

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, July 29, 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.

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.
 - o 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.
 - o 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.
 - o 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.
 - o 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.
 - o **Matters not on the Agenda.** Two (2) minutes per speaker.
 - o **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.
 - o **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, July 29, 2014

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 6:00 p.m. Tuesday, July 29, 2014 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Members Absent: Kevin McCarty

Pledge of Allegiance– led by David Mogavero.

Consent Calendar Estimated Time: 5 minutes

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

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

Absent: Member Kevin McCarty

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

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

Absent: Member Kevin McCarty

A motion passed to reconsider the motion passed to adopt Consent Calendar so that Item 7 could be pulled by Councilmember Steve Cohn for discussion and direction to staff.

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

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

Absent: Member Kevin McCarty

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

1. Administrative Approvals for the November 4, 2014 General Election

Report # 2014-00517

Location: Citywide

Action: 1) Passed **Resolution No. 2014-0252** accepting the results of the June 3, 2014 Primary Municipal Election as certified by the County Registrar of Voters; and 2) passed **Resolution No. 2014-0253** calling to the November 4, 2014 General Municipal Election ballot a contest among the top two candidates in District 3; and 3) passed **Resolution No. 2014-0254** adopting regulations for candidate statements to be submitted to the voters for Council District 3.

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

2. Approving the Conflict of Interest Code of the Sacramento Public Financing Authority

Report # 2014-00572

Location: Citywide

Action: Passed **Resolution No. 2014-0255** approving the Conflict of Interest Code of the Sacramento Public Financing Authority.

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

3. Approval of City Council Meeting Minutes

Report # 2014-00590

Location: Citywide

Action: Passed **Motion No. 2014-0187** approving the City Council Meeting Minutes dated February 4, February 11, February 18, and February 25, 2014.

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

4. **Professional Services Agreement: On-Call Plan Review, Field Inspection and/or Permit Processing Services** (Reviewed 07/15/2014)
Report # 2014-00533
Location: Citywide
Action: 1) Passed **Resolution No. 2014-0256** authorizing the City Manager to adjust FY2014/15 revenue and expenditure budgets for the Building Plan Check Division (21001212), not-to-exceed \$741,000, based on actual building permit revenues received; and 2) passed **Motion No. 2014-0188** authorizing the City Manager or his designee to execute professional services agreements for On-Call Plan Review, Field Inspection and/or Permit Processing Services with 4Leaf, Inc., Bureau Veritas North America, Inc., Interwest Consulting Group, Inc., TRB and Associates, Inc., and West Coast Code Consultants, Inc. for one year with four one-year renewal options to provide On-Call Plan Review, Field Inspection and/or Permit Processing Services as needed basis, in a total amount not to exceed \$5,000,000.
Contact: Elise Gumm, Administrative Analyst, (916) 808-1927; Winfred DeLeon, P.E., Supervising Engineer, (916) 808-5475, Community Development Department
5. **Curtis Park Village Community Facilities District (CFD) No. 2014-02 (Improvements), Adopt Ordinance to Levy a Special Tax** (Passed for Publication 07/22/2014; Published 07/24/2014)
Report # 2014-00215
Location: District 5
Action: Public comment given by Mac Worthy; passed **Ordinance No. 2014-0022** to levy a special tax on land within the CFD; and passed **Resolution No. 2014-0257** creating an accounting fund for the CFD.
Contact: Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
6. **Grant/Agreement: Participation in California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team**
Report # 2014-00544
Location: Citywide
Action: Public comment given by Mac Worthy and Nikohl Vandel; passed **Resolution No. 2014-0258** authorizing the City Manager, or Fire Chief as his designee, on behalf of the City of Sacramento, to execute Memorandums of Agreement (MOAs), as the sponsoring agency of a Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA), Urban Search and Rescue (US&R) team, California Task Force Seven (CA TF-7), with 1) Michael Boyle and 2) Robert Patterson Jr., as Affiliated Personnel, for training and potential deployment to disasters per FEMA instruction.
Contact: Chris Costamagna, Battalion Chief, (916) 216-0291; Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department

