

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
Eric Guerra, 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

City of
SACRAMENTO

DRAFT Minutes

City Council
Financing Authority
Housing Authority
Public Financing Authority
Redevelopment Agency
Successor Agency

City Hall-Council Chamber
915 I Street, 1st Floor

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

Tuesday, June 2, 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. **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 meeting agendas on the City website, 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. All meeting materials are also available at the meeting for public review. Contracts subject to the 10-day review period, as required by the Council Rules of Procedure, can be found on the City's website at: <http://portal.cityofsacramento.org/Clerk/Contract-Posting>

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams 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.

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*).

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, June 2, 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 6:20 p.m. Tuesday, June 2, 2015 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen (departed 7:50 p.m.), Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson (departed 7:53 p.m.).

Pledge of Allegiance– led by Youth at City Council representative Oscar Cervantes.

Closed Session Report – None.

Special Presentations/General Communications

a. American Legion High School Cycling Team Presentation

Action: Public comment given by David Baumgartner; Recognition given by Member Jay Schenirer

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Jay Schenirer / Member Jeff Harris

Yes: Members Angelique Ashby, Larry Carr, Eric Guerra, 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. Ordinance Amending Sacramento City Code Section 2.13.130 Relating to Electronic Filing of Campaign Statements and Reports (Passed for Publication 05/26/2015;

Published 05/29/2015)

Report # 2015-00477

Location: Citywide

Action: Passed **Ordinance No. 2015-0018** amending Sacramento City Code section 2.13.130, relating to electronic filing of campaign statements and reports, to eliminate the paper filing.

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

2. Confirmation of Board and Commission Appointments

Report # 2015-00516

Location: Citywide

Action: Passed **Motion No. 2015-0132** confirming board/commission appointment(s): Sacramento Yolo Mosquito and Vector Control District – Raymond LaTorre (Seat 1).

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

3. April 2015 Monthly Investment Transactions Report

Report # 2015-00475

Location: Citywide

Action: Received and filed.

Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

4. Fiscal Year (FY) 2015/16 Business Improvement Area (BIA) Annual Report

Report # 2015-00167

Location: Districts 2, 3, 4, 5, and 6

Action: Moved/Seconded: Member Jay Schenirer / Member Jeff Harris

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

Abstain: Member Allen Warren (recused)

Passed 1) **Resolution No. 2015-0150** approving the Del Paso BIA Annual Report, noticing intent to levy assessments for FY2015/16, and setting the time and place of the Public Hearing for June 16, 2015; 2) **Resolution No. 2015-0151** approving the Downtown Plaza BIA Annual Report, noticing intent to levy assessments for FY2015/16, and setting the time and place of the Public Hearing for June 16, 2015; 3) **Resolution No. 2015-0152** approving the Franklin Boulevard BIA Annual Report, noticing intent to levy assessments for FY2015/16, and setting the time and place of the Public Hearing for June 16, 2015; 4) **Resolution No. 2015-0153** approving the Old Sacramento BIA Annual Report, noticing intent to levy assessments for FY2015/16, and setting the time and place of the Public Hearing for June 16, 2015; and 5) **Resolution No. 2015-0154** approving the Stockton Boulevard BIA Annual Report, noticing intent to levy assessments for FY2015/16, and setting the time and place of the Public Hearing for June 16, 2015.

Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Manager, (916) 808-8788, Department of Finance

5. **Fiscal Year (FY) 2015/16 Finance Districts under City Code 3.124 Annual Report**
Report # 2015-00169
Location: Districts 2, 4, 7, and 8
Action: Passed 1) **Resolution No. 2015-0155** approving the Willowcreek Maintenance Assessment District Engineer's Annual Report and levying assessment for Fiscal Year (FY) 2015/16; 2) **Resolution No. 2015-0156** approving the Northside Subdivision Maintenance District Engineer's Annual Report and levying assessment for FY2015/16; 3) **Resolution No. 2015-0157** approving the Laguna Creek Maintenance District Engineer's Annual Report and levying assessment for FY2015/16; and 4) **Resolution No. 2015-0158** approving the Water Quality Maintenance District Engineer's Annual Report and levying assessment for FY2015/16.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
6. **Third Quarter Financial Report - Fiscal Year 2014/15**
Report # 2015-00534
Location: Citywide
Action: Received and filed.
Contact: Leyne Milstein, Finance Director, (916) 808-8491; Dawn Holm, Budget Manager (916) 808-5574, Department of Finance
7. **Contract: Cabrillo Pool Renovation Project (L19111300)**
Report # 2015-00513
Location: District 8
Action: Passed **Motion No. 2015-0133:** 1) approving the construction plans and specifications for Cabrillo Pool Renovation project (L19111300); 2) rejecting all bids submitted on March 25, 2015; 3) awarding the contract to American Construction Engineers for an amount not to exceed \$294,324; and 4) authorizing the City Manager or City Manager's designee to execute the contract with American Construction Engineers for an amount not to exceed \$294,324.
Contact: Shannon Brown, Parks Maintenance Manager, (916) 808-4070, Department of Parks and Recreation; Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432, Department of Public Works
8. **Fiscal Year (FY) 2015 Edward Byrne Memorial Justice Assistance Grant (JAG)**
Report # 2015-00509
Location: Citywide
Action: Passed **Resolution No. 2015-0159** authorizing the City Manager, or the City Manager's designee to: 1) apply for and accept the Fiscal Year (FY) 2015 Edward Byrne Memorial JAG Program Award, in the amount of \$246,649; 2) establish an operating grant project (G11013600); and 3) adjust and appropriate the necessary grant revenue and expense budgets for the award amount of \$246,649.
Contact: Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701; Justin Risley, Police Lieutenant, Metro Division, (916) 808-6140; Scott Pettingell, Police Administrative Manager, (916) 808-0909, Police Department

