

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, November 17, 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, November 17, 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 6:02 p.m. Tuesday, November 17, 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.

Pledge of Allegiance - led by Kevin Carter.

Closed Session Report - None.

Special Presentations/General Communications

- A. Recognizing Runaway and Homeless Youth Month**
Action: Resolution presented by Member Angelique Ashby

- B. Recognizing Steve Feil Upon His Retirement**
Action: Resolution presented by Member Angelique Ashby

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Steve Hansen / Member Angelique Ashby

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. Contract for Legal Services for the 2035 General Plan Litigation

Report # 2015-00951

Location: Citywide

Action: Passed **Resolution No. 2015-0350:** 1) authorizing the City Manager to transfer \$325,000 from the Development Services Fund (Fund 2016) to the General Plan Update project budget (I22400000) for litigation services; and 2) authorizing the City Attorney to execute a contract with Stoel Rives, LLP in an amount not to exceed \$325,000 for litigation assistance with the lawsuit challenging the 2035 General Plan and associated Master Environmental Impact Report (MEIR).

Contact: Remi Mendoza, Associate Planner, (916) 808-5003, Community Development Department; Brett Witter, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

2. Agreement for Subscription, Citizen Access, Maintenance, and Support Services of CitizenServe

Report # 2015-00940

Location: Citywide

Action: Passed **Motion No. 2015-0284** authorizing the City Manager or designee to execute a professional services agreement with Online Solutions, LLC for subscription, Citizen Access, maintenance, and support services, for a three-year period, in an amount not-to-exceed \$202,500.

Contact: Susanne Cook, Administrative Analyst, (916) 808-5375; Phong Nguyen, (916) 808-8148, Community Development Department

3. (Pass for Publication) Ordinance Amending Title 17 Relating to Artificial Turf in Required Front-yard and Street Side-yard Setbacks (M15-008)

Report # 2015-00964

Location: Citywide

Action: Moved/Seconded: Member Jeff Harris / Member Angelique Ashby

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

Withdrawn an Ordinance amending various sections in Title 17 of the Sacramento City Code relating to the use of artificial turf in required front and street side yard setbacks; and 2) pass for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted on November 24, 2015.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

4. **(Pass for Publication) Ordinance Relating to State Mandated Water Efficient Landscape Requirements**
Report # 2015-01039
Location: Citywide
Action: 1) Reviewed an ordinance repealing and reenacting Chapter 15.92 in Title 15 of the Sacramento City Code relating to Water Efficient Landscape Requirements; and 2) passed for publication the ordinance title as required by City Charter section 32(c), with the ordinance to be considered for adoption on November 24, 2015.
Contact: Helen Selph, Associate Planner, (916) 808-7852, Community Development Department
5. **Contract: 19th and Q Street Park Community Garden (L19011900)**
Report # 2015-00988
Location: District 4
Action: Passed **Motion No. 2015-0285:** 1) approving the construction plans and specifications for 19th and Q Street Community Garden Park project (L19011900); 2) awarding the contract to PBM Construction for an amount not to exceed \$216,589; 3) authorizing the City Manager or City Manager's designee to execute the contract with PBM Construction for an amount not to exceed \$216,589.
Contact: Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation
6. **Contract: Mesa Grande Park and Playground Renovations (L19138500)**
Report # 2015-00990
Location: District 7
Action: Passed **Motion No. 2015-0286:** 1) rejecting all bids received on July 29, 2015 for Mesa Grande Park and Playground Renovation (L19138500); 2) approving the construction plans and specifications for Mesa Grande Park and Playground Renovation Rebid (L19138500); 3) awarding the contract to Olympic Land Construction for an amount not to exceed \$185,550; 4) authorizing the City Manager or City Manager's designee to execute the contract with Olympic Land Construction for an amount not to exceed \$185,550;
Contact: Gary Hyden, Park Planning and Development Manager, (916) 808-1949; Dennis Day, Associate Landscape Architect, (916) 808-7633, Department of Parks and Recreation