7. **Design Assist Contractor Qualification and Selection Process for McKinley Park Pond and Land Park Ponds Renovation Projects (Two-Thirds Vote Required)**
Report # 2014-00471
Location: Districts 3 and 4
Action: Passed **Motion No. 2014-0189:** 1) suspending competitive bidding in the best interests of the City; and 2) authorizing the City Manager or his designee to implement a qualification and selection process to hire a contractor for the McKinley Park Pond and Land Park Ponds Renovation Projects with direction given to staff to 1) delete the May proposed timeline, to show that the scope and schedule of the work will be developed by the selected contractor and City staff in consultation with the [Community] Advisory Committee with every effort by city staff to ensure completion of the work as expeditiously as possible within the framework of public safety, wildlife preservation, budget, and public work standards; and 2) add a requirement that a Certified Wildlife Biologist, approved by the City's Director of Parks and Recreation, also serve on the Advisory Committee.
Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
8. **Grant Acceptance: 2014 Alcohol Beverage Control (ABC) Liaison Officer**
Report # 2014-00557
Location: Citywide
Action: 1) Passed **Resolution No. 2014-0259** authorizing the City Manager or the City Manager's designee, to: 1) accept a grant award in the amount of \$91,000 from the California State Department of Alcoholic Beverage Control (ABC); 2) establish a grant project for the Fiscal Year (FY) 2014/15 ABC Liaison Officer program (G11012600); 3) continue the authorization of one (1.0) Full Time Equivalent (FTE) Police Officer as an ABC Liaison Officer; and, 4) increase the necessary Police Department grant operating and revenue budgets by \$91,000 to implement the ABC Liaison Officer program.
Contact: Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701, Police Department
9. **5th Street Extension / Railyards Boulevard Roadway Project (T15135800) – Approve Change Order**
Report # 2014-00529
Location: 5th Street, North of H Street and Railyards Boulevard from 7th Street to the Bercut Drive, District 3
Action: Passed **Motion No. 2014-0190:** 1) authorizing the City Manager or his designee to execute Change Order No. 6 to City Agreement No. 2013-1035 with O.C. Jones and Sons in an amount not to exceed \$609,000 for the 5th Street Extension / Railyards Boulevard Roadway Project (T15135800); and 2) resetting the City Manager's Change Order authority.
Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

- 10. Administrative Matter: Correction to Resolution 2014-0119 regarding the Meadowview Road Streetscape Project (T15145500)**
Report # 2014-00541
Location: Fruitridge Road from Power Inn Road to 65th Street, District 6
Action: Passed **Resolution No. 2014-0260** amending Resolution 2014-0119 to correct the project description for the fund transfer in the amount of \$174,150 (\$88,294 Fund 2001, \$85,856 Fund 2007) from the State and Federal Grant Match to the Meadowview Road Streetscape Project (T15145500).
Contact: Lucinda Willcox, Program Manager (916) 808-5052; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Public Works
- 11. Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000) - Approve Change Order (Reviewed 07/22/2014)**
Report # 2014-00508
Location: Interstate 5, one mile south of Pocket Road/Meadowview Road, from Franklin Boulevard west to Freeport Boulevard, Districts 7 and 8
Action: Passed **Motion No. 2014-0191:** 1) authorizing the City Manager or his designee to execute Change Order No. 11 to City Agreement No. 2013-0023 with Teichert Construction in an amount not to exceed \$1,902,762 for the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000); 2) ratifying Change Order No. 9 and 10 to City Agreement No. 2013-0023 with Teichert Construction; and 3) resetting the City Manager's authority to issue change orders for City Agreement No. 2013-0023.
Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 12. Amendment #1 to the Old Sacramento Garage Lease**
Report # 2014-00519
Location: 200 I Street, District 4
Action: Passed **Motion No. 2014-0192** authorizing the City Manager to execute a 40-year amendment to the lease with the State of California for property located under Interstate 5 which is the location of the City's Old Sacramento Garage.
Contact: Matt Eierman, Parking Services Manager (916) 808-5849; Jerry Way, Director of Public Works, (916)808-7100; Department of Public Works
- 13. Contract: AECOM for Engineering Services for Basin 52 Stormwater Master Plan Update**
Report # 2014-00477
Location: District 4
Action: Passed 1) **Resolution No. 2014-0261** transferring Wastewater Revenue Bond funds (Fund 6320) from Combined Sewer System Program (X14010000) and from the Base CIP Contingency Program (X14000500) to the Combined Wastewater Planning Program (X14130300); and 2) a Motion authorizing the City Manager or the City Manager's designee to execute an agreement with AECOM in an amount not-to-exceed \$199,998, to update the Basin 52 Stormwater Master Plan.

