

## 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, 1<sup>st</sup> Floor

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

**Tuesday, August 11, 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](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, August 11, 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, August 11, 2015 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson (departed 7:30 p.m.)

**Pledge of Allegiance-** led by

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

**Action:** Moved/Seconded: Member Allen Warren / 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.

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

- 1. Designation of Voting Delegate and Alternate for League of California Cities 2015 Annual Conference**  
Report # 2015-00629  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0210** designating Councilmember Eric Guerra as voting delegate, and City Manager John Shirey as the alternate voting delegate, to the 2015 League of California Cities Annual Conference.  
**Contact:** Shirley Concolino, MMC, City Clerk, (916) 808-5442, Office of the City Clerk
- 2. (Pass for Publication) Ordinance Establishing the Sacramento Community Police Commission**  
Report # 2015-00725  
**Location:** Citywide  
**Action:** Public comment heard from Faygo; 1) Reviewed an Ordinance repealing and adding Chapter 2.110 and amending Section 2.40.030 of the Sacramento City Code to replace the Community Racial Profiling Commission with the Sacramento Community Police Commission; and 2) passed for publication the Ordinance title per Sacramento City Charter Section 32(c) for consideration on August 18, 2015.  
**Contact:** Francine Tournour, Director, (916) 808-7345, Office of Public Safety Accountability

- 3. Refunding of Residual Del Paso Road CFD No. 95-02 Special Tax/Redemption Proceeds**  
Report # 2015-00615  
**Location:** District 1  
**Action:** Passed **Motion No. 2015-0211:** 1) authorizing refunds to current owners of property in the former Del Paso Road CFD No. 95-02 from residual Special Tax/Redemption Proceeds; and 2) directing that any accrued interest received after the refunds to be deposited in the General Fund.  
**Contact:** Brian Wong, Senior Debt Analyst, (916) 808-5811; Janelle Gray, Debt Manager, (916) 808-8296, Office of the City Treasurer
- 4. June 2015 Monthly Investment Transactions Report**  
Report # 2015-00659  
**Location:** Citywide  
**Action:** Received and filed.  
**Contact:** John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer
- 5. Fiscal Year (FY) 2015/16 Sacramento Tourism Marketing District (STMD) Annual Proceedings**  
Report # 2015-00176  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0254:** 1) approving the Sacramento Tourism Marketing District (STMD) Annual Report, 2) authorizing budgetary adjustments, and 3) levying an assessment for FY2015/16.  
**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 6. Fiscal Year (FY) 2015/16 Handle Business Improvement District (District) Annual Proceedings**  
Report # 2015-00177  
**Location:** District 4  
**Action:** Passed **Resolution No. 2015-0255** approving the District Annual Report, authorizing budgetary adjustments, and levying an assessment for FY2015/16.  
**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 7. Agreement: Consulting Services to Conduct a Standards of Cover Study for Fire Department**  
Report # 2015-00696  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0212:** 1) awarding an agreement for consulting services to conduct a Standards of Cover study to Citygate Associates, LLC with a term expiring on June 30, 2016 for a total not-to-exceed amount of \$135,000; and 2) authorizing the City Manager, or his designee, to execute the agreement with Citygate Associates, LLC specified above.  
**Contact:** Walt W. White, Fire Chief, (916) 808-1601, Fire Department

