

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) 808-7267

Tuesday, March 19, 2013

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, March 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 Vice Mayor Angaelique Ashby at 6:04 p.m.
Tuesday, March 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

Absent: Mayor Kevin Johnson

Pledge of Allegiance – led by Youth at City Council representative DaMonte Jones

Closed Session Report – None.

Special Presentations/General Communications

a. **Department of Parks and Recreation-Recognition of the “Creative Community Awards of Excellence” from the California Park and Recreation Society**

Action: Presented by Vice Mayor Angelique Ashby

Public Comments-Matters Not on the Agenda (2 minutes/ speaker) (Actual Time: 25minutes)

- | | |
|--|---|
| 1. Rail Depost and Bike Access
a. Alan Miller | 6. Northgate Tennis Courts
a. Ojaswi Adhinara |
| 2. Jobs
a. Mac Worthy
b. Lamarien Collier | 7. Rail Depost and Bike Access
a. Alan Miller |
| 3. American River Parkway
a. Mary Tappel | 8. Volunteer Recruitment
a. DaMonte Jones |
| 4. Request for Records/City
Attorney
a. James Vinson | 9. Rail Depost and Bike Access
a. Alan Miller |
| 5. Cellular Enforcement
a. Mark Davidson | 10. Kings
a. Mike Barnbaum |
| | 11. Housing Appeals
Board
a. Joseph Montoya |

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

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

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

Absent: Mayor Kevin Johnson.

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

1. Confirmation of Board/Commission Appointments

Report # 2013-00263

Location: Citywide

Issue: Mayor appointments to the Parks & Recreation Commission require Council confirmation.

Action: Passed **Motion No. 2013-0066 as amended** confirming board/commission appointment(s): 1) Parks & Recreation Commission – Rosemarie Ruggieri (Category A-1), Jeff Harris (Category A-3), Christiana Dominguez (Category A-4), Terri Shettle (Category A-5), Shannon McKinley (Category A-6), Araceli Mercado (Category A-7), Virginia Guadiana (Category A-8) and Caliph Assagai (Mayor).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk.

2. Grant Applications U.S. Fish & Wildlife Service and U.S. Bureau of Reclamation

Report # 2013-00200

Location: Citywide

Issue: City Council approval is required to apply for grant funding.

Action: Passed: 1) **Resolution No. 2013-0082:** 1) authorizing the City Manager or the City Manager's designee to (a) submit applications for (i) the U.S. Fish and Wildlife Service (USFWS) Central Valley Project Improvement Act [CVPIA-(b)(1)] Grant, up to the maximum grant amount of \$455,760, and (ii) the U.S. Bureau of Reclamation (USBOR) Central Valley Project Improvement Act Title XXXIV [CVPIA-(b)(13)] Grants FY2014, up to the maximum grant amount of \$477,240,000, for the Lower American River Salmonid Spawning and Rearing Habitat Restoration Project; (b) execute all agreements related to the Grants if the Grants are awarded; and (c) establish related revenue and expenditure budgets in the American River Floodplain and Side Channel Restoration Project / Gravel Augmentation Project (G14000202) and for the Grant funds contingent on receipt of the Grant awards; and 2) authorizing the CCOMWP Executive Director and the Executive Director's designees as the City's agent to conduct all negotiations and submit all documents required in connection with the Grant applications and the Grants, if awarded, including applications, payment requests, and documentation of compliance with all requirements applicable to the Grants and completion of the projects funded by the Grants.

Contact: Tom Gohring, CCOMWP Executive Director, (916) 808-1998, Finance Department

- 3. Agreement: Water Service to Bartley Cavanaugh Golf Course
Report # 2013-00218**
Location: District 7, Bartley Cavanaugh Golf Course, 8301 Freeport Blvd
Issue: Proposed agreement between the City and the Sacramento Regional County Sanitation District (SRCSD) will provide Bartley Cavanaugh Golf Course with access to public potable water through a connection to the SRCSD's water pipeline located adjacent to the golf course.
Action: Passed **Motion No. 2013-0067** to authorize the City Manager or his designee to execute an Agreement with the Sacramento Regional County Sanitation District to provide water service to Bartley Cavanaugh Golf Course
Contact: Rebecca Bitter, Program Manager, (916) 808-5047; Barbara E. Bonebrake, Director, Convention, Culture and Leisure, (916) 808-8225; Stu Williams, Senior Engineer, (916) 808-1410; Dave Brent, Director, (916) 808-1420, Department of Utilities
- 4. Contract: Center for Sacramento History Moveable Shelving Rehabilitation
Report # 2013-00205**
Location: District 3, Center for Sacramento History, 551 Sequoia Pacific Blvd
Issue: Ratification of the fourth phase of work which was mistakenly completed prior to Council authorization is needed.
Action: Passed **Motion No. 2013-0068** authorizing the City Manager or his designee to execute Amendment 3 to City Agreement 2011-0255, ratifying services performed by Systems & Space, Inc. to complete the rehabilitation of the moveable shelving system at the Center for Sacramento History at a cost of \$18,385, for a total project cost of \$109,301
Contact: Marcia Eymann, History Manager, (916) 808-5960; Barbara E. Bonebrake, Director, (916) 808-8225, Convention, Culture and Leisure
- 5. Contract Award: Residual Solids Dewatering Services for E.A. Fairbairn and Sacramento River Water Treatment Plants
Report # 2013-00035**
Location: Citywide
Issue: As part of the Drinking Water Treatment Plants Rehabilitation Project, temporary residual solids dewatering services will be required into 2015, when it is anticipated the permanent facilities will be completed.
Action: Passed **Motion No. 2013-0069** awarding a contract for Residual Solids Dewatering Services to Synagro West, for a term extending through 2015, and for a total amount not to exceed \$2,437,747.
Contact: Craig Chalmers, Senior Engineer, (916) 808-1418, Department of Utilities

