

## 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, 1<sup>st</sup> Floor  
Published by the Office of the City Clerk  
(916) 808-5163

**Tuesday, August 12, 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](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, August 12, 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 6:03 p.m. Tuesday, August 12, 2014 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty (departed 6:45 p.m.), Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Pledge of Allegiance**– led by Member Jay Schenirer

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

**Action:** Moved/Seconded: Mayor Kevin Johnson / Member Steve Cohn

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, 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. City Boards and Commissions Term Expiration List for 2015**

Report # 2014-00545

**Location:** Citywide

**Action:** Received and filed.

**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

#### **2. Confirmation of Board/Commission Appointment**

Report # 2014-00607

**Location:** District 3

**Action:** Passed **Motion No. 2014-0197** confirming board/commission appointment(s): 1) Community Racial Profiling Commission – Rosalyn Van Buren (Category A-3).

**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

- 3. Designation of Voting Delegate and Alternate for League of California Cities 2014 Annual Conference**  
Report # 2014-00612  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0198** designating City Manager John F. Shirey as voting delegate, and City Treasurer Russell Fehr as the alternate voting delegate, to the 2014 League of California Cities Annual Conference.  
**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
- 4. Approval of City Council Meeting Minutes**  
Report # 2014-00616  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0199** approving the City Council Meetings Minutes dated April 1, April 8, April 17, April 22, and April 29, 2014.  
**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
- 5. (Pass for Publication) Ordinance Revision City Code Chapter 5.108 Relating to Entertainment Establishments**  
Report # 2014-00569  
**Location:** Citywide  
**Action:** Reviewed 1) an Ordinance amending Chapter 5.108 of the Sacramento City Code relating to entertainment establishments; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on August 19, 2014.  
**Contact:** Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department
- 6. Convention and Cultural Services On-Call Master Services Agreements**  
Report # 2014-00591  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0200** authorizing the City Manager or City Manager's designee to execute 36 on-call master services agreements with the contractors identified in Exhibit A, in annual amounts ranging from \$30,000 to \$200,000 per contractor, per service, per year for a maximum of four years as noted in Exhibit A, to perform various repairs and maintenance at facilities operated by the Convention and Cultural Services Department.  
**Contact:** Russ Haynes, Analyst, (916) 808-7360, Convention & Cultural Services
- 7. Fiscal Year (FY) 2014/15 Sacramento Tourism Marketing District (STMD) Annual Proceedings**  
Report # 2014-00103  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0276** 1) approving the STMD Annual Report; 2) authorizing budgetary adjustments; and 3) levying an assessment for FY2014/15.  
**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

- 8. Reimbursement of Eligible Expenses: Natomas Central Community Facilities District No. 2006-02**  
Report # 2014-00565  
**Location:** District 1  
**Action:** Passed **Resolution No. 2014-0277** appropriating \$1.1 million from special taxes collected for Natomas Central Community Facilities District No. 2006-02 (CFD 2006-02) to allow for the reimbursement of eligible developer costs.  
**Contact:** Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 9. McKinley Village Parks Master Plan**  
Report # 2014-00581  
**Location:** District 3  
**Action:** Passed **Motion No. 2014-0201** approving the McKinley Village Parks Master Plan.  
**Contact:** C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
- 10. Valley Oak Park (L19184001) Change Order #5 (Two-Thirds Vote Required)**  
Report # 2014-00551  
**Location:** 2780 Mabry Drive, District 1  
**Action:** Passed **Motion No. 2014-0202** 1) suspending competitive bidding and authorizing the City Manager, or City Manager's designee, to execute Change Order #5 to City Contract No. C2014-0358 between the City of Sacramento and Olympic Land Construction in the amount of \$196,602 to add two lighted tennis courts for the project; and 2) resetting the City Manager's change order authority.  
**Contact:** C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
- 11. Agreement: Fiscal Year 2014/15 Regional Crime Information Sharing Program (RCISP)**  
Report # 2014-00559  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0278** authorizing the City Manager, or City Manager's designee to 1) enter into a Memorandum of Understanding (MOU) amongst the Sacramento County Sheriff's Department (SSD), the Sacramento Police Department (SPD), the Sacramento County Probation Department (Prob), the Citrus Heights Police Department (CHPD), the Elk Grove Police Department (EGPD), the Folsom Police Department (Folsom), the Galt Police Department (GPD), and the Rancho Cordova Police Department (RCPD), for an amount not to exceed \$147,080 for the Regional Crime Information Sharing Program (RCISP); 2) establish an Externally Funded Program (EFP) (E11006400) for the Fiscal Year (FY) 2015 RCISP; and 3) establish EFP revenue and expense budgets for an amount not to exceed \$147,080 to implement the 2015 RCISP.  
**Contact:** Mike Bray, Police Captain, Office of the Chief, (916) 808-0826, Police Department

