

CITY COUNCIL

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

CHARTER OFFICERS

James Sanchez, City Attorney
Shirley Concolino, City Clerk
John F. Shirey, City Manager
John Colville, Interim City Treasurer



DRAFT Minutes

**City Council
Financing Authority
Housing Authority
Public Financing Authority
Redevelopment Agency
Successor Agency**

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

**Tuesday, October 18, 2016
6:00 p.m.**

NOTICE TO THE PUBLIC

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

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

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

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams and indexed archives of meetings are available via the internet.

Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

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

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

General Conduct for the Public Attending Council Meetings

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

Members of the Public Addressing the City Council

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

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

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

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

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

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

City of Sacramento

City Council

Tuesday, October 18, 2016

6:00 PM

Council Chambers

DRAFT Minutes

Open Session - 6:00 p.m.

Regular session called to order by Mayor Pro Tem Larry Carr at 6:02 p.m. Tuesday, October 18, 2016 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer (departed 9:23), and Allen Warren (departed 9:10)

Members Absent: Rick Jennings and Mayor Kevin Johnson.

Pledge of Allegiance– led by Romel

Special Presentation/General Communications

- A. **Recognizing the Arts Community of Sacramento**
Action: Resolution presented by Member Steve Hansen

- B. **Recognizing National Friends of Library Week**
Action: Resolution presented by Member Steve Hansen

- C. **Recognizing Filipino American History Month in October**
Action: Resolution presented by Member Larry Carr

Consent Calendar

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

Yes: Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer, and Allen Warren

Absent: Member Rick Jennings 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**

File ID: 2016-01274

Location: Citywide

Action: Passed **Motion No. 2016-0311** approving the City Council Meeting Minutes dated September 27, 2016.

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

2. **(Pass for Publication) Ordinance Amending Chapter 5.150 of the Sacramento City Code Relating to Marijuana Cultivation Permits and the Delivery of Medical Marijuana**

File ID: 2016-01172

Location: Citywide

Action: 1) Reviewed an ordinance amending chapter 5.150 of the Sacramento City Code relating to marijuana cultivation permits and the delivery of medical marijuana, and 2) passed for publication the ordinance title as required by Sacramento City Code section 32(c) to be adopted on October 25, 2016.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance; Randi L. Knott, Director of Government Affairs, (916) 808-5771, Office of the City Manager

3. **(Pass for Publication) Ordinance Amending Various Sections of Title 17 of the Sacramento City Code Relating to Marijuana Cultivation (M15-017)**

File ID: 2016-01131

Location: Citywide

Action: 1) Reviewed an ordinance amending the Planning and Development Code (Title 17) regarding marijuana cultivation; and 2) passed for publication the ordinance title as required by Sacramento City Charter section 32(c) to be adopted on October 25, 2016.

Contact: Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

4. **Contract: On-Call, On-Site Veterinary Services**

File ID: 2016-01219

Location: Citywide

Action: Passed **Motion No. 2016-0312:** 1) extending the On-Call, On-Site Veterinary Services Agreement (#2013-0458) through June 30, 2017; 2) increasing the Agreement by \$55,000 for a new not-to-exceed amount of \$154,999; and 3) authorizing the City Manager or City Manager's designee to execute the supplemental agreement as specified.

Contact: Gina Knepp, Animal Care Services Manager, (916) 808-8333; Jennifer Chikasawa, Administrative Analyst, (916) 808-5851, Community Development Department

5. Fiscal Year 2016/17 County Contribution to City/County Organizations

File ID: 2016-01119

Location: 1030 15th Street, District 4

Action: Passed **Resolution No. 2016-0349:** 1) authorizing the City Manager or his designee to accept a total of \$403,000 from the County of Sacramento to support the Center for Sacramento History (\$202,000), the Sacramento History Museum (\$108,000), and the Powerhouse Science Center (\$93,000); and 2) authorizing the City Manager or his designee to execute agreements with the County to accept the funding stated above for the benefit of those organizations.