- 6. Fiscal Year 2011/12 Audit of Federal Grants and Report to City Council Report # 2013-00202**
Location: Citywide
Issue: State and federal law requires an annual single audit of the City's finances be conducted by an independent public accounting firm.
Action: Passed: 1) **Resolution No. 2013-0083** 1) accepting the Fiscal Year (FY) 2011/12 Single Audit Report and 2) accepting the FY 2011/12 Auditor's Report to the City Council.
Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843; Leyne Milstein, Director of Finance, Finance Department
- 7. Agreement: Permanent Household Hazardous Waste Collection Facility Report # 2013-00165**
Location: Citywide
Issue: Allow Citrus Heights residents to recycle and dispose of household hazardous waste at the City of Sacramento. The recommended MOU will expand this regional use to include the City of Citrus Heights. The PHHWCF also serves as a regional facility through MOU's for residents of Elk Grove, Rancho Cordova, and Sacramento County.
Action: Passed: 1) **Resolution No. 2013-0084** authorizing the City Manager, or the City Manager's designee, to execute a Memorandum of Understanding (MOU) with the City of Citrus Heights to allow Citrus Heights residents to recycle and dispose of household hazardous waste at the City of Sacramento's Permanent Household Hazardous Waste Collection Facility (PHHWCF).
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, General Services Department
- 8. City Auditor's Semi-annual Recommendation Follow-up Report For The Six Month Period Ending December 31, 2012 Report # 2013-00240**
Location: Citywide
Issue: The implementation status of open audit recommendation during the first half of fiscal year 2012-2013 is presented.
Action: Passed **Motion No. 2013-0070** accepting the Auditor's Office Semi-Annual Recommendation Follow-up Report for the July 2012 to December 2012 period.
Contact: Jorge Oseguera, City Auditor (916) 808-7270, Mayor/City Council

9. **Agreement: Smythe Academy of Arts and Sciences Softball Fields Renovation Project**
Report # 2013-00069
Location: 2781 Northgate Boulevard, District 3
Issue: City funds to rehabilitate existing softball fields at Smythe Academy in Twin Rivers Unified School District requires Council approval.
Action: Passed: 1) **Resolution No. 2013-0085:** 1) authorizing the City Manager, or City Manager's designee, to execute a Memorandum of Understanding between the City of Sacramento and Twin Rivers Unified School District for Smythe Softball Fields; 2) establishing a new Capital Improvement Program (CIP) for the Smythe Academy of Arts and Sciences Softball Fields Renovation (L19271000) project; and 3) appropriating \$607,250 from the South Natomas Community Infrastructure Fund Contingency (SNCIF) to L19271000.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722; J.P. Tindell, Park Planning and Development Manager, (916)-808-1955, Department of Parks and Recreation
10. **Re-establishing, Reducing Speed Limits on Various Streets and Changing Zone Boundaries**
Report # 2013-00180
Location: Citywide
Issue: California Vehicle Code requires the city to reevaluate speed limits on segments of roadways that have undergone a significant change and to conduct periodic engineering and traffic surveys to determine appropriate speed limits.
Action: Public comment heard from Mac Worthy; passed: 1) **Resolution No. 2013-0086** re-establishing, reducing speed limits on various streets, changing zone boundaries and repealing Resolution No. 2012-355.
Contact: Zarah Bringas, Assistant Engineer (916) 808-8494; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Public Works
11. **(Council/Housing Authority) Ridgeway Studios Financing Documents**
Report # 2013-00254
Location: District 1
Issue: Proposed project will rehabilitate and convert 58 existing SRO rooms with shared baths into 22 affordable studio units with a full kitchen and bathroom.
Action: Public comment heard from Mac Worthy; passed: 1) **City Council Resolution No. 2013-0087** authorizing the Sacramento Housing and Redevelopment Agency (Agency) to enter into and execute a \$1,200,000 Loan Agreement and related documents with Ridgeway SRO Investors LP (Developer), and 2) **Housing Authority Resolution No. 2013-0005** authorizing the Executive Director or her designee to enter into and execute an approximately \$518,000 Loan Assumption and Modification Agreement and related documents with the Developer.
Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353, Sacramento Housing and Redevelopment Agency

Public Hearings

12. Resolutions of Necessity: I-5 / Cosumnes River Blvd Extension & Interchange Project (T15018000) (Two-Thirds Vote Required) [No Noticing Required]

Report # 2012-00816 **Estimated Time: 15 Minutes** (Actual 5 minutes)

Location: Along Interstate 5, one mile south of Pocket Road/Meadowview Road in the Pocket and Airport Meadowview Planning Areas, Districts 7 and 8.