Contact: Bill Busath, Manager, Engineering and Water Resources, (916) 808-1434, Department of Utilities; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

14. **Contract: 7th Street Sewer Replacement P to K Street Project** (Reviewed 7/22/14)
Report # 2014-00516
Location: District 4
Action: 1) Passed **Resolution No. 2014-0262** readopting the Addendum to the Environmental Impact Report for the Combined Sewer System Rehabilitation and Improvement Plan - Downtown Combined Sewer Upsizing Project including the 7th Street Sewer Replacement Project P to K Street; and 2) passed **Motion No. 2014-0193:** a) approving the contract plans and specifications for the project; and b) awarding the contract to Steve P. Rados, Inc., for an amount not to exceed \$4,576,410.
Contact: Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities
15. **Approval of Sacramento Employment and Training Agency (SETA) Governing Board Action to accept \$100,000 in grant funding from the American Association of Retired Persons (AARP)**
Report # 2014-00496
Location: Citywide
Action: Passed **Motion No. 2014-0194** authorizing the Sacramento Employment and Training Agency (SETA) to accept the American Association of Retired Persons (AARP) "Back to Work 50+ Network Workforce Investment Board Expansion" grant in the amount of \$100,000.
Contact: Michelle O'Camb, Program Officer, (916) 263-3868, Sacramento Employment and Training Agency

Public Hearings

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

16. **515 T Street Multi-Family Residential Rezone** (Passed for Publication 07/22/2014; Noticed 07/18/2014; Published 07/24/2014)
Report # 2014-00536 **Estimated Time: 20 minutes** (Actual Time: 10 minutes)
Location: District 4
- Action:** Moved/Seconded: Member Steve Hansen / Member Steve Cohn
- Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson
- Absent:** Member Kevin McCarty

Conducted a public hearing with public comment given by Mac Worthy and Julie Osborn; and upon conclusion passed 1) **Resolution No. 2014-0263** determining the 515 T Street Multi-Family Residential project exempt from review under the California Environmental Quality Act; 2) **Ordinance No. 2014-0023** rezoning approximately 0.29 acres from the Multi-Unit (R-3A) Zone to the Multi-Unit (R-4) Zone; and 3) **Resolution No. 2014-0264 as amended** approving the Preservation Site Plan and Design Review for 11 new residential units, with rear setback deviation, and the rehabilitation of an existing residential building.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Roberta Deering, LEED AP, Preservation Director, (916) 808-8259; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department

- 17. Delinquent Utility Service Charges - Special Assessment** (Noticed 07/15/2014 & 07/22/2014)
Report # 2014-00343 **Estimated Time: 15 minutes** (Actual Time: 8 minutes)
Location: Citywide

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

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

Absent: Member Kevin McCarty

Conducted a public hearing on the report of delinquent utility service charges and upon conclusion, passed **Resolution No. 2014-0265 as amended** adopting the report and imposing special assessment levies against the properties to which the services were rendered.

Contact: Jammie Moens, Business Services Manager, (916) 808-5988; Shellette Smallwood, Program Manager, (916) 808-4928, Department of Utilities

Information Reports

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

- 18. Notification of "Final Map Approval" for Park Riviera Terrace (P06-116)**

Report # 2014-00589

Location: District 7

Action: Received and filed.

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

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

1. Fluoride
 - a. Ed Clark
2. Crimes
 - a. Aduse Poku-Gyimah
3. Jobs
 - a. Mac Worthy
4. Occupy
 - a. Nikohl Vandel
5. Homelessness
 - a. Miguel Trujillo
 - b. David Mejia
6. Old Sacramento Parking Garage
 - a. Darron Peter

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Mayor Johnson
 1. Report next week regarding options for Old Sacramento Gold Rush Days
- b. Steve Hansen
 1. reported on his recent Harvard school trip (AB1234 compliance)

2. Board/Commission Appointments

- a. Community Racial Profiling Commission
 1. Rosalyn Van Buren (D3)

Adjourned – 6:53 p.m. in memory of James Shabazz