

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

Tuesday, September 30, 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.

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DRAFT MINUTES

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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 Vice Mayor Jay Schenirer at 6:02 p.m. Tuesday, September 30, 2014 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby (arrived 6:10 p.m. and departed 7:00 p.m.), Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren.

Members Absent: Mayor Kevin Johnson.

Pledge of Allegiance - led by Jerry Way, Director of Public Works

Closed Session Report – None.

Special Presentation/General Communications

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

- a. **Entertainment and Sports Center Programs for Priority Apprenticeship, Local Hire and Small Business Utilization (Oral Report)**

Action: Public comment heard from Larry Bell and Mac Worthy; report given by Kings representative Kunal Merchant

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

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

Yes: Members Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Member Angelique Ashby and Mayor Kevin Johnson.

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

- 1. Litigation Assistance for the Entertainment and Sports Center Environmental Impact Report**
Report # 2014-00642
Location: Downtown Plaza, District 4
Action: Passed **Resolution No. 2014-0327:** 1) authorizing the City Attorney or his designee to expand the scope and increase the existing contract with Meyers Nave Riback Silver & Wilson (C2014-0532) to \$540,000 for litigation assistance associated with the two lawsuits challenging the Environmental Impact Report (EIR) for the Entertainment and Sports Center (ESC) project; and 2) authorizing the City Manager or his designee to adjust project revenue and expenditure budgets as necessary for the ESC Project (I02000500) to account for reimbursable litigation expenses for an amount not to exceed \$540,000.
Contact: Desmond Parrington, AICP, ESC Project Manager, (916) 808-5044, Office of the City Manager
- 2. August 2014 Monthly Investment Transactions Report**
Report # 2014-00687
Location: Citywide
Action: Received and filed.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer
- 3. Allocation of Sewer Credits to 700 Block Investors LP for the K Street 700 Block Project**
Report # 2014-00708
Location: District 4
Action: Passed **Resolution No. 2014-0328** allocating 162.007 Economic Development Treatment Capacity Bank Credits to 700 Block Investors LP for the K Street 700 Block Project located at 700-730 K Street.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department
- 4. Allocation of Sewer Credits to Pach DPN-5 Housing Partners LLC for the Del Nuevo Phase V Project**
Report # 2014-00709
Location: District 2
Action: **Withdrawn** a Resolution awarding 80 Economic Development Treatment Capacity Bank Credits Pach DPN-5 Housing Partners LLC for the Del Paso Nuevo Phase V Project located between South Avenue and Hayes Avenue near Norwood Avenue.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department

5. Lease Agreement: 1125 10th Street

Report # 2014-00710

Location: District 4

Action: Passed **Motion No. 2014-0244:** 1) determining that, pursuant to City Code Section 3.68.110, the leasing of 1125 10th Street without bidding is in the best interest of the City; and 2) authorizing the City Manager to execute a five-year lease agreement with Planned Parenthood Mar Monte, Inc., for retail space located in Capitol Garage.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department; Matt Eierman, Parking Services Manager, (916)808-5849, Department of Public Works

6. (Pass for Publication) Ordinance Exempting Project from Section 16.64.120 of the Sacramento City Code

Report # 2014-00760

Location: District 4

Action: 1) Reviewed an Ordinance exempting the 700 Block of K Street Project from Section 16.64.120 of the Sacramento City Code; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on October 7, 2014.

Contact: Leslie Fritzsche, Senior Project Manager, (916) 808-7223, Economic Development Department

7. Change Order No. 2: LED Streetlight Conversion Project (C13001900) (Reviewed 09/23/2014)

Report # 2014-00680

Location: Citywide

Action: 1) Passed **Motion No. 2014-0245:** a) authorizing the City Manager or the City Manager's designee to execute Change Order No. 2 to City Contract 2014-0559 with Siemens Industry, Inc. in the amount of \$4.85 million to authorize Phase III of the Light Emitting Diode (LED) Streetlight Conversion project, bringing the total not-to-exceed amount of the contract to \$4.92 million; B) ratifying Change Order No. 1 to City Contract 2014-0559; and C) resetting the City Manager's authority to issue change orders for this Agreement; 2) passed **Resolution No. 2014-0329:** a) authorizing the City Manager or the City Manager's designee to transfer the following amounts to the Energy Reinvestment Program capital improvement project (CIP) (C13001900) for the LED Streetlight Conversion Project: (1) Citywide Landscaping & Lighting (L&L) Fund (Fund 2232) appropriations from: (a) the Neighborhood Streetlight Replacement Program CIP (T15103200) in the amount of \$1,371,000; and (b) the Neighborhood Streetlight Replacement CIP (T15073200) in the amount of \$562,000; (2) L&L Fund (Fund 2232) fund reserves in the amount of \$1,067,000; (3) Major Street Construction Fund (Fund 2007) appropriations from: (a) the Safety Lighting Replacement CIP (T15073300) in the amount of \$566,000; and (b) the Neighborhood Streetlight Replacement CIP (T15073200) in the amount of \$199,000; (4) Gas Tax Fund (Fund 2002) appropriations from the Major Streetlight Replacement Program CIP (T15103300) in the amount of \$235,000; (5) Capital Improvement Revenue Bond Funds (Funds 3001-3006) fund reserves in an amount up to \$750,000; (6) General Fund (Fund 1001) administrative contingency in an amount up to \$350,000; General Fund administrative contingency will be replenished as available