- 12. Agreement: Sacramento City Unified School District, School Resource Officers**  
(Reviewed 08/07/2014)  
Report # 2014-00587  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0279** authorizing the City Manager, or the City Manager's designee, to 1) enter into an agreement with Sacramento City Unified School District (SCUSD) in an amount not to exceed \$2,237,393 for services to be provided through June 30, 2016; and 2) maintain the eight Full-Time Equivalent (FTE) Police Officer positions previously authorized by Agreement 2009-0908.  
**Contact:** Justin Eklund, Police Captain, Contract Services, (916) 808-5650, Police Department
- 13. Re-establishing and Reducing Speed Limits, Changing Zone Boundaries on Various Streets, and Rescinding Resolution No. 2014-0100**  
Report # 2014-00539  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0280:** 1) re-establishing and reducing speed limits; 2) changing zone boundaries on various streets; and 3) rescinding Resolution No. 2014-0100.  
**Contact:** Zarah Lacson, Assistant Civil Engineer, (916) 808-8494; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works
- 14. Agreement with Sacramento County OES to implement Department of Water Resources Grant Funding for Flood Emergency Response Projects**  
Report # 2014-00510  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0281** authorizing the City Manager or the City Manager's designee to: 1) accept up to \$728,164 in Flood Emergency Response Project grant funding from the CA Department of Water Resources (CA DWR), as sub-grantee to the Sacramento Office of Emergency Services; 2) sign a Subaward Agreement with the County of Sacramento; 3) establish the Flood Emergency Response Project grant program for a two year term beginning upon award and establish the grant revenue and expenditure budgets for the grant award of \$728,164.  
**Contact:** Michael Malone, Operations Manager, (916) 808-6226; Pete Millino, Operations & Maintenance Superintendent, (916) 808-5173, Department of Utilities
- 15. Request for Qualifications Process for Miscellaneous Sewer Repair and Rehabilitation On-Call Work (Two-Thirds Vote Required)**  
Report # 2014-00552  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2014-0282:** 1) suspending competitive bidding, in the best interests of the City; and 2) authorizing the use of a Request for Qualifications process to select a pool of contractors to perform sewer repair and rehabilitation work on an on-call basis.  
**Contact:** Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

**16. Agreement with Sacramento County to purchase Portable and Mobile Radio Equipment Utilities Operations & Maintenance**

Report # 2014-00527

**Location:** Citywide

**Action:** Public comment given by Jennifer Morrison, Ryan Pessah, Maggie Coulter, Adeeb Alzanoon, Ellen Broms, Jeff Hatley, and Patricia Daugherty; passed **Resolution No. 2014-0283** 1) approving the use of the Sacramento County cooperative lease-purchase agreement MA00031180 with Motorola, for the purchase of Motorola radio equipment, parts, and software; and 2) authorizing the City Manager or his designee to sign an agreement with Sacramento County for the City to purchase Motorola radio equipment, parts, and software from Sacramento County, pursuant to the terms of the cooperative lease-purchase agreement, in an amount not-to-exceed \$564,210 over a ten- year term; and 3) approving the transfer of funds in the amount of \$248,341 to the Security and Emergency Preparedness Program (Z14140100).

**Contact:** Michael Malone, Manager, Operations & Maintenance, (916) 808-6226; Pete Millino, Superintendent, Operations & Maintenance (916) 808-5173, Department of Utilities

**Public Hearings**

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

**17. 3015 H Street Rezone (P11-047) [Passed for Publication 07/22/2014; Published 07/24/2014; Noticed 08/01/2014]**

Report # 2014-00498

**Location:** 3015 H Street, District 3

**Action:** Moved/Seconded: Member Steve Cohn / Member Kevin McCarty

**Yes:** Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**No:** Member Darrell Fong

**Action:** Conducted a public hearing with public comment heard from Ron Mullins, Stacie Younggren and Bruce Strickley; and upon conclusion, 1) passed **Resolution No. 2014-0284** determining the project exempt from review under the California Environmental Quality Act; 2) passed **Ordinance No. 2014-0025** to rezone 0.15 acres from Residential Office (RO-SPD) zone to General Commercial (C-2-SPD) zone within the Alhambra Corridor Special Planning District; and 3) passed **Resolution No. 2014-0285 as amended** approving a conditional use permit to operate a medical marijuana dispensary in the proposed General Commercial (C-2-SPD) zone within the Alhambra Corridor Special Planning District.

