

CITY COUNCIL

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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

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James Sanchez, City Attorney
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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
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(916) 808-7267

Tuesday, May 7, 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, May 7, 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 6:04 p.m. Tuesday, May 7, 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

Pledge of Allegiance - Led by Youth at City Council representative Jovona Henderson
Closed Session Report – None.

Special Presentations/General Communications

- a. **City Management Academy Class of 2013**
Action: Recognition and introduction of graduates presented by Vincene Jones
- b. **Welcome and Introduction of Jinan Sister City Students**
Action: Resolution presented by Member Steve Cohn
- c. **Proclaiming May as "Water Safety Month"**
Action: Resolution presented by Mayor Kevin Johnson
- d. **Recognizing the Mexicali Delegation**
Action: Resolution presented by Member Angelique Ashby

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

1. Construction Contracts
 - a. Mac Worthy
2. Happy Mother's Day
 - a. Mike Barnbaum
3. Parking Traffic Design
 - a. Brandon Cole
4. Community Center
 - a. Michael Edwards
5. Citizens Auditor
 - a. Bill Grant

Consent Calendar Estimated Time: 5 minutes (Actual Time: 8 minutes)

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, 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. Lease Agreement: Lease of Real Property for the City Archives Collection

Report # 2013-00351

Location: McClellan Park, Sacramento County

Issue: The Center for Sacramento History's current lease to house Sacramento's Archive Collection is set to expire on May 12, 2013; a new lease has been negotiated which results in net savings and needed tenant improvements to protect the collection.

Action: Passed **Motion No. 2013-0114** authorizing the City Manager or his designee to execute the First Amendment to City Agreement 2007-0746, a lease agreement with MP Holdings, for the lease of real property at 5001 Bailey Loop, McClellan, CA 95652 for five years, with the option for a five-year extension, to house part of the City's archives collection at the rate of \$4,300 per month for the first five years and \$4,700 per month thereafter.

Contact: Leslie Wisniewski, Administrative Officer, (916) 808-8920; Marcia Eymann, City Historian, (916) 808-5960, Convention, Culture and Leisure Department

2. Supplemental Agreement: Low Impact Development (LID) Standards Development, Stormwater Quality Design Manual Update and Best Management Practices (BMP) Sizing Tool Enhancement

Report # 2013-00329

Location: Citywide

Issue: This supplemental agreement is needed to complete the LID standards and meet the requirements of the National Pollutant Discharge Elimination System (NPDES) permit.

Action: Passed **Motion No. 2013-0115** authorizing the City Manager or the City Manager's designee to sign a Supplemental Agreement amending Agreement No. 2011-0827 with RBF Consulting, for an amount not to exceed \$30,000, increasing the total Agreement amount to \$220,000; and 2)

Resolution No. 2013-0136 authorizing amendment of the Fiscal Year 2010-14 NPDES Program (I14010200) Revenue and Expenditure Budgets (Fund 6211), for the reimbursement from the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the Fiscal Year 2011-12 stormwater program costs in the total amount of \$146,300.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities

- 3. Consideration of Establishing a Sister City Relationship with Mexicali, Baja California**
Report # 2013-00434
Location: Citywide
Issue: Pass a **Resolution of Intent** as an initial step to establishing a Sister City relationship.
Action: Moved/Seconded: Member Bonnie Pannell /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
Action: Passed **Resolution No. 2013-0137** to establish a Sister City relationship with Mexicali, Baja California, Mexico.
Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager
- 4. Approval of Amendment to 1993 Final Closure and Postclosure Maintenance Plan for 28th Street Landfill Solar Installation**
Report # 2013-00350
Location: 20 28th Street, Sacramento, District 3
Issue: Conergy, Inc. seeks to install a solar facility at the closed 28th Street Landfill. The California Department of Resources Recycling and Recovery (CalRecycle) requires the landfill postclosure plan to be updated when there is a change in use for the site.
Action: Passed **Resolution No. 2013-0138** approving the Amendment to the 1993 Final Closure and Postclosure Maintenance Plan to include Solar Installation at the 28th Street Landfill.
Contact: Steve Harriman, Integrated Waste General Manager (916) 808-4949, General Services Department
- 5. Contract: Fairbairn Water Treatment Plant Re-Roof Project (Z14111101)**
Report # 2013-00296
Location: 7501 College Town Drive, District 6
Issue: Replacement of roofs on three of the buildings on the Fairbairn Water Treatment Plant campus is needed.
Action: Passed **Motion 2013-0121** authorizing the City Manager or the City Manager's designee to execute a design-build contract with Otto Construction, Inc. for the Fairbairn Water Treatment Plant Re-Roof Project in the amount of \$915,877.
Contact: Jeff Blanton, Associate Architect, (916) 808-8423, Yadi Kavakebi, Facilities & Real Property Management Superintendent, (916) 808-8432, General Services Department