8. **Authorization to use RFQ Process to Establish an On Call List for General Contracting and Professional Services (Two-Thirds Vote Required)**  
Report # 2015-00691  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0256** suspending competitive bidding in the best interests of the City to authorize the use of a competitive Request For Qualifications (RFQ) process to solicit firms to provide On Call General Contracting and Professional Services for City parks and facilities.  
**Contact:** Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
9. **Fee Waiver: Sacramento Summer Night Lights (SSNL) Program at Oak Park Community Center**  
Report # 2015-00699  
**Location:** Citywide  
**Action:** Public comment heard from Laura Rubalcaba, Mac Worthy; passed **Resolution No. 2015-0257** waiving facility fees for use of the Oak Park Community Center by the Sacramento Summer Night Lights (SSNL) program, in consideration that this program is sponsored by the City.  
**Contact:** Scott Pettingell, Police Administrative Manager, Fiscal Operations, (916) 808-0909, Police Department; Bonnie Williamson, Administrative Officer, (916) 808-2348, Department of Parks and Recreation
10. **Contract: 2015 Street Seal Coat Project and 65th Street Bike Lane Project**  
(Published for Review 07/31/2015)  
Report # 2015-00647  
**Location:** Citywide  
**Action:** Passed **Resolution No. 2015-0258:** 1) approving the Plans and Specifications for the 2015 Street Seal Coat Project and the 65th Street Bike Lane Project; 2) transferring \$404,606 from the FY14 Street Overlay and Seal Program (R15142000); \$50,482 from the Bike Trail Repair Project (K19000200); \$121,972 from the Trench Cut Fee Program (R15152500); and \$120,315 from the Pedestrian/ Bike Trail Repair and Maintenance (K15152100) to the FY15 Street Overlay and Seal Program (R15152000); 3) approving the transfer of \$53,000 from the Bikeway Program (K15112000) to the 65th Street Bike Lane Project (K15135000); 4) awarding the construction contract to Valley Slurry Seal Company for an amount not to exceed \$2,086,895 for the 2015 Street Seal Coat Project and 65th Street Bike Lane Project; and 5) authorizing the City Manager or the City Manager's designee to execute the contract with Valley Slurry Seal Company for an amount not to exceed \$2,086,895.  
**Contact:** Josh Werner, Assistant Civil Engineer, (916) 808-8158; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

- 11. Contract Award: East Drainage Canal Multi-Use Trail Project (K19006000)**  
Report # 2015-00692  
**Location:** District 1  
**Action:** Passed **Motion No. 2015-0213:** 1) approving the Plans and Specifications for the East Drainage Canal Multi-Use Trail Project (K19006000); 2) awarding the construction contract to DeWitt Bros & Co. Inc. for an amount not to exceed \$449,537; and 3) authorizing the City Manager to execute a contract with DeWitt Bros & Co. Inc. in an amount not to exceed \$449,537 for the East Drainage Canal Multi-Use Trail Project (K19006000).  
**Contact:** Ofelia Avalos, Associate Civil Engineer, (916) 808-8158; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 12. Assignment of 926 J Street Citizen Hotel Parking Agreements**  
Report # 2015-00703  
**Location:** 926 J Street/District 4  
**Action:** Passed **Motion No. 2015-0214** authorizing the City Manager to execute an Assignment and Assumption agreement approving the assignment of City Agreements 2006-1025 and 2009-1106 from Cal West Partners, L.P. to Sacramento Hotel, LLC.  
**Contact:** Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works
- 13. Agreement: Badger Meter Interface Unit Installation and Programming**  
(Published for Review 07/31/2015)  
Report # 2015-00603  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0215:** 1) awarding a Nonprofessional Services Agreement to Ferguson Enterprises, Inc., dba Ferguson Waterworks, for the Badger Meter Interface Unit Installation and Programming for an initial one-year term with the option for two one-year renewals, in an amount not-to-exceed \$1.294 million for the maximum three-year term; and (2) authorizing the City Manager or his designee to approve the annual renewals subject to the availability of funding in the budget approved for the applicable fiscal year(s).  
**Contact:** Michael Malone, Operations Manager, (916) 808-6226; Sheri Adams, Program Specialist, (916) 808-1470, Department of Utilities
- 14. Contract: 65th Avenue Drainage Improvements (W14150700)**  
Report # 2015-00666  
**Location:** District 8  
**Action:** Passed **Resolution No. 2015-0259:** 1) approving the contract plans and specifications for the 65th Avenue Drainage Improvements Project; 2) awarding the contract to CSI Engineering for an amount not-to-exceed \$499,813; and 3) authorizing the transfer of \$205,722 from the Drainage Base CIP Reserve (W14000200) to the project.  
**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

**15. Agreement: Stormwater Ordinance Compliance Inspections**

Report # 2015-00680

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0216** authorizing the City Manager or the City Manager's designee to execute an Agreement with Sacramento County for the Sacramento County Environmental Management Department (EMD) to continue to perform stormwater ordinance compliance inspections at industrial and commercial facilities in the City.

