

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, November 15, 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, November 15, 2016

6:00 PM

Council Chamber

Regular Meeting DRAFT Minutes

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, November 15, 2016 at the Sacramento City Hall Council Chamber.

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

Members Absent: Rick Jennings and Mayor Kevin Johnson.

Pledge of Allegiance– led by Judge Loncke

Closed Session Report – None.

Special Presentations/General Communications

- A. Recognizing Access Leisure 50th Anniversary**
Action: Resolution presented by Member Allen Warren

- B. 2016 Sacramento Compassion Awards**
Action: Resolution presented by Member Angelique Ashby (on behalf of Member Jennings)

- C. Recognizing November as Pancreatic Awareness Month**
Action: Resolution presented by Member Angelique Ashby (on behalf of Member Jennings)

Consent Calendar

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

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: 2016-01387

Location: Citywide

Action: Passed **Motion No. 2016-0344** approving the City Council Meeting Minutes dated October 25, 2016.

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

2. (Pass for Publication) The Park Mixed Use Project (P15-048)

File ID: 2016-01346

Location: 4700 Freeport Blvd, District 4

Action: 1) Reviewed a Resolution adopting an Environmental Impact Report (EIR) and Mitigation Monitoring Plan (MMP); 2) reviewed a Resolution amending General Plan designation from Suburban Neighborhood Low Density (SNLD) and Suburban Neighborhood Medium Density (SNMD) to Urban Corridor Low Density (UCLD); 3) reviewed an Ordinance Rezoning from Multi-Unit Dwelling Executive Airport Overlay (R-2A-R-EA-4 & R-2A-EA-4) zone and Single-Unit or Duplex Dwelling Executive Airport Overlay (R-1A-EA-4) zone to General Commercial Executive Airport Overlay (C-2-EA-4) zone; 4) reviewed a Resolution approving The Park Project that includes entitlements with Tentative Map, a Conditional Use Permit, Site Plan and Design Review, and a Sign Variance; and 5) passed for Publication (PFP) the ordinance titles as required by Sacramento City Charter section 32(c) to be adopted on November 22, 2016.

Contact: Elise Gumm, Development Project Manager, (916) 808-1927; Antonio Ablog, Senior Planner, (916) 808-7702, Community Development Department

3. Purchase/Cooperative Agreement for Patient Care Report Tablets

File ID: 2016-01436

Location: Citywide

Action: Passed **Resolution No. 2016-0394** authorizing the City Manager or his designee to: 1) use the Minnesota WSCA-NASPO Master Agreement (Contract # MNWNC-108), a cooperative purchasing agreement, as supplemented by the California Participating Addendum (Contract # 7-15-70-34-003) to purchase Patient Care Report Tablets from Dell Computers in an amount not to exceed \$300,000 during Fiscal Year 2016/17; 2) appropriate General Fund Intergovernmental Transfer (IGT) fund balance for the amount of the purchase to the Advanced Life Support Equipment Program (F12000200); and 3) increase the Fire Department operating budget revenue and expenditure budgets by \$5,000 to cover the data plans necessary for the tablets with Ground Emergency Medical Transport (GEMT) funding.

Contact: Chad Augustin, Deputy Chief, (916) 808-1603, Fire Department**4. Grant Application: 2016 Assistance to Firefighters Grant Program (Fire Station Source Capture Exhaust Extraction Systems and Ambulance Gurney Power Lifts)**

File ID: 2016-01344

Location: Citywide

Action: Passed **Resolution No. 2016-0395:** 1) authorizing the City Manager, or his designee, to submit an application for federal grant funds up to \$1.295 million for the 2016 Assistance to Firefighters Grant Program; 2) authorizing acceptance of the grant , if awarded; 3) establishing an operating grant project including revenue and expenditure budgets for the amount awarded; and 4) authorizing the transfer of the City's match for the grant from the Fire Department's General Fund Intergovernmental Transfer fund balance to the grant project.

Contact: Michelle Basurto, Program Specialist, (916) 808-1357, Fire Department**5. Fiscal Year 2017 Measure U Budget Adjustments**

File ID: 2016-01310

Location: Citywide

Action: Public comment heard from Mac Worthy; passed **Resolution No. 2016-0396** authorizing the City Manager, or City Manager's designee to: 1) transfer \$40,000 from the Measure U fund balance to the Sacramento Police Department (SPD) Fiscal Year (FY) 2016/17 Measure U Multi-Year Operating Project (MYOP) (I80110500); and 2) transfer \$124,268 from the Measure U fund balance to the FY2016/17 Gang Prevention and Intervention Task Force (GPITF) MYOP (I02000600).