6. Grant Funding: Frontline Intervention Police Department Grant Report # 2013-00387

Location: Citywide

Issue: Council approval is required to accept grant funding, establish a project, appropriate funding, and adjust staffing levels.

Action: Public comment heard from Ron Emslie; passed **Resolution No. 2013-0140** authorizing the City Manager, or the City Manager's designee, to: 1) accept \$521,186 in grant funding from the State of California through the City of Citrus Heights; 2) establish a Frontline Intervention Police Department Grant project (G11011000); 3) adjust the necessary revenue and expenditure budgets by \$521,186 to implement the Frontline Intervention Police Department Grant project; and 4) increase the Police Department's authorized staffing by three full-time equivalent (FTE) Police Officer positions and one FTE Police Sergeant position.

Contact: Dana Matthes, Deputy Chief of Police, Operational Services, (916) 808-0800, Police Department.

7. Annual Report on Residential Hotels Report # 2013-00305

Location: Citywide

Issue: City Code Chapter 18.20 (Relocation Benefits Pertaining to Residential Hotel Unit Conversion or Demolition) and City Ordinance 2006-056 (Ordinance) requires that 712 residential hotel or comparable units be maintained within the City of Sacramento. This report fulfills the annual reporting obligation of the ordinance.

Action: Removed from Consent Calendar by Member Steve Hansen; received and filed.

Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353; Steve Lierly, Housing Finance Analyst, (916) 449-6236, Sacramento Housing and Redevelopment Agency

8. (City Council/Housing Authority/Redevelopment Agency Successor Agency) 2013 Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Report # 2013-00328

Location: Citywide

Issue: Sacramento Housing and Redevelopment Agency (SHRA) staff has recently completed negotiating a three-year agreement with AFSCME and seek Council, Housing Authority and Redevelopment Agency Successor Agency authorization to execute agreements.

Action: Public comment heard from Mac Worthy; passed: 1) **City Resolution No. 2013-0141** authorizing SHRA to enter into a Collective Bargaining Agreement with AFSCME covering employees in the Operations and Maintenance, and the General Clerical and Service units; 2) **Housing Authority Resolution No. 2013-0008** authorizing the Executive Director, on behalf of SHRA to execute Collective Bargaining Agreement with AFSCME covering employees in the Operations and Maintenance, and the General Clerical and Service units, and 3) **Redevelopment Agency Successor Agency Resolution No. 2013-0003** acknowledging that SHRA is authorized to enter into a Collective Bargaining Agreement with AFSCME covering employees in the Operations and Maintenance, and the General Clerical and Service units.

Contact: La Shelle Dozier, Executive Director, (916) 440-1319, James Shields, Director of Administration, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Discussion Calendar

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

- 9. Approval of Negative Declaration and Ground Lease and License for a Solar Facility at Sutter’s Landing Park**
Report # 2013-00349 Estimated Time: 10 Minutes (Actual Time: 87 minutes)
Location: 20 28th Street, Sacramento, District 3
Issue: Conergy, Inc. seeks to install a solar facility at this site and a negative declaration is required to install this facility, per the California Environmental Quality Act (CEQA).
Action: Moved/Seconded: Member Steve Cohn/Member Kevin McCarty
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

Public comment heard from Dale Steele, Lori Ward, Laurie Litman, Lyvonne Sewell, Betsy Weiland, Sean Ward, Jeff Harris, Russ Henly, and George Raya; passed 1) **Resolution No. 2013-0142** approving a Mitigated Negative Declaration and Mitigation Reporting Program for the Conergy Solar Project; and 2) **Resolution No. 2013-0143** authorizing the City Manager or the City Manager’s designee to execute a 20-year ground lease and license agreement with Conergy, Inc. for a 1.5 megawatt solar installation at Sutter’s Landing Park.

