



CITY COUNCIL

- Kevin Johnson**, Mayor
- Angelique Ashby**, Vice Mayor, District 1
- Allen Warren**, District 2
- Steve Cohn**, District 3
- Steve Hansen**, District 4
- Jay Schenirer**, District 5
- Kevin McCarty**, District 6
- Darrell Fong**, District 7
- Bonnie Pannell**, 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

City Hall-Council Chamber
 915 I Street, 1st Floor

Published by the
 Office of the City Clerk
 (916) 808-5163

Tuesday, November 19, 2013
6:00 p.m.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

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

Speaker slips are available on the City’s Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City’s website and include all attachments and exhibits. “To Be Delivered” and “Supplemental” reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City’s official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21 .

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

General Conduct for the Public Attending Council Meetings

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

Members of the Public Addressing the City Council

- **Purpose of Public Comment.** The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.
 - Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
 - While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
 - Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
 - Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.
- **Speaker Time Limits.** In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.
 - **Matters not on the Agenda.** Two (2) minutes per speaker.
 - **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
 - **Discussion Calendar Items.** Two (2) minutes per speaker.

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

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

The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied

DRAFT MINUTES

Tuesday, November 19, 2013

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 6:02 p.m. Tuesday, November 19, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren and Mayor Kevin Johnson (departed at 7:17 p.m.).

Pledge of Allegiance– led by Youth at City Council representative Jovona Henderson.

Closed Session Report – None

Special Presentations/General Communications

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

a. Proclaiming November as Pancreatic Cancer Awareness Month

Action: Resolution presented by Member Darrell Fong

b. Recognizing the Preventing High-Risk Disease Program

Action: Resolution presented by Member Allen Warren

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

- | | |
|-----------------------------|-------------------------|
| 1. Olive Mix outside dining | 3. Health Care Hospital |
| a. Ben Morter | a. Mac Worthy |
| b. Lisa Paskaly | 4. Oak Park Issues |
| 2. Miscellaneous | a. Ron Emslie |
| a. Ma Brown | 5. Senior Issues |
| | a. Bill Grant |

Consent Calendar **Estimated Time: 5 minutes** (actual time: 5 minutes)

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, 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. Approval of City Council Meeting Minutes

Report # 2013-00822

Location: Citywide

Issue: The City Clerk delivers the minutes to the legislative body before certifying them for the official record.

Action: Passed **Motion No. 2013-0292** approving the City Council Meeting Minutes dated October 29, 2013.

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

2. Order of Succession for the City Manager

Report # 2013-00857

Location: Citywide

Issue: The City Manager recommends adding the Public Works Director to the City Council's resolution establishing the order of succession in the event of absence or disability of the City Manager.

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

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

No: Member Angelique Ashby

Passed **Resolution No. 2013-0367** 1) establishing the order of succession in the event or absence or disability of the City Manager; and 2) repealing Resolution No. 2011-578.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager

3. Settlement Agreement with Natomas Advantage Partners, LLC (Special Tax Delinquencies)

Report # 2013-00858

Location: District 1

Issue: By law, City Council approval is required for a Settlement Agreement that waives penalties and interest owed on delinquent special taxes.

Action: Passed **Motion No. 2013-0293** (1) making the determinations set out in the Background attached to this report and (2) authorizing the City Treasurer, or the City Treasurer's designee, to enter into a settlement agreement with Natomas Advantage Partners, LLC in order to expedite the payment of delinquent taxes.

Contact: Colin Bettis, Treasury Analyst, (916) 808-8292, Office of the City Treasurer

4. Position Reclassifications in Community Development Department

Report # 2013-00843

Location: Citywide

Issue: The Community Development Department (CDD) has four vacant positions and requests to have the positions studied for reclassification to more appropriate classifications in order to meet the needs of the department.

Action: Passed **Resolution No. 2013-0368** approving the addition of 4.0 full time equivalent (FTE) positions to be added to the Fiscal Year 2013/14 Reclassification Requests for the Community Development Department.

Contact: Candace Noguchi, Support Services Manager, (916) 808-8880, Community Development Department

5. First Quarter Financial Report – Fiscal Year 2013/14

Report # 2013-00853

Location: Citywide

Issue: The purpose of the quarterly report is to provide the City Council with timely information regarding the City's current financial condition. The attached report provides an update on the City's major revenues and department expenditures through the first quarter of FY2013/14.

Action: Received and filed.

Contact: Dawn Holm, Budget Manager, (916) 808-5574, Department of Finance

6. Agreement: Sacramento Regional Threat Assessment Center (RTAC) Law Enforcement Terrorism Prevention Services

Report # 2013-00848

Location: Citywide

Issue: The City is required to dedicate 25% of the City's 2013 Urban Area Security Initiative (UASI) grant to support Law Enforcement Terrorism Prevention-oriented Activities (LETPA). The proposed agreement with the Sacramento County Sheriff's Department for law enforcement services at the RTAC will fulfill this requirement.