7. **Agreement with the California Department of Education for START After School Education and Safety Program at Robla Elementary School District**
Report # 2015-00992
Location: Multiple locations within and outside the City limits
Action: Passed **Resolution No. 2015-0351:** 1) authorizing the City Manager or his designee to execute an agreement with the State of California, Department of Education (CDE) to accept grant funding for the Sacramento START (Students Today Achieving Results for Tomorrow) After School Education and Safety Program at five elementary schools in the Robla Elementary School District in an amount not to exceed \$560,250 during Fiscal Year (FY) 2015/16, and 2) authorizing the City Manager or his designee to adjust the operating revenue and expenditure budgets as necessary to implement the agreement.
Contact: Brian Fitzgerald, Recreation Superintendent, (916) 808-6196; Alan Tomiyama, Recreation Manager, (916) 808-8958; Sonja Jarvis, Administrative Officer, (916) 808-8824, Department of Parks and Recreation
8. **Supplemental Agreement No. 3: Contract 2014-0545 for the North Natomas Community Center/Aquatic Complex Feasibility Study**
Report # 2015-01008
Location: District 1
Action: Passed **Resolution No. 2015-0352:** 1) authorizing the City Manager, or City Manager's designee, to enter into a Supplemental Agreement No. 3 for the North Natomas Community Center and Aquatic Complex Feasibility Study project with BCA Architects, Inc. (I19000900) in an amount not to exceed \$21,130 for a total contract amount of \$118,014; and 2) appropriating \$21,130 from the North Natomas Finance Plan Public Facilities Fee Fund (Fund 3206) to the North Natomas Community Center and Aquatic Complex Feasibility Study Project (I19000900).
Contact: Camille Wise, Resource Development Specialist, (916) 808-8830, Department of Parks and Recreation
9. **Cooperative Purchase Agreements: Replacement Vehicles and Equipment**
(Published for Review 11/05/2015)
Report # 2015-00930
Location: Citywide
Action: Passed **Motion No. 2015-0287:** 1) approving the use of cooperative purchase agreements from the State of California and the National Joint Powers Alliance with various vendors for the purchase of sedans, vans, sport utility vehicles, trucks, and trailers in a total amount not to exceed \$3,966,187 (as shown in Attachment 1) during the terms of each respective contract or until the contracts are no longer available for use; 2) authorizing the City Manager or the City Manager's designee to execute the purchases specified above.
Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works

10. Proposed Three-Hour Parking Restriction near Crocker Park

Report # 2015-00950

Location: East and west sides of 2nd Street between N Street and O Street, north side of O Street between 2nd Street and 3rd Street, and west side of 3rd Street between O Street and P Street, District 4

Action: Passed **Resolution No. 2015-0353** regulating parking on the east and west sides of 2nd Street between N Street and O Street, the north Side of O Street between 2nd Street and 3rd Street, and the west side of 3rd Street between O Street and P Street, with “Three Hour 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. Cooperative Purchase Agreements: Replacement Fire Apparatus

(Published for Review 11/05/2015)

Report # 2015-00952

Location: Citywide

Action: Passed **Motion No. 2015-0288:** 1) approving the use of the cooperative purchase agreement (Contract No. FS12-13) between the Houston-Galveston Area Council (HGAC) and: a) Siddons-Martin Emergency Group for the purchase of four brush trucks in an amount not to exceed \$761,544; and b) Pierce Manufacturing, Inc. for the purchase of four pumper trucks in an amount not to exceed \$2,465,012; and 2) authorizing the City Manager or the City Manager’s designee to execute the purchases specified above.

Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works

12. Agreement: Parkview Phase 2 Subdivision (P00-022)

Report # 2015-00953

Location: District 1

Action: Passed **Motion No. 2015-0289** authorizing the City Manager to execute the Agreement to Construct Improvements with Natomas Gateway West, LLC. for the construction of public improvements.

Contact: Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

13. West Sacramento Parking Enforcement and Citation Management Services

Report # 2015-00954

Location: West Sacramento

Action: Passed **Motion No. 2015-0290:** 1) authorizing the Parking Services Division to provide patrol and citation services for the City of West Sacramento; 2) approving the Parking Enforcement and Citation Services Agreement with the City of West Sacramento to reimburse the services cost at a rate of 50% of the net amount of fines and penalties collected; and 3) authorizing the City Manager or his designee to execute the Parking Enforcement and Citation Management Services Agreement.

Contact: Matt Eierman, Parking Services Manager, (916) 808-5849, Department of Public Works

- 14. Contract Supplement No. 2: Original Equipment Manufacturer Parts and Services**
Report # 2015-00960
Location: Citywide
Action: Passed **Motion No. 2015-0291:** 1) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 2 to Contract No. 2010-1017 with Harrold Ford for original equipment manufacturer (OEM) parts and services: a) in an amount not to exceed \$180,000 for a revised total contract amount not to exceed \$1,648,800; and b) to extend the contract term through January 22, 2016; and 2) resetting the City Manager's authority to issue contract supplements
Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Mark Stevens, Fleet Manager, (916) 808-5869, Department of Public Works
- 15. Supplemental Agreement: Rio Linda Boulevard/Main Avenue Bridge Replacement Project (T15095200)**
Report # 2015-00978
Location: District 2
Action: Passed **Resolution No. 2015-0354:** 1) authorizing the City Manager or his designee to execute Supplemental Agreement No. 10 to City Agreement No. 2011-1290 with Mark Thomas & Company, Inc. in an amount not to exceed \$79,046; 2) resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2011-1290; and 3) appropriating an additional \$60,000 (Fund 2001) from the Major Street Improvements Project (T15168000) to the Rio Linda Boulevard/Main Avenue Bridge Replacement Project (T15095200).
Contact: Philip Vulliet, Associate Civil Engineer, (916) 808-5092; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 16. Lease Agreements with Caltrans for Surface Parking Lots under the W/X Freeway**
Report # 2015-00982
Location: Under the W/X Freeway from 6th Street to 23rd Street, Districts 4 and 5
Action: Passed **Motion No. 2015-0292** authorizing the City Manager to 1) enter into four, 10-year lease agreements with Caltrans for each of the following surface parking lots located under the W/X Freeway: 6th & 8th Streets, 20th & 21st Streets, 21st & 22nd Streets, and 22nd & 23rd Streets; and 2) amend City Agreement 2015-0647, the lease with Caltrans for the 18th & W surface parking lot, changing the monthly rent from a fixed monthly fee to a 50% share of gross revenue.
Contact: Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works