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

- 10. FY2013/14 Proposed Budget Overview**
Report # 2013-00057 Estimated Time: 60 Minutes (Actual Time: 60 minutes)
Location: Citywide
Issue: On April 29, 2013, the City Manager released the City's proposed budget. This item provides an overview of the proposal and identifies key issues.
Action: Public comment heard from Bill Grant, Russ Fehr, Darrell Parker; received and filed.
Contact: John F. Shirey, City Manager, (916) 808-7213, Office of the City Manager; Leyne Milstein, Director, (916) 808-8491, Department of Finance; Dawn Holm, Budget Manager, (916) 808-5574, Department of Finance
- 11. Natomas Reuse Plan and Process**
Report # 2013-00370 Estimated Time: 20 Minutes (Actual Time: 18 minutes)
Location: District 1/North Natomas
Issue: On March 26, 2013, City Council directed the City Manager to return with an implementation process and schedule for the potential reuse of the 184-acre arena site in North Natomas to encourage economic development and new investment in the community.
Action: Public comment heard from John Parrinello, Danielle Marshall, Carrol Waggoner, James Battles, Mike Barnbaum; received and filed.
Contact: David Kwong, AICP, Planning Director, (916) 808-2691 and Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044, Community Development Department
- 12. Recommendations on City Council Requests Related to the Community Center Theater, Crocker Art Museum, the Studio for the Performing Arts and the B Street Theatre**
Report # 2013-00377 Estimated Time: 60 Minutes (Actual Time: 18 minutes)
Location: District 4
Issue: This report provides information requested at the March 26, 2013 Council meeting related to the status and financing of the Community Center Theater Renovation project, the Crocker Art Museum, the Studio for the Performing Arts (Studio project) and the B Street Theatre
Action: Moved/Seconded: Member Steve Hansen/Member Allen Warren
Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson
No: Member Darrell Fong
Abstain: Member Bonnie Pannell

Public comment heard from Mike Barnbaum, Mac Worthy, Ron Cunningham, Lauren Breen, Beth Post, Isha Lloyd, Richard Lewis, Dennis Mangers, Nancy Garton, Bill Blake, James Battles, Richard Rich, Celeste Skyphax, Steve Mills, Marcy Friedman, Lial Jones; passed **Resolution No. 2013-0144 as amended**: 1) committing \$8.5 million in General Funds, available from the closure of assessment districts, for the financing of the Community Center Theater Renovation project (M17100100); 2) committing \$2.5 million from the CalEPA Fund to fund the first phase of a revised Studios project (B13000400); and 3) directing the City Manager to (a) continue working with the City Treasurer and return to Council in September with financing options for the Community Center Theatre Renovation project; (b) renegotiate the agreements between the Crocker Art Museum Association (CAMA) Board of Directors and the City of Sacramento to address CAMA cash flow issues and minimize risk to the City; (c) amend the scope of work for the Studio for the Performing Arts Project, and negotiate amendments to the Memorandum of Understanding (2006-0798) with the participating arts organizations, for future council approval; and (d) continue working with and assisting the B Street Theatre in the evaluation of financing alternatives for the proposed new theatre center.
Contact: John Dangberg, Assistant City Manager, 808-1222; Barbara Bonebrake, Director of Convention, Culture and Leisure, (916) 808-7733 and Leyne Milstein, Director of Finance, (916) 808-8491, Finance Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None

2. Board/Commission Appointments

None

Adjourned – 10:28 p.m. in memory of Bob Honda