resources are identified; (7) the use of Capital Improvement Revenue Bond Funds and General Fund administrative contingency shall not exceed \$850,000 in total; B) directing the energy-cost savings from this project to be used first to refund the L&L Fund balance, secondly to refund L&L projects that were unfunded in order to redirect funds to this project, and third to fund future components of Phase III that are eligible for L&L expenditures or other L&L purposes; C) finding that circumstances are such that a variance to the City Manager's authority to issue change orders for Contract No. 2014-0559 is appropriate; and D) declaring for purposes of Chapter 3.60 of the Sacramento City Code, the amount stated in Change Order No. 2 of the Contract for the Phase III construction of the improvements (\$4,850,000) shall be considered the 'original contract award amount' and the issuance of all change orders shall be based on that amount.

Contact: Yvette Rincon, Program Manager, (916) 808-5827, Department of General Services; Sompol Chatusripitak, Senior Engineer, (916) 808-8427, Department of Public Works

8. Authorization to Enter Into Health Carrier Contracts (Two-Thirds Vote Required)

Report # 2014-00730

Location: Citywide

Action: Passed **Motion No. 2014-0246:** 1) waiving the 10-day posting requirement for contracts prior to Council action pursuant to the Council Rules and Procedures; 2) suspending competitive bidding on the contract with Kaiser Permanente; and 3) authorizing the City Manager or the City Manager's designee to execute the health carrier agreements with Kaiser, Western Health Advantage, Sutter Health Plus, and Health Net.

Contact: Geri Hamby, Director, (916) 808-7173; Kimberly Isaacs, Human Resources Manager, (916) 808-7657, Department of Human Resources

9. Agreement: Agreement for Funding Operations of the Volunteers of America Comprehensive Alcohol Treatment Center

Report # 2014-00682

Location: Citywide

Action: Passed **Motion No. 2014-0247** authorizing the City Manager or his designee to execute a contract with the County of Sacramento in the amount of \$708,351 for the Volunteers of America Comprehensive Alcohol Treatment Center.

Contact: Vincene Jones, Division Manager, (916) 808-5072, Neighborhood Services, Department of Parks and Recreation

10. Contract: On-Call CCTV Inspection (X14120400)

Report # 2014-00693

Location: Citywide

Action: Passed **Motion No. 2014-0248:** 1) approving the contract plans and specifications; and 2) awarding the contract to Arrow Construction for an amount not-to-exceed \$191,605.

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

Public Hearings

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

11. King Lewis House Landmark Nomination (M14-008) [Passed for Publication 09/23/2014; Noticed 09/19/2014; Published 09/26/2014]

Report # 2014-00597 **Estimated Time: 5 minutes** (Actual Time: 5 minutes)

Location: 1209 T Street, District 4

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

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

Absent: Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion passed **Ordinance No. 2014-0027** listing the King Lewis House, located at 1209 T Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics.

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

12. Joseph Mamie Lewis House Landmark Nomination (M14-009)

[Passed for Publication 09/23/2014; Noticed 09/19/2014; Published 09/26/2014]

Report # 2014-00598 **Estimated Time: 5 minutes** (Actual Time: 5 minutes)

Location: 1215 T Street, District 4

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

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

Absent: Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion passed **Ordinance No. 2014-0028** listing the Joseph Mamie Lewis House, located at 1215 T Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics.

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

13. Meyer/Jacques-Wilcox House Landmark Nomination (M14-010)

[Passed for Publication 09/23/2014; Noticed 09/19/2014; Published 09/26/2014]
Report # 2014-00599 **Estimated Time: 5 minutes** (Actual Time: 5 minutes)
Location: 1414 26th Street, District 4

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

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

Absent: Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion passed **Ordinance No. 2014-0029** listing the Meyer/Jacques-Wilcox House, located at 1414 26th Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

Information Reports

These items are for information only and are not eligible for action at this time.

14. Notification of Final Map Approval for Welsh Subdivision

Report # 2014-00742

Location: District 7

Action: Received and filed.

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

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.

15. (Agreement/Contract for Review and Information) Contract: R Street Improvements Project 16th Street to 18th Street (T15068301)

Report # 2014-00672

Location: District 4

Action: Reviewed a report 1) approving the Plans and Specifications for the R Street Improvements Project, 16th Street to 18th Street; 2) approving the appropriation of \$2,700,000 (Fund 3703) to the Project; 3) authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the Capitol Area Development Agency (CADA) in the amount of \$770,000; 3) approving the appropriation of \$918,507 (Fund 3702) to the Project; 4) approving the transfer of \$102,581 (Fund 6230) to the Project; 5) awarding a construction contract with Teichert Construction for an amount not to exceed \$2,970,888; 6) authorizing the City Manager to execute Supplemental Agreement No. 7 with Mark Thomas and Company for an amount not to exceed \$46,633; 7) resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2008-0871; and 8) continued to October 7, 2014 for approval.