Contact: Scott Pettingell, Police Administrative Manager, (916) 808-0909, Police Department; Khaalid Muttaqi, Director of the Gang Prevention and Intervention Task Force (GPITF), (916) 808-5380, City Manager's Office

6. **Contract: Sacramento Valley Station Phase 3B Master Plan (T15029060)**
File ID: 2016-01348
Location: 401 I Street, District 3
Action: Passed **Motion No. 2016-0345** authorizing the City Manager or the City Manager's designee to execute a professional services agreement with Perkins+Will Architects in an amount not to exceed \$573,248 for the Sacramento Valley Station Phase 3B Master Plan.
Contact: Gregory Taylor, AIA, LEED AP, Project Manager, (916) 808-5268; Jon Blank, Facilities Manager, (916) 808-7914, Department of Public Works
7. **Contract: Replacement of Four Parking Enforcement Vehicles (Two-Thirds Vote Required)**
File ID: 2016-01319
Location: Citywide
Action: Public comment heard from Pastor Gainsbrugh; passed **Resolution No. 2016-0397:** 1) authorizing the City Manager or the City Manager's designee to a) decrease the expenditure budget in the Department of Public Works (DPW) FY2016/17 operating budget (General Fund, Fund 1001) in the amount of \$51,336; b) increase the expenditure budget in the DPW multi-year operating project (MYOP) for replacement vehicles and equipment (I06150017, General Fund, Fund 1001) in the amount of \$51,336; c) increase the expenditure and revenue budgets in the DPW FY2016/17 operating budget (Fleet Fund, Fund 6501) in the amount of \$51,336; 2) suspending competitive bidding in the best interests of the City for the purchase of four replacement parking enforcement vehicles; and 3) authorizing the City Manager or the City Manager's designee to execute a contract with Municipal Maintenance Equipment (MME) in an amount not to exceed \$186,910 for the purchase specified above.
Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works
8. **Agreement: 22nd and W Streets Parking Agreement with Buzz Oates LLC**
File ID: 2016-01222
Location: Between 22nd, 23rd, W, and X Streets, Districts 4 and 5
Action: Passed **Motion No. 2016-0346** authorizing the City Manager or his designee to execute a parking agreement with Buzz Oates LLC for the surface parking lot located at 22nd and W Streets below the W/X Freeway.
Contact: Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works

9. **Agreement: Construction Management and Inspection Services for the Accelerated Water Meter Program (Published for 10-Day Review 11/03/2016)**
File ID: 2016-01253
Location: Citywide
Action: Passed **Motion No. 2016-0347** authorizing the City Manager, or the City Manager's designee to execute an agreement with Psomas to provide construction management and inspection services in an amount not to exceed \$1,602,716.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Michelle Carrey, Supervising Engineer, (916) 808-1438, Ian Pietz, Project Manager, (916) 808-1910, Department of Utilities
10. **Change Order: F Street 18-20th Street, R/S Alley 2nd to 4th Street, Sewer Replacement Project, CO No. 1**
File ID: 2016-01277
Location: District 4
Action: Passed **Motion No. 2016-0348** authorizing the City Manager or the City Manager's designee to sign Change Order No. 1 with C.E. Cox General Engineering, for an amount not-to-exceed \$34,089, bringing the contract's total not-to-exceed amount to \$311,731.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413; Mark Elliott, Associate Engineer, (916) 808-8894, Department of Utilities
11. **Cost Share Agreement with the Regional Water Authority to prepare a Regional Water Reliability Plan**
File ID: 2016-01280
Location: Citywide
Action: Passed **Motion No. 2016-0349** authorizing the City Manager or the City Manager's designee to execute a Project Agreement with the Regional Water Authority to prepare a Regional Water Reliability Plan.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Michelle Carrey, Supervising Engineer, (916) 808-1438; Brett Ewart, Senior Engineer, (916) 808-1725, Department of Utilities

12. Agreement: Retirement Plan Administrative and Recordkeeping Services

File ID: 2016-01246

Location: Citywide

Action: Passed **Motion No. 2016-0350:** 1) approving Plan Documents for the City's 401 (a) and 457 defined contribution retirement plans; 2) designating the Director of Human Resources as the City's Plan Administrator for the City's 457 and Administrator for the City's three 401(a) plans; and 3) authorizing the City Manager or the City Manager's designee to execute: a) an agreement with Nationwide Retirement Services to provide administrative and recordkeeping services in support of the City of Sacramento's 401(a) and 457 defined contribution retirement plans; b) Adoption Agreements for the City's three 401(a) plans; c) an Adoption Agreement for the City's 457 plan; d) three agreements with Nationwide Trust Company to serve as the Directed Trustee of the trust accounts for the City's three 401(a) plans; and e) an agreement with Nationwide Trust Company to serve as the Directed Trustee of the trust account for the City's 457 plan.

