

## CITY COUNCIL

Kevin Johnson, Mayor

Angelique Ashby, Mayor Pro Tem, District 1

Allen Warren, Vice Mayor, District 2

Jeff Harris, District 3

Steve Hansen, District 4

Jay Schenirer, District 5

Vacant, District 6

Rick Jennings, II, District 7

Larry Carr, 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  
Redevelopment Agency  
Successor Agency**

**City Hall-Council Chamber  
915 I Street, 1<sup>st</sup> Floor**

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

**Tuesday, March 17, 2015  
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](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 17, 2015**

**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, March 17, 2015 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson (departed at 10 p.m.).

**Pledge of Allegiance**– led by People Reaching Out representative Oscar Cervantes.

### **Special Presentations/General Communications**

#### **a. City Year Sacramento Presentation to Council**

**Action:** Recognition given by Mayor Kevin Johnson and Member Jay Schenirer

### **Consent Calendar Estimated Time: 5 minutes**

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, 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. (Pass for Publication) Urban Agriculture Ordinance**

Report # 2015-00129

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Removed from Consent Calendar by Member Allen Warren; public comment heard from Patricia Dansby, Kevin Carter, Delphine Brody, Cat Xia, James Clark, Tim Butts, Corey Gibson, Pam Warren and Matt Rend; 1) reviewed ordinances a) amending sections 9.44.330 and 9.44.340 in Title 9 and amending, adding, and repealing various sections in Title 17, of the Sacramento City Code relating to urban agriculture; and b) adding Chapter 17.722 to the Sacramento City Code relating to an Urban Agriculture Incentive Zone; and 2) passed for publication the ordinance title as required by City Charter Section 32(c), with the ordinance to be adopted on March 24, 2015.

**Contact:** Helen Selph, Associate Planner, (916) 808-7852, Community Development Department

**2. Initiate Formation Proceedings for the Creamery Community Facilities District (CFD) No. 2015-02 (Improvements)**

Report # 2015-00135

**Location:** District 4

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

**Yes:** Members Angelique Ashby, Larry Carr, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Abstain:** Member Steve Hansen (recused)

Passed **Resolution No. 2015-0069:** 1) approving the Agreement for Bond Counsel Services; 2) **Resolution No. 2015-0070** of Intention to establish the CFD, levy a special tax, approve the boundary map, and set the public hearing date for April 23, 2015; and 3) a **Resolution No. 2015-0071** of Intention to incur bonded indebtedness.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance; Damien Charley, Senior Debt Analyst, (916) 808-5517, Office of the City Treasurer

**3. (Pass for Publication) Ordinance Amending Various Sections in Chapters 5.32, 17.216, 17.220 and 17.224 of the Sacramento City Code Relating to Cardrooms**

Report # 2015-00249

**Location:** Citywide

**Action:** Reviewed an ordinance amending various sections in Chapters 5.32, 17.216, 17.220 and 17.224 of the Sacramento City Code relating to cardrooms; and passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on March 24, 2015.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

- 4. Contract: Colonial Park Playground Renovation (L19111500)**  
Report # 2015-00194  
**Location:** District 5  
**Action:** Passed **Motion No. 2015-0057:** 1) approving the construction plans and specifications for the Colonial Park Playground Renovation project (L191115000); 2) awarding the contract to J M Slover Inc. for an amount not to exceed \$119,435; and 3) authorizing the City Manager or City Manager's designee to execute the contract with J M Slover Inc. for an amount not to exceed \$119,435.  
**Contact:** C. Gary Hyden, Supervising Landscape Architect (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation
- 5. Contract: Freeport Boulevard and Claudia Drive Traffic Signal Project (T15134300)**  
Report # 2015-00171  
**Location:** District 5  
**Action:** Passed **Resolution No. 2015-0072:** 1) approving the Plans and Specifications for the Freeport Boulevard and Claudia Drive Traffic Signal Project (T15134300); 2) transferring funds in the amount of \$335,000 to the project; and 3) awarding the construction contract to Pacific Excavation for an amount not to exceed \$329,999.  
**Contact:** Kaleb Haile, Senior Engineer, (916) 808-7020; Nicholas Theocharides, Engineering Manager, (916) 808-5065, Department of Public Works
- 6. Appropriation of Funds and Supplemental Agreement: Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000)**  
Report # 2015-00212  
**Location:** Districts 7 and 8  
**Action:** Passed **Resolution No. 2015-0073:** 1) authorizing the City Manager or his designee to execute Supplemental Agreement No. 19 to City Agreement No. 2007-0406 with Mark Thomas & Company, Inc. in an amount not to exceed \$359,079; 2) resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2007-0406; 3) appropriating an additional \$5,981,017 in developer contributions to the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000); and 4) if necessary to appropriate additional funds up to the total maximum amount of \$52,314,960 (Fund 3702) under the Cost Sharing Agreement with M&H Realty Partners for the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000).  
**Contact:** Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-8280, Department of Public Works