Contact: Eva Chiang, Administrative Officer, (916) 808-5898, Convention and Cultural Services

6. (City Council/Redevelopment Agency Successor Agency) Sale of 800 K and L Street Parcels (Published for 10-Day Review 10/06/2016)

File ID: 2016-01070

Location: 800 K/L Streets, District 4

Action: Passed **Redevelopment Agency Successor Agency (RASA) Resolution No. 2016-0007** authorizing: a) the sale of 800 - 816 K Street, 1109-1125 8th Street, and 808-815 L Street ("800 K/L") to the City of Sacramento based on a June 2011 appraised value of \$2,640,000, b) the execution of the RASA grant deed by the City Manager, and c) transfer of the sales proceeds to the County Auditor-Controller for distribution to the taxing entities; and 2) **City Council Resolution No. 2016-0350** authorizing: a) acquisition of 800 K/L from RASA for \$2,640,000, b) the City Manager to execute the Compensation Agreements with the taxing entities, c) the City Manager to execute a certificate of acceptance for 800 K/L, d) the sale of 800 K/L to 800 Block Partners, LLC for \$6,122,000, subject to reduction of up to \$400,000 for the Remediation Credit, e) the City Manager to execute the Purchase and Sale Agreement for 800 K/L with 800 Block Partners LLC, f) establishing a new capital project fund, Merged Downtown Redevelopment Tax-exempt Bond Funds - 800 K/L Proceeds (Fund 3820), g) the deposit of the City's share of the RASA 800 K/L sale proceeds received from the County Auditor-Controller and the net sales proceeds from the City sale of 800 K/L to 800 Block Partners, LLC to Fund 3820.

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

7. **Sacramento Tourism Marketing District No. 2016-06 - Renewal (Noticed 09/14/2016)**
File ID: 2016-01087
Location: Citywide
Action: Received and filed.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Special Districts Manager, (916) 808-8788, Department of Finance
8. **Contract: Hite Park and Playground Renovation Project**
File ID: 2016-01168
Location: District 7
Action: Public comment heard from Mac Worthy; passed **Motion No. 2016-0313:** 1) approving the construction plans and specifications for Hite Park and Playground Renovation project; 2) awarding the contract to Abide Builders for an amount not-to-exceed \$225,381; and 3) authorizing the City Manager or his designee to execute the contract with Abide Builders for an amount not-to-exceed \$225,381.
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation
9. **Contract: Multi-Site Water Improvements Project**
File ID: 2016-01176
Location: Citywide
Action: Passed **Resolution No. 2016-0351:** 1) approving the construction plans and specifications for the Multi-Site Water Improvements Project; 2) awarding the contract to Abide Builders for an amount not-to-exceed \$345,676; 3) authorizing the City Manager or his designee to execute the contract with Abide Builders, for an amount not-to-exceed \$345,676; 4) appropriating \$60,000 from the Measure U Park Improvements Project (L19706000), Fund 2401 to the Multi-Site Water Improvements Project (L19101200).
Contact: C. Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation

10. Purchase/Cooperative Agreement: BSN Sports LLC for Recreation Programs and Supplemental Purchases

File ID: 2016-01186

Location: Citywide

Action: Passed **Motion No. 2016-0314:** 1) authorizing issuance of purchase orders through the cooperative purchasing agreement between the Region 4 Education Service Center and BSN Sports, LLC for the purchase of athletic, physical education, and recreation equipment ("equipment") for all sports programs and activities of the Department of Parks and Recreation from October 1, 2016 through September 30, 2019 in an cumulative amount not to exceed a total of \$296,000; 2) approving supplemental purchases of equipment from retail vendors including Big 5, Cabela's, Excel Fitness, REI, Sportsman's Warehouse, Greater Sacramento Softball Association and Wilderness Archery in a cumulative amount not to exceed \$100,000 per fiscal year through FY 18/19.

Contact: Sylvia Fort, Division Manager, (916) 808-8381; Shannon Brown, Operations Manager, (916) 808-6076, Department of Parks and Recreation

11. Sacramento City Unified School District for After-School Program 2016/17

File ID: 2016-01223

Location: Multiple locations within and outside the City Limits

Action: Passed **Resolution No. 2016-0352:** 1) authorizing the City Manager or his designee to execute an agreement with the Sacramento City Unified School District (SCUSD) for the Sacramento START program to operate at 10 elementary schools during the 2016/17 school year and be reimbursed by SCUSD up to a total of \$1,373,635 in Fiscal Year (FY) 2016/17; and 2) authorizing the City Manager or his designee to adjust the necessary operating revenue and expenditure budgets to implement the Agreement and any amendments.