17. Proposed Two-Hour Parking Restriction on a Section of Bercut Drive

Report # 2015-00983

Location: East side of Bercut Drive between Richards Boulevard and North 3rd Street, District 3

Action: Passed **Resolution No. 2015-0355** regulating parking on the east side of Bercut Drive between Richards Boulevard and North 3rd Street with “Two-Hour 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

Public Hearings

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

18. Third Party Appeal: Curtis Park Village Fuel Center (P14-036) [Noticed 11/06/2015]

Report # 2015-00623 **Estimated Time: 90 minutes** (Actual Time: 4.5 hours)

Location: District 5

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

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

No: Members Larry Carr and Allen Warren

Conducted a public hearing with public comment heard from Mark Swanson, Sally Zeff, Wendy Saunders, Paul Knepprath, Maxine Boshes, Nathan Jacobsen, Kathryn McOmie, Kave Van Buren, Marian Moe, Ben Rivers, Donna Uran, Joany Titherington, Kirk Trost, Simeon Gant, Genevieve Shiroma, Katie Valenzuela, Nancy McKeever, Tamika L’ecluse, Rosanna Herber, Rosemary Covington, Bill Harrell, Andrea Rosen, Kevin Carter, Matt Z’berg, Race Forster, Joseph Gabriel, Lesley Simons, Larry Meeks, KD Weldon, Nicole Rice, Lori Thurn, Steven Clark, Nate White, Gary Sires, Ashiya Odeya, Sean Raycraft, Anthony Sadler, Karen Carmazzi, Dawn Holley, Chris Thompson, Meg Heede, Bruce Strickley, Jennifer Dare Sparks; and upon conclusion passed **Motion No. 2015-0293 to reject staff’s recommendation to certify the addendum to a previously adopted EIR and Mitigation Monitoring Plan, and Conditional Use Permit and Site Plan and Design Review, and instead deny the application by denying the Conditional Use Permit under Planning and Development Code section 17.808.200.C.1, subsections a and d,** with the following findings:

The proposed gas station and its operating characteristics are not consistent with the General Plan policy 5.1.5 discouraging low-intensity and auto-oriented uses around transit stations in that:

- a. The gas station is an auto-oriented use; and the gas station is within a ¼ mile radius of an existing City College Light Rail Station. The staff report focused on land uses surrounding the existing light rail transit station as higher-intensity, ridership generating mix of uses, location of the gas station within the larger shopping center does not inhibit the ability of the surrounding community to access the transit station, and that the gas station represents a very small fraction of

space out of the larger shopping center. However, based on other evidence at the hearing and in the City Council's view, interference with access to transit is not the only point of this policy in this instance, and this larger size gas station required extra consideration. Regardless of the vehicle trips not increasing beyond the numbers studied for the PUD, vehicle miles travelled is still an issue to address under this policy. An auto-oriented use around the transit station, which would be draw for additional traffic and trips from outside the surrounding community, is counter to that policy and is not consistent with this policy to discourage auto oriented uses. The City's application for grant funding to build the pedestrian bridge connecting the project to nearby light rail called the Curtis Park Village a high density, mixed-use urban infill development project which embraced the blueprint developed by SACOG. The gas station is inconsistent with City's overall goals and objectives for infill and sustainability, climate action, transit oriented development, the regional blueprint, and the objectives of General Plan Policy 5.1.5.

d. The proposed use and its operating characteristics are detrimental to the convenience and welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood as the large scale of the gas station is incompatible with the surrounding neighborhood, and it would increase traffic.

Contact: Antonio Ablog, Acting Senior Planner, (916) 808-7702; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development

Discussion Calendar

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

19. Funding for the Expansion of the St. John's Program for Real Change

Report # 2015-00977 **Estimated Time: 20 minutes** (Actual Time: 18 minutes)

Location: 8401 Jackson Road, District 6

Action: Moved/Seconded: Member Angelique Ashby / Member Eric Guerra

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 Kevin Carter; passed **Resolution No. 2015-0356** conditionally committing \$600,000 from FY2014/15 General Fund year-end results for the expansion of the St. John's Program for Real Change.

Contact: Emily Halcon, Homeless Services Coordinator, (916) 808-7896, Office of the City Manager

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

1. Homeless

a. Sandra Strong

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Mayor Kevin Johnson

1. Referred the performing arts task force and options to City Manager John Shirey for continued efforts
2. Requested a joint city/county performance review done as a 2x2 for SHRA Executive Director, LaShelle Dozier appointing Allen Warren and Rick Jennings to represent the city.

2. Board/Commission Appointments

a. Sacramento Youth Commission

1. Jessica Rogers (District 7)
2. Winnie Leung (District 7)

Adjourned – 12:00 a.m. in memory of Jaulon Clavo and Dr. McIntosh