**7. Agreement: Utility Payment Lockbox Service**

Report # 2015-00121

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0058** authorizing the City Manager or the City Manager's designee to 1) execute a Non-Professional Services Agreement with Check Processors Inc. to provide Utility payment processing and imaging services, with an agreement term of one year and up to four one year extensions, for an amount not to exceed \$400,000 for the maximum agreement term through March 31, 2020, and 2) approve the one year term extensions provided that funding is available for this purpose in the approved budget for the applicable fiscal year.

**Contact:** Shellette Smallwood, Program Manager, (916) 808-4928; Bill Busath, Interim Director, (916) 808-1434, Department of Utilities

**Public Hearings**

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

**8. Ordinance Amendment: City's Fee and Charge Report for Solid Waste Utility Service Rates**

(Passed for Publication 03/10/2015; Noticed 03/06/2015 & 03/12/2015; Published 03/13/2015)

Report # 2015-00068

**Estimated Time: 20 minutes**

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Conducted a public hearing with public comment heard from Mac Worthy, Christina Arechiga, and upon conclusion passed **Ordinance No. 2015-0004** amending the Fee and Charge Report for proposed FY2015/16, FY2016/17, and FY2017/18 Solid Waste rate changes.

**Contact:** Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services

**Discussion Calendar**

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

**9. Agreement: Studios for the Performing Arts** (Reviewed 03/10/2015)

Report # 2015-00260

**Estimated Time: 30 minutes** (Actual Time: 54 minutes)

**Location:** 2420 N Street, District 4

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Public comment heard from James Clark, Jonathan Gainsbrugh, Laura Rubalcaba, Caty Solice, Beatrice Hildebrand, Kristin Rapinac, Beth Post, Ron Cunningham, Angela James, Misty Day, Stuart Eldridge, Liz Baidoo, Nancy Garton, Victoria Stoffers, Jason Johg, Louise Mehler, Erika Bjork, Owen Howlett, Sara Burga; Jessie Ryan and Jay Hansen; passed **Resolution No. 2015-0074:** 1) authorizing the City Manager or his designee to execute the Studios for the Performing Arts Sublease Agreement to sublease the Fremont building, at 2420 N Street in Sacramento, California, to the Studios Operating Company at a rental rate of \$1.00 per year, which sublease authorizes the City to expend up to \$5 million on renovations to the Fremont building for the project; 2) authorizing the City Manager or his designee to appropriate \$2.5 million from the Economic Development Fund (Fund 2031) to the Studios for the Performing Arts Capital Improvement Project (B13000400); and 3) authorizing the City Manager or his designee to deposit the proceeds of the loan repayment of Non-Interest Bearing Principal B by the Crocker Art Museum Association, as specified in the Loan Forgiveness and Deferred Repayment Agreement (City Agreement 2013-0860) into the Economic Development Fund (Fund 2031) **with direction to return to Council with a status report within 18 months after occupancy.**

**Contact:** Jody Ulich, Director, (916) 808-5105; Leslie Wisniewski, Administrative Officer, (916) 808-8920, Convention & Cultural Services

#### 10. Discussion of Mayor's Message on Budget Priorities for FY2015/16

Report # 2015-00288 **Estimated Time: 30 minutes** (Actual Time: 78 minutes)