Issue: Construction of the Project requires the acquisition of real property interests on approximately 37 properties held by seven separate ownerships. In order to maintain the Project schedule, adoption of Resolutions of Necessity for the four ownerships covering 33 properties is needed.

Action: Moved/Seconded: Member Darrell Fong /Member Bonnie Pannell

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

Absent: Mayor Kevin Johnson

Conducted a Hearing on Resolutions of Necessity and make the necessary findings to acquire the real property interests in the parcels listed in Attachment 2 for the I-5/Cosumnes River Boulevard Extension and Interchange Project; and 2) passed

a) **Resolution of Necessity No. 2013-0088** for the acquisition of the real property rights necessary for the I-5/Cosumnes River Boulevard Extension and Interchange Project for M& H Realty Partners; b) **Resolution of Necessity No. 2013-0089** for the acquisition of the real property rights necessary for the I-5/Cosumnes River Boulevard Extension and Interchange Project for Sacramento Regional County Sanitation District; c) **Resolution of Necessity 2013-0090** for the acquisition of the real property rights necessary for the I-5/Cosumnes River Boulevard Extension and Interchange Project for Leslie Boswell Trustee/Stone Enterprises L.P.Stone Family Trusts; d) **Resolution of Necessity No. 2013-0091** for the acquisition of the real property rights necessary for the I-5/Cosumnes River Boulevard Extension and Interchange Project for Boswell Alliance Construction Company/Stone Enterprises

Contact: Richard Sanders, Real Property Agent, (916) 808-7034, Department of General Services; Nader Kamal, Special Projects Engineer, (916) 808-7035, Department of Public Works

13. Appeal: Cannery Off-Site Parking (P12-041) [Noticed on 3-7-13]

Report # 2013-00185 **Estimated Time: 30 Minutes** (Actual 0 minutes)

Location: 1708 34th Street and 3310 P Street for the Cannery at 1601 – 1675 Alhambra Boulevard, District 3

Issue: A third party has appealed the Planning and Design Commission's decision to authorize conversion of a vacant commercial building and two Quonset huts into 66 off-site parking spaces for office users at The Cannery.

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

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

Absent: Mayor Kevin Johnson

Continued to April 23, 2013: 1) a Resolution determining the project is exempt under CEQA Section Guidelines Sections 15332 (Infill Development), 15303 (Conversion of Existing Small Structures) and 15061(b)(3) (No Significant Effect), and 2) a Resolution approving the Special Permits to allow stand-alone off-site parking facilities and attendant parking facilities in the General Commercial Special Planning District (C-2-SPD) zone.

Contact: David Hung, Associate Planner, (916) 808-5530; Sandra Yope, Senior Planner, (916) 808-7158, Community Development Department

14. Weed and Rubbish Abatement [Noticed on 3-4-13]

Report # 2013-00282 **Estimated Time: 15 Minutes** (Actual Time: 10 minutes)

Location: Citywide

Issue: A list of City parcels that have not been maintained free of weeds and rubbish in accordance with Government Code §39561. A public hearing is required to consider all objections to the proposed abatement of weeds and rubbish from various parcels of property situated within the City of Sacramento. A list of City parcels that have not been maintained free of weeds and rubbish in accordance with Government Code §39561. A public hearing is required to consider all objections to the proposed abatement of weeds and rubbish from various parcels of property situated within the City of Sacramento.

Action: Moved/Seconded: Member Angelique Ashby /Member Steve Hansen

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

Absent: Mayor Kevin Johnson

Conducted a public hearing to consider all objections to the proposed removal of weeds rubbish, refuse and dirt; and upon conclusion, passed **Resolution No. 2013-0094** authorizing the Community Development Director to abate the nuisances by having the weeds, rubbish, refuse, and dirt removed from the parcels of property constituting a public nuisance; or b) if there are unresolved objections, direct staff to prepare a resolution, including findings of fact to be presented to City Council.

Contact: Tina Lee-Vogt, Program Manager (916)808-2679, Community Development Department

Discussion Calendar

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

15. Sacramento Kings Update

Report # 2013-00268 **Estimated Time: 10 Minutes** (Actual Time: 15 minutes)

Location: Citywide

Issue: At the request of the City Council, a weekly Sacramento Kings update has been placed on each Council agenda.

Action: Received and filed with public comment heard from Mac Worthy, Mike Tavares and Jared Slaff.

Contact: John Dangberg, Assistant City Manager, (916) 808-5704, Office of the City Manager

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

a. Planning & design Commission

1. Alan LoFaso (D6)

b. Community Racial Profiling Commission

1. Deputy Chief Ken Bernard

Adjourned – 7:08 p.m.