Contact: Jill Nunes, Recreation Manager, (916) 808-6095; Sonja Jarvis, Administrative Officer, (916) 808-8824, Department of Parks and Recreation

12. Grant Application: Urban Rivers Grant Program for Fire Station 14 (F13000800)

File ID: 2016-01153

Location: 1400 North B Street, Council District 3

Action: Passed **Resolution No. 2016-0353:** 1) approving the filing of an application with the California Natural Resource Agency in an amount not to exceed \$260,000 for the Urban Rivers Grant Program for the construction of “green” infrastructure improvements for ground water recharge, water reuse, water filtration, and urban greening at new Fire Station 14; 2) certifying that Applicant (the City) understands the assurances and certifications in the application; 3) certifying that Applicant or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so; 4) certifying that Applicant will comply with all provisions of Section 1771.5 of the California Labor Code; 5) certifying, if applicable, that the project will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act, legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; 6) certifying that Applicant will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and 7) appointing the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Contact: Amy Smith, Associate Architect, (916) 808-2262; Jennifer Venema, Program Manager, (916) 808-1859; Jon Blank, Facilities Manager, (916) 808-7914, Department of Public Works

13. Supplemental Agreement No. 2: Old Sacramento Infrastructure Project (C13000730)

File ID: 2016-01181

Location: Old Sacramento Riverfront Boardwalk (J Street to Neasham Circle, west of Front Street); District 4

Action: Passed **Motion No. 2016-0315:** 1) authorizing the City Manager or the City Manager’s designee to execute Supplemental Agreement No. 2 to Contract No. 2015-2130 with Unger Construction Co. to increase the preconstruction service fees for the Old Sacramento Infrastructure project by \$48,914 for a revised total contract amount not to exceed \$843,158; and 2) resetting the City Manager’s authority to issue contract supplements.

Contact: Kirk Thompson, Associate Architect, (916) 808-8431; James Christensen, Supervising Engineer, (916) 808-5863, Department of Public Works

14. Contract: Arc Flash Hazard Analysis Project (I13000100)

File ID: 2016-01184

Location: New City Hall, 915 I Street, Council District 4; 300 Richards Boulevard, District 3; Meadowview City Services Complex, 2812 Meadowview Road, District 8; Police Safety Administration Building (PSAB), 5770 Freeport Boulevard, District 5.

Action: Passed **Motion No. 2016-0316** authorizing the City Manager or the City Manager's designee to execute a professional services agreement with Stantec Consulting Services, Inc. for arc flash hazard analysis services in an amount not to exceed \$174,135.

Contact: Joseph Gluvers, Associate Engineer, (916) 808-8427; James Christensen, Supervising Electrical Engineer, (916) 808-5863; Department of Public Works

15. Approval of Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year 2016/17

Location: Location

File ID: 2016-01150

Action: Passed **Motion No. 2016-0317** approving the Americans with Disabilities Act (ADA) Public Right-of-Way Prospective Plan for Fiscal Year 2016/17.

Contact: Cecilyn Foote, Associate Civil Engineer (916) 808-6843; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Public Works

16. Administrative Matter: Modify Purchase Order for Single-Space Parking Meters to Sensors

File ID: 2016-01123

Location: Districts 3 and 4

Action: Passed **Motion No. 2016-0318:** 1) authorizing the City Manager or his designee to modify purchase order 23199 with IPS Group, Inc. to include the purchase of 4,500 parking meter sensors with no increase in the current purchase order amount of \$5,577,264; and 2) repealing the approval of Contract 2013-0169 Supplemental No. 3 on May 3, 2016 (Report ID 2016-00423) as part of Motion No. 2016-0128.