Action: Public comment heard from Lorraine Brown; passed **Motion No. 2013-0294** authorizing the City Manager, or the City Manager's designee, to enter into an agreement with the Sacramento County Sheriff's Department to support Law Enforcement Terrorism Prevention-oriented Activities (LEPTA), within the Sacramento Regional Threat Assessment Center (RTAC) for the FY 2013 UASI grant (G11011600) through June 30, 2015, in an amount not to exceed \$516,900.

Contact: James Hendrickson, Police Lieutenant, Homeland Security, (916) 808-0406, Police Department

7. Grant Acceptance: Fiscal Year 2013 Office of Community Oriented Policing Services, Hiring Program Funding

Report # 2013-00849

Location: Citywide

Issue: City Council approval is required to accept grant funding, establish a grant project, and appropriate funding when the grant award is in excess of \$100,000.

Action: Public comment heard from Lorraine Brown; passed **Resolution No. 2013-0369** 1) authorizing the City Manager, or the City Manager's designee, to accept \$1.25 million in grant funding from the United States Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS) for the Fiscal Year (FY) 2013 COPS Hiring Program (CHP) grant, including any future extensions, agreements, modifications, or amendments; 2) authorizing the City Manager, or the City Manager's designee, to establish a CHP grant project (G11012100); 3) authorizing the City Manager, or the City Manager's designee, to adjust necessary revenue and expenditure budgets by \$1.25 million; and 4) authorizing the City Manager, or the City Manager's designee, to increase the Police Department's authorized staffing by ten (10.0) full-time equivalent (FTE) police officer positions.

Contact: Scott Pettingell, Police Administrative Manager, Fiscal Section, (916) 808-0909, Police Department

8. Fiscal Year 2013-14 Citizens' Option for Public Safety (COPS) Program Funding

Report # 2013-00851

Location: Citywide

Issue: Resolution 2013-0198 requires City Council approval to establish an operating grant of \$100,000 or more. Pursuant to California Government Code Section 30061, each county will establish a Supplemental Law Enforcement Services Account (SLESA), which will be allocated to local jurisdictions for public safety purposes.

Action: Public comment heard from Lorraine Brown; passed **Resolution No. 2013-0370** 1) authorizing the City Manager, or the City Manager's designee to accept \$755,483 in FY 2013-14 COPS program funding; 2) authorizing the City Manager, or the City Manager's designee to establish a grant project (G11014000) for the FY 2013-14 COPS Program; 3) authorizing the City Manager, or the City Manager's designee to adjust the necessary grant expense and revenue budgets in an amount up to \$755,483; and 4) authorizing the City Manager, or the City Manager's designee to adjust the necessary grant and revenue budgets in the FY2013-14 COPS project (G11014000) at the end of the performance period, based on actual revenues received.

Contact: Scott Pettingell, Police Administrative Manager, Fiscal Section, (916) 808-0909, Police Department

9. Fruitridge Road and 58th Street Traffic Signal Improvements Project (T15145000) – Establishment of Capital Improvement Project, Approval of Agreement, and Appropriation and Transfer of Funds

Report # 2013-00826

Location: District 6

Issue: Establishment of a Capital Improvement Project, execution of an agreement with the Sacramento City Unified School District (SCUSD) and appropriation of funds is needed to proceed with final design and construction of the project.

Action: Passed **Resolution No. 2013-0371** 1) establishing a new Capital Improvement Project (CIP) for the Fruitridge Road / 58th Street Traffic Signal Improvements Project (T15145000); 2) authorizing the City Manager to execute an agreement with the Sacramento City Unified School District (SCUSD) and appropriating \$200,000 (Fund 3702) for the Fruitridge Road / 58th Street Traffic Signal Improvements Project (T15145000); and 3) transferring \$200,000 (Fund 2025) from the Traffic Operations Center Program (S15101300) to the Fruitridge Road / 58th Street Traffic Signal Improvements Project (T15145000).

Contact: David Edrosolan, Senior Engineer (916) 808-5974; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Public Works

10. (Agreement/Contract for Information and Review) Contract Supplement No. 2: Fleet Parts and Inventory Program Services

Report # 2013-00832

Location: Citywide

Issue: Resolution No. 2013-0117 (Council Rules of Procedure) requires additional posting time for agreements greater than \$1 million. The recommended contract supplement will be used to purchase parts and manage inventory for a diverse City fleet of 2,300 vehicles and equipment.

