

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, 1st Floor**

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

**Tuesday, February 24, 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.

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, February 24, 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 6:03 p.m. Tuesday, February 24, 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.

Pledge of Allegiance – led by Summer Santich

Special Presentations/General Communications

a. Performing Arts Center Task Force Update

Action: Presentation given by Richard Rich

b. Recognizing “Save More Kids” Program

Action: Resolution presented by Mayor Johnson and Member Larry Carr

Consent Calendar Estimated Time: 5 minutes (Actual Time: 35 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. Confirmation of Board and Commission Appointments

Report # 2015-00179

Location: Citywide

Action: Passed **Motion No. 2015-0037** confirming board/commission appointment(s): Animal Care Services Citizens Advisory Committee - Melanie Sparks (Seat 2), Don Henkel (Seat 4), Samantha Farmer (Seat 6); Ann Land and Bertha Henschel Memorial Funds Commission - Raynell Hamilton (Seat 2); Natomas Basin Conservancy Board of Directors – Michael Bradbury (Seat 3).

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

2. Approval of City Council Meeting Minutes

Report # 2015-00180

Location: Citywide

Action: Passed **Motion No. 2015-0038** approving the City Council Meeting Minutes dated February 10, 2015.

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

3. Additional Funding for Weston Sports and Entertainment for Entertainment and Sports Center (ESC) Project

Report # 2015-00204

Location: Downtown Plaza, District 4

Action: Public comment heard from Delphine Brody, Tim Hansma and James Clark; passed **Resolution No. 2015-0044:** 1) authorizing City Manager or his designee to amend the professional services agreement with Weston Sports and Entertainment to increase their budget by \$250,000 for a total contract amount not to exceed \$750,000.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager

4. Agreement: Cost Sharing with the Sacramento Area Flood Control Agency (SAFCA) for Lower American River Task Force Meetings

Report # 2015-00144

Location: Citywide

Action: Passed **Motion No. 2015-0039** authorizing the City Manager, or his designee, to execute an agreement with SAFCA for cost sharing the provision of professional services.

Contact: Tom Gohring, Executive Director, (916) 808-1998, City-County Office of Metropolitan Water Planning

5. The Creamery: Declaration of Official Intent and Agreement to Reimburse Certain Expenditures from Proceeds of Indebtedness Resulting from the Issuance of Future Bonds

Report # 2015-00011

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)

Action: Passed 1) **Resolution No. 2015-0045** declaring the intent of the City of Sacramento to reimburse certain expenditures from tax-exempt bonds; and 2) **Resolution No. 2015-0046** authorizing the City Manager to execute an agreement with Lewis Land Developers, LLC to reimburse certain development fees from bond proceeds.

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

6. Reject Bids: Citywide Janitorial Services (B15061521001)

Report # 2015-00148

Location: Citywide

Action: Passed **Motion No. 2015-0040:** 1) rejecting all bids for B15061521001 for Citywide Janitorial Services (categories 1 – 9); and 2) authorizing the City Manager or his designee to execute a contract supplement through July 31, 2015, with ISS Facility Services Inc. in the amount of \$157,500, for a total contract not to exceed amount of \$2,957,500.

Contact: Gary O'Neill, Procurement Analyst, (916) 808-7432; Craig Lymus, Procurement Services Manager, (916) 808-5524, Department of Finance

7. Contract: Janitorial Services, On-Call Services at the Convention Center Complex

(Reviewed 02/17/2015)

Report # 2015-00166

Location: Citywide

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.

Removed from Consent Calendar by Member Ashby; public comment heard from Delphine Brody, Laura Rubalcaba, Bertha Lavios, Arely Vazquez and Theodros Cashaw; passed **Motion No. 2015-0041** to **withdraw** this item and to return with possible ordinance amendments within three months to ensure a viable transition between current vendor and a newly contracted vendor.