- 9. Change Order and Agreement for Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700)**
Report # 2015-00468
Location: District 5
Action: Passed **Motion No. 2015-0134:** 1) authorizing the City Manager or his designee to execute Change Order No. 2 to City Agreement No. 2014-1162 with Viking Construction Company, Inc. for an amount not to exceed \$136,961; 2) ratifying Change Order No. 1 to City Agreement No. 2014-1162 with Viking Construction Company, Inc.; 3) resetting the City Manager's authority to issue change orders for City Agreement No. 2014-1162 and; 4) approving the amendment to Agreement No. 2013-0604 with Union Pacific Railroad Company (UPRR) for the Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700) for an amount not to exceed \$103,636.
Contact: Ofelia Avalos, Associate Civil Engineer, (916) 808-5515; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 10. 90 Minute Parking Restrictions on a Section of P Street**
Report # 2015-00485
Location: The south side of P Street, from the west property line of 1908 P Street to 20th Street, District 4
Action: Passed **Resolution No. 2015-0160** regulating parking on a section of P Street with "90 Minute Parking 8:00 a.m. to 6:00 p.m. Excluding Sundays".
Contact: Matt Winkler, Operations General Supervisor, (916) 808-5579; Matt Eierman, Parking Services Manager, (916) 808-5849; Department of Public Works
- 11. Proposed Parking Time Restriction Changes Near Crocker Park**
Report # 2015-00486
Location: The west side of 3rd Street between Capitol Mall and P Streets, west side of Front Street between Neasham and O Streets, north side of O Street between 2nd and 3rd Streets, both sides of 2nd Street between N and O Street, and both sides of N Street between 2nd and 3rd Street; District 4
Action: Passed **Resolution No. 2015-0161:** 1) regulating parking on a) the west side of 3rd Street between Capitol Mall and O Street, b) the west side of Front Street between Neasham Circle and O Street, and c) both sides of N Street between 2nd and 3rd Streets with "3 Hour Parking 8:00 a.m. to 6:00 p.m. Excluding Sundays"; and 2) regulating parking on a) the west side of 3rd Street between O and P Streets, b) the north side of O Street between 2nd and 3rd Streets, and c) both sides of 2nd Street between N and O Streets with "90 Minute Parking 8:00 a.m. to 6:00 p.m. Excluding Sundays".
Contact: Matt Winkler, Operations General Supervisor, (916) 808-5579; Matt Eierman, Parking Services Manager, (916) 808-5849; Department of Public Works

12. Supplemental Agreements: Water Shortage Response Customer Outreach and Educational Services

Report # 2015-00444

Location: Citywide

Action: Public comment heard from Michelle, Mac Worthy; passed **Motion No. 2015-0135** authorizing the City Manager or the City Manager's designee to execute: 1) Supplemental Agreement No. 1 to City Agreement No. 2015-0077 with Waterwise Consulting, Inc. in an amount not-to-exceed \$63,100, bringing the agreement's total not-to-exceed amount to \$148,100; and 2) Supplemental Agreement No. 1 to City Agreement No. 2015-0049 with IN Communications, Inc. in an amount not-to-exceed \$144,887, bringing the agreement's total not-to-exceed amount to \$199,887.

Contact: William O. Busath, Director, (916) 808-1434; Terrance Davis, Program Manager, (916) 808-1868, Department of Utilities

13. Lease Extension for Confined Space Gas Detection Equipment

Report # 2015-00505

Location: Citywide

Action: Passed **Motion No. 2015-0136:** 1) authorizing payment for equipment and services provided under the iNet Usage Agreement with Industrial Scientific Corporation (Agreement No. 2012-0835) since the Agreement's lease term expired in March 2015, and 2) authorizing the City Manager or the City Manager's designee to approve a 12-month extension of the Agreement's lease term for \$55,598, bringing the total Agreement amount to \$167,272.