Contact: Melissa Chaney, Director, (916) 808-7173; Ken Cosgrove, Human Resources Manager, (916) 808-7473, Department of Human Resources

Public Hearings**13. Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment (Noticed 07/18/2016 & 08/16/2016)**

File ID: 2016-01307

Location: Citywide

Action: Moved/Seconded: Member Steve Hansen / Member Allen Warren

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

Conducted a public hearing with public comment heard from Moeveen Cordbache, Gary Decker and upon conclusion passed **Resolution No. 2016-0398 as amended** making the unpaid expenses incurred by the City in abating nuisances, in the amount listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

Contact: Carl Simpson, Code and Housing Enforcement Chief (916) 808-8183, Community Development Department

14. Code Compliance Case Fees and Penalties-Findings of Fact for Special Assessment (Noticed 07/21/2016, 08/22/2016 & 09/22/2016)

File ID: 2016-01292

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Allen Warren

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

Conducted a public hearing with public comment heard from Thompson Tho and upon conclusion passed **Resolution No. 2016-0399 as amended** making the unpaid expenses incurred by the City in abating nuisances, in the amount listed on Exhibit A and Exhibit B, personal obligations of the respective property owners and special assessments against the properties.

Contact: Carl Simpson, Code and Housing Enforcement Chief (916) 808-8183, Community Development Department

15. Approval of Fees for Tree Permits, Appeals Related to Tree Permits, and Tree Replacement In-lieu fees pursuant to City Code Chapter 12.56 and Requiring Tree Permit Appeals to be heard by a Hearing Examiner (Noticed 11/03/2016 & 11/10/2016)

File ID: 2016-01290

Location: Citywide

Action: Moved/Seconded: Member Jeff Harris / Member Jay Schenirer

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

Conducted a public hearing and upon conclusion 1) passed **Resolution No. 2016-0400** approving fees for tree permits and appeals related to tree permits pursuant to City Code Chapter 12.56; 2) passed **Resolution No. 2016-0401** approving a tree replacement in-lieu fee pursuant to City Code Section 12.56.060 and 3) passed **Resolution No. 2016-0402** requiring that tree permit appeals be heard by a hearing examiner.

Contact: Greg Smith, Senior Engineer, (916) 808-8364; Juan Montanez, Streets Manager, (916) 808-2254, Department of Public Works

16. Ordinance Amending Various Sections of Title 17 of the Sacramento City Code Relating to Marijuana Cultivation (M15-017) [Noticed 10/14/2016; Passed for Publication 10/18/2016; Published 10/21/2016] {Continued from 10/25/2016}

File ID: 2016-01227

Location: Citywide

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

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

Continued an **Ordinance to November 22, 2016** amending the Planning and Development Code (Title 17) regarding marijuana cultivation.

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

Discussion Calendar

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

17. Ordinance Amending Chapter 5.150 of the Sacramento City Code Relating to Marijuana Cultivation Permits and the Delivery of Medical Marijuana (Passed for Publication 10/18/2016; Published 10/21/2016)

File ID: 2016-01172

Location: Citywide

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

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

Continued an **Ordinance to November 22, 2016** amending chapter 5.150 of the Sacramento City Code relating to marijuana cultivation permits and the delivery of medical marijuana.

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

18. City Auditor's Audit of the Department of Utilities Labor Reporting

File ID: 2016-01247

Location: Citywide**Action:** Moved/Seconded: Member Allen Warren / Member Jay Schenirer**Yes:** Members Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Jay Schenirer, Allen Warren**Absent:** Member Rick Jennings and Mayor Kevin JohnsonPublic comment heard from Mac Worthy; passed **Motion No. 2016-0351** approving the Audit of the Department of Utilities Labor Reporting.**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor**Information Item***This item is for information only and is not eligible for action at this time.***19. Notification of Final Map Approval for Natomas Field Phase 2**

File ID: 2016-01452

Location: District 1**Action:** Received and filed.**Contact:** Jerry Lovato, Program Analyst, (916) 808-7918, Department of Public Works**Public Comments-Matters Not on the Agenda**

1. Misc.
 - a. Joan Kennard
 - b. Ron Emslie
 - c. Mark Graham
 - d. Mac Worthy
2. Homeless/Police
 - a. David Andre
 - b. Pastor Gainsbrugh
 - c. Robert Coplin
 - d. James Clark
 - e. Wanda Cleveland
3. Parking Permits
 - a. Arthur Ringwalt
4. Medical Marijuana
 - a. John Richards

Council Comments-Ideas, Questions and AB1234 Reports

1. Information Requests

a. Member Jeff Harris

1. Reported on trip to San Francisco to research a 160 sq. ft. homeless unit

2. Board/Commission Appointments

None.

Adjourned – 7:55 p.m.