Contact: Gary O'Neill, Program Analyst, (916) 808-7432; Craig Lymus, Procurement Manager, (916) 808-5524, Department of Finance

8. Fiscal Year 2013/2014 Risk Management Annual Report

Report # 2015-00146

Location: Citywide

Action: Received and filed.

Contact: Geri Hamby, Director of Human Resources, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources

- 9. Contract: Landscape Maintenance for City Parking Garages and Lots**
Report # 2015-00125
Location: District 4
Action: Passed **Motion No. 2015-0042** awarding a one-year non-professional services agreement to Valley Landscapes for maintenance of landscaping around City parking garages and lots for an amount not to exceed \$56,300, and options to extend the agreement for up to two additional one-year periods with the total amount of the agreement, including optional two one-year extensions, not to exceed \$170,250.
Contact: Juan Montanez, Streets Manager, (916) 808-5567; Jim Horton, Program Specialist, (916) 808-5567, Department of Public Works
- 10. Contract: Landscape Maintenance for Palm Gateway Streetscapes**
Report # 2015-00126
Location: District 1
Action: Passed **Motion No. 2015-0043** awarding a one-year non-professional services agreement for the maintenance of the Palm Gateway Streetscapes with Roush Landscape for an amount not to exceed \$52,400 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement, including the optional two one-year extensions, not to exceed \$157,200.
Contact: Juan Montanez, Streets Manager, (916) 808-2254; Jim Horton, Program Specialist, (916) 808-5567, Department of Public Works
- 11. Contract: Landscape Maintenance for Willow Creek Streetscapes**
Report # 2015-00127
Location: Districts 2 and 3
Action: Passed **Motion No. 2015-0044** awarding a one-year non-professional services agreement for the maintenance of the Willow Creek Streetscapes with Dominguez Landscape Services for an amount not to exceed \$50,792 and the option to extend the agreement for two additional one-year periods, with the total amount of the agreement, including the optional extensions, not to exceed \$154,886.
Contact: Juan Montanez, Streets Manager, (916) 808-2254; Jim Horton, Program Specialist, (916) 808-5567, Department of Public Works
- 12. Environmental Study for the I-5 Subregional Fee Program (I15150100) – Establishment of Multi-year Operating Project and Appropriation and Transfer of Funds**
Report # 2015-00128
Location: Citywide
Action: Passed **Resolution No. 2015-0047:** 1) establishing a Multi-year Operating Project (MYOP) for the I-5 Subregional Fee Program Environmental Study (I15150100); 2) appropriating \$68,416 (Fund 3702) in contributions to the Environmental Study MYOP (I15150100); and 3) transferring \$36,074 (Fund 2002) from the Major Street Improvements Project (T15148000) to the Environmental Study MYOP (I15150100).
Contact: Samar Hajeer, Senior Civil Engineer, (916) 808-7808; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