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

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

No: Member Angelique Ashby

Reviewed a staff report that recommends that the City Council: 1) pass a Motion authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 2 to Contract No. 2009-0851 with Genuine Parts Company / National Auto Parts Association (NAPA) for on-site fleet parts and inventory program services in an amount not to exceed \$3,930,000 for a revised total contract amount not to exceed \$24,980,000; and 2) continued to November 26, 2013, for approval.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, Department of General Services

Public Hearings

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

11. Azevedo/Fargo-Moll House & Tank House Landmark Nomination (Passed for Publication 11/12/2013; Published 11/08/2013 and 11/14/2013)

Report # 2013-00747 **Estimated Time: 5 minutes** (actual time 5 minutes)

Location: 1911 Bannon Creek Drive, District 3

Issue: Owner of property at 1911 Bannon Creek Drive requests listing of the property as a Landmark in the Sacramento Register of Historic & Cultural Resources. Listing requires City Council passage of an ordinance identifying the property's significant features and characteristics and directing the Preservation Director to add the property to the Sacramento Register.

Action: Moved/Seconded: Member Steve Cohn/Member Darrell Fong

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

Conducted a public hearing and upon conclusion passed **Ordinance No. 2013-0029** adding the property at 1911 Bannon Creek Drive to the Sacramento Register of Historic & Cultural Resources as a Landmark.

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

12. Sacramento Children's Home Landmark Nomination (Passed for Publication 11/12/2013; Published 11/08/2013 and 11/14/2013)

Report # 2013-00749 **Estimated Time: 5 minutes** (actual time 5 minutes)

Location: 2750 Sutterville Road, District 5

Issue: Owner of property at 2750 Sutterville Road requests listing of the property as a Landmark in the Sacramento Register of Historic & Cultural Resources. Listing requires City Council passage of an ordinance identifying the property's significant features and characteristics and directing the Preservation Director to add the property to the Sacramento Register.

Action: Moved/Seconded: Member Jay Schenirer /Member Angelique Ashby

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

Conducted a public hearing and upon conclusion passed **Ordinance No. 2013-0030** adding the property at 2750 Sutterville Road to the Sacramento Register of Historic & Cultural Resources as a Landmark.

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

Discussion Calendar

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

13. Financing Plan for Remodeling the Community Center Theater

Report # 2013-00704 **Estimated Time: 45 minutes** (actual time 75 minutes)

Location: District 4

Issue: The City Council requested a financing plan for the approximately \$50 million needed for improvements and other enhancements to the Community Center Theater. This report is a summary of analysis and findings as presented by the City Treasurer.

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

Yes: Members Steve Cohn, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Allen Warren

No: Members Angelique Ashby and Darrell Fong

Absent: Mayor Kevin Johnson

Public comment heard from Mac Worthy, Michael Alcalay, Dennis Mangers, Richard Lewis, Larry Stanfill; passed **Motion No. 2013-0295** to return by April or sooner with 1) plan to address the immediate deferred maintenance needs; 2) attorney memo re ongoing legal obligations and concerns; 3) three renovation options to include financing: a) minimum requirements for basic ADA compliance plan b) an alternative 10-year facility plan to include public engagement; c) a 30-year plan to consider either a new facility or the complete improvement plan to include public engagement.

Contact: Russell Fehr, Treasurer, (916) 808-5382; Brian Wong, Senior Debt Analyst, (916) 808-5811; Colin Bettis, Treasury Analyst, (916) 808-8292, Office of the City Treasurer

14. **Emerging and Small Business Development and Local Business Enterprise Preference Programs**

Report # 2013-00852 **Estimated Time: 15 minutes** (actual time 10 minutes)

Location: Citywide

Issue: In accordance with Resolution No. 2001-123, Administrative Policy Instructions (APIs) and other program policies and procedures referencing the Emerging and Small Business Development (ESBD) program require amendments and modifications as necessary. An increase to the existing Local Business Enterprise Preference (LBE) program and establishing a LBE participation requirement requires City Council approval.

Action: Moved/Seconded: Member Jay Schenirer /Member Bonnie Pannell

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

Absent: Mayor Kevin Johnson

Public comment heard from Mac Worthy, Sam Driggs, passed 1) **Resolution No. 2013-0372** a) recognizing expiration of the City's Emerging and Small Business Development (ESBD) program; b) ratifying implementation and use of the ESBD program from March 12, 2006 to the present; and c) authorizing the City Manager or his designee to amend and modify Administrative Policy Instructions (APIs), ESBD program policies, and administrative procedures, and to take such necessary additional actions to reflect recognition of the expired ESBD program; and 2) passed **Resolution No. 2013-0373** a) increasing the City's Local Business Enterprise Preference (LBE) program from two percent to five percent; b) establishing a five percent LBE participation requirement in all City procurement opportunities of \$100,000 or more, unless waived by the City Manager or his designee; and c) authorizing the City Manager or his designee to amend the LBE program policies, administrative procedures, certification standards to qualify as an LBE, LBE participation goals, and to take such necessary additional actions to implement the approved LBE Program preference increase and participation requirement.

Contact: Veronica Smith, Senior Development Project Manager, (916) 808-1046, Economic Development Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

- 1. Information Requests** - None
- 2. Board/Commission Appointments** - None

Adjourned – 8:37 p.m.