Contact: Mike King, Program Specialist, (916) 808-1172; Matt Eierman, Parking Services Manager, (916) 808-5849; Department of Public Works

17. Agreement: 925 L Street Parking Garage

File ID: 2016-01159

Location: Capitol Garage, 1126 11th Street; District 4**Action:** Passed **Motion No. 2016-0319** authorizing the City Manager to execute a ten-year parking agreement with one, five-year extended term option, with 925 L Street, Incorporated for 200 monthly parking permits at Capitol Garage.**Contact:** Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works**18. Approval of the Acquisition of 520 North 16th Street**

File ID: 2016-01228

Location: District 3**Action:** Passed **Resolution No. 2016-0354:** a) authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to purchase vacant property located at 520 North 16th Street owned by the Harold G. Olsen 2010 Living Trust and to take all other actions necessary related to the voluntary, negotiated acquisition of said property at a cost not to exceed \$1,200,000, b) authorizing SHRA to carry out all actions reasonably necessary to accomplish the purchase of the real property, including maintenance, security, and insurance, and c) making related environmental findings.**Contact:** Tyrone Williams, Director of Development, (916) 440-1319, Sacramento Housing and Redevelopment Agency**Public Hearings****19. Vacation of the Public Alley Located at 4065 McKinley Boulevard (Noticed 09/20/2016 & 09/27/2016) [Continued from 10/04/2016]**

File ID: 2016-01079

Location: Alley adjoining Meister Way and McKinley Boulevard, District 3**Action:** Moved/Seconded: Member Jeff Harris / Member Eric Guerra**Yes:** Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer, and Allen Warren**Absent:** Member Rick Jennings and Mayor Kevin JohnsonConducted a public hearing with public comment heard from Sunil Hans and upon conclusion passed **Resolution No. 2016-0355** vacating the alley located adjacent to 4065 McKinley Boulevard.**Contact:** Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Discussion Calendar

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

20. Community Center Theater Transformation and Sacramento Convention Center Expansion (M17100100) [Two-Thirds Vote Required]

File ID: 2016-01075

Location: 1301 L Street and 1400 J Street, District 4

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

Yes: Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer, and Allen Warren

Absent: Member Rick Jennings and Mayor Kevin Johnson

Public comment heard from Chris Rak, Steve Hammond, Scott Vandenberg, Steve Mammet, Henry DeVere White, Caylyn Wright, Mike Testa, Michael Ault, Howard Laurence, Nancy Garton, Jim McCormick, Laurie Nelson, Celestine Syphax, Noa Solorio, Lisa Maas, Dennis Mangers, Craig Powell, Mac Worthy, Frank Topping; passed **Motion No. 2016-0320**: 1) directing the City Manager to continue working with Westlake Reed Leskosky regarding design of the Community Center Theater renovation, Populous regarding concept design for Phase 1 of the Convention Center expansion, Kitchell regarding pre-construction activities for the Community Center Theater renovation, and Rider Levett Bucknall for owner’s representative services, and directing the City Manager to bring proposed expanded scopes for these existing contracts to City Council for consideration; 2) directing the City Manager to select a consultant to design the Memorial Auditorium upgrades and a consultant to perform pre-construction services for the Memorial Auditorium upgrades, and to bring proposed contracts to City Council for consideration; 3) suspending competitive bidding in the best interests of the City and authorizing use of the design-assist project delivery method for construction of the Sacramento Convention Center expansion project; 4) directing the City Manager to release a Request for Proposals (RFP) for sales and marketing of naming rights and private sponsorship opportunities for the Convention Center and Community Center Theater; 5) directing the City Manager to release a RFP for private operation of the Memorial Auditorium; 6) directing the City Manager to continue exploring options for expansion of the Convention Center, including financing opportunities, and to report to City Council at a later date. **Additional direction given as follows;** direct the City Manager to include retention of employees as part of the RFP process for private operation of the Memorial Auditorium, direct inclusion of potential Convention Center serving hotel sites in the environmental process underway for downtown development in order to advance them to “shovel ready” clearance level, use lessons learned on priority hiring for the Golden 1 Center for inclusion in construction of these projects, and direct the City Treasurer to evaluate inclusion of the Powerhouse Science Center in the bond issuance of these projects to save potential borrowing costs of a separate bond sale.

Contact: Fran Halbakken, Assistant to the City Manager, (916) 808-7194, Office of the City Manager

Public Comments-Matters Not on the Agenda

1. Police/Camping Ordinance/Homeless
 - a. Niki Jones
 - b. Frank Topping
 - c. Robert Coplin
 - d. Mac Worthy
 - e. Faygo
 - f. Trina Allen
 - g. David Andre
2. Misc
 - a. Dr. Gregory Glavinovich

Council Comments-Ideas, Questions and AB1234 Reports

1. **Information Requests**

None.
2. **Board/Commission Appointments**

None.

Adjourned – 9:30 p.m.