- 13. Downtown/Riverfront Streetcar Transit Project (S15131800) - Appropriation of Funds and Subrecipient Agreement with SACOG**
Report # 2015-00155
Location: District 4
Action: Passed **Resolution No. 2015-0048:** 1) appropriating \$493,314 from the Fair Share Fund account (Fund 2032) to the Downtown/Riverfront Streetcar project (S15131800); and 2) entering into a Subrecipient Agreement with Sacramento Area Council of Governments (SACOG) for the Downtown/Riverfront Transit Project.
Contact: Fedolia “Sparky” Harris, Principal Planner, (916) 808-2996; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Public Works
- 14. (City Council/Housing Authority/Redevelopment Agency Successor Agency) Amended and Restated Sacramento Housing and Redevelopment Agency Joint Exercise of Powers Agreement**
Report # 2015-00154
Location: Citywide
Action: Passed 1) **City Council Resolution No. 2015-0049** authorizing the City Manager to execute the amended and restated Sacramento Housing and Redevelopment Agency (SHRA) Joint Exercise of Powers Agreement (JPA); 2) passed **Housing Authority Resolution No. 2015-0003** authorizing the Executive Director of the Housing Authority of the City of Sacramento to execute the amended and restated SHRA Joint Exercise of Powers Agreement; and 3) passed **Redevelopment Agency Successor Agency Resolution No. 2015-0002:** a) acknowledging that the Redevelopment Agency Successor Agency (RASA) for the City of Sacramento was not a party to the JPA or a member of SHRA, and b) subject to the approval of the City of Sacramento RASA Oversight Board and the California Department of Finance, the City Manager on behalf of RASA is authorized to execute an agreement with SHRA to pledge that payments for the retirement and post-retirement medical benefit obligations for former City Redevelopment Agency employees and a portion of the debt payment for the 801 12th Street building be placed on the Recognized Obligation Payment Schedules.
Contact: David Levin, Agency Counsel, (916) 440-1304; LaShelle Dozier, Executive Director, (916) 440-1319, Sacramento Housing and Redevelopment Agency
- 15. Control of Aquatic Vegetation in Drainage Channels and Basins: Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program**
Report # 2015-00116
Location: Citywide
Action: Passed **Resolution No. 2015-0050:** 1) adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the use of aquatic herbicides containing copper to control algae in detention basins and controlled conveyance channels; and 2) authorizing the Department of Utilities to proceed with implementation in accordance with City policies and requirements and Section 5.3 of the State Implementation Plan.
Contact: Michael Malone, Operations & Maintenance Manager, (916) 808-6226; William Roberts, Drainage Collection Superintendent, (916) 808-6955, Department of Utilities

Public Hearings

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

16. Kyles Temple AME Zion Church Landmark Nomination (M14-018) [Noticed 02/13/2015; Passed for Publication 02/17/2015; Published 02/20/2015]

Report # 2015-00059 **Estimated Time: 10 minutes** (Actual Time: 6 minutes)

Location: 2940 42nd Street, District 5

Action: Moved/Seconded: Member Rick Jennings / Member Jay Schenirer

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

Conducted a public hearing and upon conclusion passed **Ordinance No. 2015-0003** listing the Kyles Temple AME Zion Church, located at 2940 42nd Street, in the Sacramento Register of Historic and Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics.

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

17. Formation Proceedings for the Sacramento Streetcar Community Facilities District (CFD) No. 2015-01 (Noticed on 02/13/2015)

Report # 2015-00008 **Estimated Time: 5 minutes** (Actual Time: 9 minutes)

Location: District 4

Action: Moved/Seconded: Member Angelique Ashby/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)

Conducted a public hearing with public comment heard from James Clark and Mike Barnbaum, on the proposed Sacramento Streetcar Community Facilities District No. 2015-01 (the "CFD") and, upon conclusion, passed 1) **Resolution No. 2015-0051** of formation establishing the CFD and providing for the levy of a special tax; 2) **Resolution No. 2015-0052 as amended** deeming it necessary to incur bonded indebtedness; 3) a **Resolution No. 2015-0053 as amended** calling for a special mailed-ballot election on June 2, 2015; 4) **Resolution No. 2015-0054** requesting the Sacramento County Board of Supervisors to permit the Registrar of Voters to render specified services relating to the conduct of the election; and 5) **Motion No. 2015-0045** directing staff to bring forward an ordinance addressing participation in the CFD as a potential trip-reduction measure under Sacramento City Code § 17.700.070.

Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

18. **Temporary Closure of the Alley Bounded by 50th and 51st Streets, T Street and Highway 50 Located in Council District 6; Temporary Closure of Traffic Proceeding No. TSC15-01**
(Noticed 02/13/2015)
Report # 2015-00130 **Estimated Time: 5 minutes** (Actual Time: 2 minutes)
Location: District 6

Action: Moved/Seconded: Member Jay Schenirer /Member Rick Jennings
Yes: Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Passed **Resolution No. 2015-0055** authorizing the temporary closure of the subject alley bounded by 50th, 51st, T Streets and Highway 50 to through vehicular and pedestrian traffic.
Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Discussion Calendar

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

19. **Update on Natomas Arena Site Reuse Efforts (Oral Report)**
Report # 2015-00111 **Estimated Time: 20 minutes** (Actual Time: 55 minutes)
Location: One Sports Parkway, District 1
Action: Public comment heard from Stanley Zezolarski, Molly Fling, Kaelyn Blizzard, Danielle Lindo, Mateo Ramirez, Lynn Lenzi, Frank Topping, Darrel Teat, Keith Sharward, Danielle Marshall, Laura Rubalacaba, Peter Tateishi, Mike Barnbaum, Summer Santich and Mike Tavares, received and filed with direction given to the City Manager to return in near future with a specific timeline including market and site analysis, and consultants hired beginning with this calendar year going through 2016.
Contact: Desmond Parrington, AICP, ESC Project Manager, Office of the City Manager, (916) 808-5044
20. **Proposal to Accelerate Installation of Water Meters to Promote Water Conservation**
Report # 2015-00031 **Estimated Time: 30 minutes** (Actual Time: 60 minutes)
Location: Citywide
Action: Moved/Seconded: Member Steve Hansen / Member Jeff Harris
Yes: Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Public comment received from Sir Ron Yokley, Steve Archibald, Ronald Stork, Rosie Yacorb, Laura Rubalcaba and Craig Powell, passed **Resolution No. 2015-0056** approving revised guidelines for the water meter implementation program to accelerate the completion of meter installation.

Contact: Bill Busath, Interim Director, (916) 808-1434; Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Michelle Carrey, Senior Engineer, (916) 808-1438, Department of Utilities

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.

21. (Agreement/Contract for Review and Information) Additional Legal Expenses Associated with the Entertainment and Sports Center Term Sheet Litigation

Report # 2015-00042

Location: Downtown Plaza, District 4

Action: Reviewed a report 1) authorizing the City Manager or his designee to transfer \$700,000 from the FY2013/14 year-end results to the Entertainment and Sports Center project budget (102000500) for expenses associated with the ESC term sheet litigation; 2) authorizing the City Attorney or his designee to increase the contract with the City's outside legal counsel (Meyers Nave Riback Silver and Wilson) by an additional \$700,000; and 3) continued to March 3, 2015 for approval.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager

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

1. Maile Hampton Release
 - a. Berry Accius
 - b. Farrah Shields
 - c. Alyssa Pena
 - d. Tory Webster
 - e. Kyla Burke
 - f. Hannah Moore
 - g. David Andre
 - h. Teresa Sale
 - i. Anamaria Ragland
 - j. Forrest Schmidt
 - k. Christina Arechiga
 - l. Addison Kalasatno
 - m. Jason Miller
 - n. Benjamin Ross
 - o. Matt Palm
 - p. Anita Deberz
2. Homelessness
 - a. Independence Taylor
 - b. Delphine Brody
 - c. Laura Rubalcaba
 - d. Diane Lynn McCall
 - e. Russell Bartholow
 - f. Chris Lamb
- g. Jonathon Gainsbrugh
- h. Frank Topping
- i. Dane Palmer
- j. Jessica Alexander
- k. James Clark
3. Police
 - a. Andy Conn
 - b. Angela Malone
 - c. Victoria Reyes
 - d. Emily
 - e. Nyree
 - f. Tony Bias
 - g. Niki Jones
4. Youth Violence
 - a. Rhonda Erwin
5. Black History Month
 - a. Kevin Carter
6. Mercy Hospital
 - a. Christine Cross
7. Youth Community
 - a. Ronnie Guice
8. Matchmaking event in sports complex
 - a. Jon Easter

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

a. Ann Land and Bertha Henschel Memorial Funds Commission

1. Jack Simpson (seat 7)
2. Terilyn Cobb (seat 9)

Adjourned – 10:15 p.m.