Scott Pettingell, Police Administrative Manager, Fiscal Section, (916) 808-0909, Police Department

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

- |                        |                       |
|------------------------|-----------------------|
| 1. Police              | 3. Sister Cities      |
| a. Evangelist Kimmons  | a. David Baumgartner  |
| b. John Kurtz          | 4. Jobs               |
| c. Martin Rubalcaba    | a. Ron Yokley         |
| d. Christina Arechiga  | 5. Pesticides         |
| e. Laura Rubalcaba     | a. Faygo              |
| f. Michelle            | 6. Misc               |
| 2. Homeless            | a. Mac Worthy         |
| a. David Andre         | b. Evangelist Kimmons |
| b. Jonathan Gainsbrugh |                       |
| c. Delphine Brody      |                       |
| d. Armando Flores      |                       |

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

**1. Information Requests**

None.

**2. Board/Commission Appointments**

None.

**Adjourned** – 11:20 p.m. in memory of Joyce Whittaker