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Public comment heard from DeAngelo Mack, Alonzo Morris, Terrence Johnson, Jenna Abbott, Michelle Ann, James Clark, Christina Arechiga, Josh Wood, Devin Lavelle, Claire White, Jim Houdt, Jonathan Gainsbrugh, Laura Rubalcaba, Brian Rice, Mac Worthy, Kevin Carter and Delphine Brody, passed **Motion No. 2015-0059** approving the Mayor and Council budget priorities memo and transmitting to the City Manager as direction in the development of FY2015/16 budget with **direction to City Manager to take into account the dais discussion with regard to the budget preparation.**

**Contact:** Mayor Kevin Johnson, (916) 808-5300, Office of the Mayor

#### 11. Recommended Allocation of FY2013/14 Year-end Results

Report # 2015-00264 **Estimated Time: 15 minutes** (Actual Time: 5 minutes)

**Location:** Citywide

**Action:** Moved/Seconded: Mayor Kevin Johnson / Member Jay Schenirer

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**No:** Member Jeff Harris

Public comment heard from Laura Rubalcaba and Jessie Ryan; passed **Resolution No. 2015-0075 as amended** authorizing the City Manager to implement the approved budget adjustments.

**Contact:** Leyne Milstein, Director, (916) 808-8491; Dawn Holm, Budget Manager, (916) 808-5574, Department of Finance

**12. Authorizing the Establishment and Transfer of Funds to the Citywide Radio Replacement Project (A07000900) and Approving Agreement to Purchase Radio Equipment from Motorola (Two-Thirds Vote Required)**

Report # 2015-00262      **Estimated Time: 10 minutes** (Actual Time: 8 minutes)

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Public comment heard from David Andre, James Clark, Delphine Brody, Mac Worthy, Jonathon Gainsbrugh, passed **Resolution No. 2015-0076:** 1) waiving the 10-day posting requirement for contracts prior to Council action pursuant to the Council Rules of Procedure; 2) suspending competitive bidding for radio equipment purchase, in the best interests of the City; 3) authorizing the City Manager or his designee to execute a communications system agreement with Motorola Solutions, Inc. for the procurement of radio hardware equipment and services for an amount not to exceed \$5.5 million; 4) authorizing the City Manager, or the City Manager's designee, to execute the purchases specified above; 5) establishing the Emergency Radio Replacement Capital Improvement Project (A07000900); and 6) authorizing the City Manager to appropriate funds from the available fund balances of the General Fund (\$4.2 million), Measure U Fund (\$730,734), Fleet Fund (\$3,412), Solid Waste (\$72,905), Water (\$157,926), Storm Drainage (\$157,926), and Wastewater (\$157,926) to establish a \$5.5 million expenditure budget in A07000900.

**Contact:** Cassy Vaioleti-Matu, Program Analyst, (916) 808-8047, Information Technology

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

- |                          |                           |
|--------------------------|---------------------------|
| 1. Homelessness          | 4. Bridge Network         |
| a. Laura Rubalcaba       | a. Peggy Fava             |
| b. Delphine Brody        | b. Rachel Velasque        |
| c. Michelle Anne         | c. Jenise Vu              |
| d. David Andre           | d. Samantha Vu            |
| e. Claire White          | e. Harpreet Kaur          |
| f. James Clark           | f. Raven Gill             |
| 2. Police Accountability | 5. Jobs                   |
| a. Christina Arechiga    | a. Mac Worthy             |
| 3. Parking in East Sac   | 6. Washington School Park |
| a. Christine Cross       | a. George Barks           |

## **Council Comments-Ideas, Questions and Meeting/Conference Reports**

### **1. Information Requests**

None.

### **2. Board/Commission Appointments**

- a. City and County Bicycle Advisory Committee
  1. Jonathan Lee
- b. Civil Service Board
  1. Brandon Leibrock
- c. Natomas Basin Conservancy Board of Directors
  1. David Christophel
- d. Paratransit Inc. Board of Directors
  1. Eanad Lott
  2. Jason Campbell
- e. Sacramento Environmental Commission
  1. Anthony DeRiggi

**Adjourned** – 10:30 p.m.