**Contact:** Arwen Wacht, Associate Planner, (916) 808-1964; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Stacia Cosgrove, Principal Planner, (916) 808-7110

## Discussion Calendar

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

### **18. Capitol Area Development Authority Year End Report (Oral Report)**

Report # 2014-00563      **Estimated Time: 10 minutes**

**Location:** Districts 1, 3, 4, 5

**Action:** Received and filed (Member Kevin McCarty recused and left dais)

**Contact:** Wendy Saunders, Executive Director, (916) 322-2114, Capitol Area Development Authority

## 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.

### **19. (Agreement/Contract for Review and Information) Labor Agreement: Sacramento-Fire Fighters Union, Local 522 Letter of Understanding for Administrative Assignment Pay**

Report # 2014-00582

**Location:** Citywide

**Action:** 1) Reviewed the Letter of Understanding between the City of Sacramento and Sacramento Area Fire Fighters, Local 522; 2) reviewed the salary schedule; and 3) continued to August 19, 2014, for approval.

**Contact:** Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources

### **20. (Agreement/Contract for Review and Information) Liquid Fluorosilicic Acid for Drinking Water Treatment**

Report # 2014-00352

**Location:** Citywide

**Action:** Reviewed a report 1) adopting the findings of fact issued by the Hearing Examiner on the bid protest filed by Thatcher Company of California, without hearing evidence from any party; 2) adopting the Hearing Examiner's recommended determination to deny the bid protest and find Solvay Fluorides, LLC to be the lowest responsible bidder; 3) denying the bid protest; 4) awarding a contract for the purchase of Liquid Fluorosilicic Acid (Bid# B14141111012) to Solvay Fluorides, LLC., for an initial term of one-year with up to four one-year extension options, in an amount not to exceed \$2,295,781 for the maximum five-year term; 5) authorizing the City Manager, or the City Manager's designee, to approve the one-year extensions, provided that sufficient funds are available for this purpose in the budget adopted for the applicable fiscal year(s); and 6) continued to August 26, 2014 for consideration.

**Contact:** Michael Malone, Operations Manager, (916) 808-6226; Dave A. Phillips, Operations & Maintenance Superintendent, (916) 808-5652, Department of Utilities

21. **(Agreement/Contract for Review and Information) Agreement with Sacramento Area Flood Control Agency (SAFCA) for Cost Sharing on the Florin Creek Detention Basin Project**  
Report # 2014-00548  
**Location:** District 8  
**Action:** 1) Reviewed a report requesting the City Council, after considering the project's environmental effects as shown in the mitigated negative declaration adopted by the SAFCA, to authorize the City Manager or the City Manager's designee to sign an agreement between the City and SAFCA for cost sharing on the Florin Creek Detention Basin project; and 2) continued to August 19, 2014 for consideration.  
**Contact:** Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Tony Bertrand, Supervising Engineer, (916) 808-1461, Department of Utilities

## SUPPLEMENTAL AGENDA

### Consent Item:

22. **City Manager Employment Agreement Approval**  
Report # 2014-00633  
**Location:** Citywide
- Action:** Moved/Seconded: Mayor Kevin Johnson / Member Steve Cohn
- Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.
- Passed **Resolution No. 2014-0286** approving the City Manager Employment Agreement.  
**Contact:** Patti Bisharat, (916) 808-4752, Office of the Mayor; Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

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

1. Police
  - a. Rhonda Erwin
2. NAACP Invitation
  - a. Betty Williams
3. Misc
  - a. Fletcher

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

### 1. Information Requests

None

### 2. Board/Commission Appointments

- a. Sacramento Disabilities Advisory Commission
  - 1. Charles Banks
  - 2. Edward Ahern
- b. Sacramento Youth Commission
  - 1. Mariana Hardy (District 4)
  - 2. Olivia Sison (District 4)
  - 3. Lyrik Hickman (District 5)
- c. Sacramento Metropolitan Arts Commission
  - 1. Steven Winlock
- d. Parks & Recreation Commission
  - 1. David Heitstuman
- e. Planning & Design Commission
  - 1. Matthew Rodgers

**Adjourned** – 7:03 p.m. in memory of Mary Healy