Contact: Zuhair Amawi, Associate Civil Engineer (916) 808-7620; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

16. (Agreement/Contract for Review and Information) Approval of 2014 One Year Action Plan Amendments for the Twin Rivers (Dos Rios) Transit-Oriented Development and Light Rail Station Initiative Acquisition, Predevelopment and Planning Activities

Report # 2014-00726

Location: District 3

Action: 1) Reviewed a report a) approving and adopting amendments to the 2014 One-Year Action Plan for Community Development Block Grant (CDBG) funded projects and programs; b) amending prior years' Action Plans; c) amending the Sacramento Housing and Redevelopment Agency (SHRA) budget to allocate \$2 million in funding for programs and activities in accordance with the amendments, including acquisition, predevelopment, and planning activities for the Twin Rivers (Dos Rios) Transit-Oriented Development and Light Rail Station Initiative; d) authorizing the SHRA to submit the 2014 Action Plan amendments and prior year action plan amendments to the United States Department of Housing and Urban Development (HUD) and to execute the subsequent grant agreements and contracts with HUD and other appropriate entities to carry out activities in accordance with the Action Plans; e) authorizing the SHRA to execute any and all related documents and agreements as necessary to carry out the federal programs as described in the Action Plans; f) authorizing the purchase of five properties for the Initiative; and g) making related environmental findings; and 2) continued to October 7 for approval.

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

17. **(Agreement/Contract for Review and Information) (Housing Authority) Amendment to the Section 32 Homeownership plan to use proceeds from the City Public Housing Homeownership Program for the Preservation, Rehabilitation and Sale of Vacant Section 32 Single Family Homes to SHRA as the Purchase and Resale Entity approved by HUD, and authorization to execute a seller Carry Back Loan**

Report # 2014-00727

Location: Citywide

Action: Reviewed a Housing Authority report 1) approving an amendment to the Section 32 Homeownership Plan to designate the Sacramento Housing and Redevelopment Agency (SHRA) as the Purchase and Resale Entity (PRE); 2) authorizing the sale of up to 54 vacant single family homes to SHRA as the PRE through a seller carry back loan (or loans) or similar arrangements for fair market value given their as-is condition; 3) 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; 4) authorizing the Executive Director, or designee, to execute documents to a) amend the Section 32 Homeownership Plan; b) to establish a PRE agreement with SHRA; and c) to execute the seller carry back loan agreement; 5) making related findings; and 6) continued to October 21, 2014 for approval.

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

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

- | | | |
|--|---|---|
| 1. Misc.
a. DeAndre
Burlson
b. David Hedeem
c. Jeanette
Kimmons | 2. Police Misconduct
a. Ester P.
b. Jake Thomas
3. Front Street Shelter
a. Joyce Thompson
b. Estella Drake | 4. Jobs
a. Mac Worthy
5. Parking by SHRA
a. Toby Jo Todd
6. Oak Park
a. Ron Emslie |
|--|---|---|

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None

2. Board/Commission Appointments

a. Human Rights and Fair Housing Commission

1. Councilmembers Hansen and McCarty and Member Fong as the alternate

Adjourned – 7:25 p.m.

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Special Meeting DRAFT Minutes

City Council
Redevelopment Agency
Successor Agency

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Members Absent: Mayor Kevin Johnson.

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.

1. (Agreement/Contract for Review and Information) (City Council/Redevelopment Agency Successor Agency) Amending and Restating Agreements and Allocation of Funding for 700 Block of K Street Project and Applying Park Development Impact Fee Infill Rate for Project

Report # 2014-00715

Location: District 4

Action: Reviewed 1) a Redevelopment Agency Successor Agency Resolution authorizing the transfer of \$517,053 in Merged Downtown Tax Increment Bond proceeds (the "Bond Funds") from the Redevelopment Agency Successor Agency (RASA) to the City of Sacramento (City) for the 700 Block of K Street Project ("Project") and authorize the City Manager to execute the Excess Bond Proceeds Expenditure Agreement on behalf of RASA; 2) a City Council Resolution a) accepting the Bond Funds; b) authorizing the City Manager or his designee to execute the Excess Bond Proceeds Expenditure Agreement; c) allocating \$1,600,000 from the Economic Development Fund as a loan for the Project; d) approving an Amended and Restated Disposition and Development Agreement with 700 Block Investors, LP and 700 Block Commercial, LP ("Developer") for the property transfer for the Project; and e) approving an Amended and Restated Loan Commitment Letter with the Downtown Sacramento Revitalization Corporation to loan and grant the funds to the Developer for the Project; 3) a City Council Resolution authorizing Park Development Impact Fee Infill Rate for the Project; and 4) continued to October 7, 2014, for approval.

Contact: Leslie Fritzsche, Senior Project Manager, (916) 808-7223, Economic Development Department; Denise Malvetti, Senior Project Manager, (916) 808-7064

Adjourned – 7:25 p.m.