**Contact:** Dan Sherry, Engineering & Water Resources Manager (916) 808-1419; Sherill Huun, Supervising Engineer (916) 808-1455, Department of Utilities

**16. Contract: Authorize Change Order Adding Water Meter Retrofits to Parkway & Valley Hi Water Meter Retrofit Project (Two-Thirds Vote Required)**

Report # 2015-00690

**Location:** District 7

**Action:** Passed **Resolution No. 2015-0260:** 1) suspending competitive bidding, in the best interests of the City, for approximately 110 water meter retrofits in the 4-PR-18 area, so this work can be performed before street resurfacing, and 2) authorizing the City Manager or his designee to sign Change Order 1 to Contract No. 2014-0083 with Florez Paving, to approve performance of these meter retrofits by Florez Paving for an amount not-to-exceed \$133,350, bringing the total Contract amount to \$5,483,655.

**Contact:** Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Michele Carrey, Supervising Engineer, (916) 808-1438, Department of Utilities

**Public Hearings**

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

**17. Housing and Dangerous Buildings Case Fees- Findings of Fact for Special Assessment**

(Noticed 04/17/2015, 05/22/2015 & 06/30/2015)

Report # 2015-00677

**Estimated Time: 10 minutes (Actual time: 5 minutes)**

**Location:** Citywide

**Action:** Moved/Seconded: Member Rick Jennings / Member Allen Warren

**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 and upon conclusion passed **Resolution No. 2015-0261 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Carl Simpson, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

18. **Unpaid Community Development Department Administrative Penalties and Neighborhood Code Compliance Fees** (Noticed 04/20/2015, 05/26/2015 & 06/02/2015)  
Report # 2015-00678 **Estimated Time: 10 minutes** (Actual time: 5 minutes)  
**Location:** Citywide

**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.

Conducted a public hearing and upon conclusion passed **Resolution No. 2015-0262 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Carl Simpson, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

### Discussion Calendar

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

19. **(City Council/Housing Authority) Authorization to Execute Memorandum of Understanding between City of Sacramento, Housing Authority, Sacramento Housing and Redevelopment Agency and Key Partners regarding Implementation of the Sacramento Promise Zone Designation**  
Report # 2015-00507 **Estimated Time: 20 minutes** (Actual time 45 minutes)  
**Location:** Portions of Districts 2, 3, 4, 5, and 6

**Action:** Moved/Seconded: Member Larry Carr / Member Eric Guerra

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

**Absent:** Mayor Kevin Johnson.

Public comment heard from Faygo, Lorraine Brown, Laura Rubalcaba, Frank Topping, Timothy Gagen and Mac Worthy; passed **City Council Resolution No. 2015-0263** authorizing a) the City Manager to execute a Memorandum of Understanding (MOU) with Sacramento Housing and Redevelopment Agency (SHRA) as Lead Organization regarding implementation of the Sacramento Promise Zone Designation, b) the Mayor to appoint a representative to the Promise Zone Executive Committee, and c) the City Manager to appoint a representative to the Promise Zone Implementation Council; and 2) passed **Housing Authority Resolution No. 2015-0008:** a) authorizing Sacramento Housing and Redevelopment Agency to act as Lead Organization and enter into an MOU with the Implementing Partners, and b) authorizing the Executive Director on behalf of the Housing Authority to execute the MOU with SHRA regarding implementation of the Sacramento Promise Zone Designation.

**Contact:** Tyrone Roderick Williams, Director of Development, (916) 440-1316, Sacramento Housing and Redevelopment Agency

### **Information Report**

This item is for information only and is not eligible for action at this time.

#### **20. Notification of Final Map Approval for Westshore - Parcel A (P08-066.1)**

Report # 2015-00736

**Location:** District 1

**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. Parking on City Streets
  - a. Sandra Strong
2. Misc.
  - a. Frank Topping
  - b. Mac Worthy
  - c. Stan Collier
  - d. Lorraine Brown
3. Homeless/Camping Ordinance
  - a. Jonathon Gainsbrugh
  - b. Christine Rich
  - c. Timothy Gagen
  - d. Laura Rubalcaba
  - e. David Andre
  - f. Faygo
4. Pedestrian Signal
  - a. Michael Callan
5. Mutual Housing Project
  - a. George Barles
6. Police
  - a. Geve Spooner

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

#### **1. Information Requests**

- a. Member Steve Hansen
  1. 30 day review by City Auditor of the City's sexual harassment policy with improvement recommendations
- b. Member Jeff Harris
  1. Refer to Law and Legislation Committee review of a resolution regarding banning neonicotinoids

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

- a. Parks and Recreation Commission
  1. Tony Colley-Perry (D8)

**Adjourned** – 7:54 p.m.