Contact: Michael Malone, Operations Manager, (916) 808-6226; Ken Swartz, Program Specialist, (916) 808-6276, Department of Utilities

14. (Housing Authority) Termination of Agreements with the Sacramento Area Flood Control Agency (SAFCA)

Report # 2015-00520

Location: Citywide

Action: Passed **Housing Authority Resolution No. 2015-0006** authorizing the SHRA Executive Director to execute the Termination Agreement with the Sacramento Area Flood Control Agency to terminate the 1989 Interagency Agreement.

Contact: David Levin, General Counsel, (916) 440-1330, Sacramento Housing and Redevelopment Agency

Public Hearings

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

15. **Mack Road Property and Business Improvement District No. 2014-05: Public Hearing**

(Noticed 04/15/2015)

Report # 2015-00210 **Estimated Time: 5 minutes** (Actual Time: 4 minutes)

Location: Districts 7 and 8

Action: Moved/Seconded: Member Rick Jennings / Member Larry Carr

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

Conducted a public hearing with public comment heard from Jenna Abbott, Wendie Skals, and upon conclusion passed **Motion No. 2015-0137** directing the City Clerk to 1) tabulate the assessment ballots submitted and not withdrawn before the hearing is closed; and 2) bring back as a Consent item on June 9, 2015, with the tabulation results.

Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

16. **Water Shortage Update and Approval of EO B-29-15 Response Plan**

Report # 2015-00473 **Estimated Time: 60 minutes** (Actual Time: 56 minutes)

Location: Citywide

Action: Moved/Seconded: Member Steve Hansen /Member Jeff Harris

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

Conducted a public hearing with public comment heard from Lorraine Brown, Ron Emslie, Michelle, David Andre, Laura Rubalcaba, Angela Malone, Mac Worthy, David Baumgartner, James Clark, and upon conclusion passed 1) **Motion No. 2015-0138** approving proposed EO B-29-15 Response Plan; and 2) **Resolution No. 2015-0162** declaring continuing water shortage and implementing additional water conservation measures and use restrictions.

Contact: Terrance Davis, Program Manager, (916) 808-1868; Bill Busath, Director, (916) 808-1434, Department of Utilities

Discussion Calendar

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

17. **Agreements: Township 9 Transit-Oriented Development Grant Award**

Report # 2015-00466 **Estimated Time: 10 minutes** (Actual Time: 7 minutes)

Location: District 3

Action: Moved/Seconded: Member Jeff Harris / Member Jay Schenirer

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

Public comment heard from Mac Worthy, Lorraine Brown; passed **Resolution No. 2015-0163:** 1) accepting two Transit-oriented Development Grants (TOD Grants) from the California Housing and Community Development Department in the total amount of \$6,259,817; 2) establishing a capital improvement project (Fund 3704) and revenue and expenditure budget in B18219600 to be funded with the TOD Grants; 3) authorizing the City Manager or his designee to execute the TOD Grant Agreements, Disbursement Agreements, additional documents and take actions necessary for implementation of the TOD Grants; 4) approving an Assignment and Assumption Agreement with Capitol Station 65, LLC for the Township 9 TOD Grants; and 5) authorizing the City Manager or his designee to execute the Assignment and Assumption Agreement.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department

18. **Ordinance: Authorizing Amendment to the California Public Employees’ Retirement System Contract for SPOA and Local 447 Cost Share** (Passed for Publication 05/12/2015; Published 05/15/2015)

Report # 2015-00518 **Estimated Time: 5 minutes** (Actual Time: 1 minute)

Location: Citywide

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

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

Passed **Ordinance No. 2015-0019** amending the contract between the Board of Administration California Public Employees’ Retirement System and the City of Sacramento.

Contact: Geri Hamby, Director, (916) 808-7173; Denise Deprato, Support Services Manager, (916) 808-8249, Department of Human Resources

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

1. Sister Cities
 - a. David Baumgartner
2. Misc.
 - a. Laura Rubalcaba
 - b. Michelle
 - c. Lorraine Brown
 - d. Mac Worthy
3. Police
 - a. David Andre
4. Homeless
 - a. Jonathan Gainsbrugh
 - b. Delphine Brody
 - c. James Clark
5. Sacramento Sports Commission
 - a. Steven Lerman
6. Oak Park
 - a. Ron Emslie
7. Parking Permit Zones
 - a. Toby Todd
8. Tiny Living Spaces
 - a. Angela Malone

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Jeff Harris
 1. Report to Council on resources directed toward homeless issues

2. Board/Commission Appointments

None.

Adjourned – 8:40 p.m.