

## 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, September 8, 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, September 8, 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 Vice Mayor Allen Warren at 6:00 p.m. Tuesday, September 8, 2015 at the Sacramento City Hall Council Chamber

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

**Members Absent:** Mayor Kevin Johnson

**Pledge of Allegiance-** led by Member Steve Hansen

### **Special Presentations/General Communications**

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

#### **A. Recognizing September 2015 as Prostate Cancer Awareness Month**

**Action:** Resolution presented by Member Jay Schenirer

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

**Action:** Moved/Seconded: Member Steve Hansen / Member Rick Jennings

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

**Absent:** Mayor Kevin Johnson

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

#### **1. Assignment and Assumption of Railyards Agreements**

Report # 2015-00788

**Location:** District 3

**Action:** Passed **Motion No. 2015-0230** authorizing the City Manager to execute Assignment and Assumption Agreements with IA Sacramento Holdings, L.L.C. and Downtown Railyard Venture, LLC for 1) City Agreement 2008-0150 (Development Agreement for Sacramento Railyards Project); 2) City Agreement 2008-0409 (Funding Agreement); 3) City Agreement 2011-0083 (5th and 6th Street Roadway Project Memorandum of Understanding); 4) City Agreements 2013-0238 and 2013-0777 (Project Delivery Agreement); and, 5) City Agreement 2011-0253 (Assignment and Assumption Agreement 5th Street Extension Project TOD Grant Agreement).

**Contact:** Fran Halbakken, Assistant to the City Manager, (916) 808-7194, Office of the City Manager

2. **(Pass for Publication) Ordinance Amending Title 17 Relating to Front-Yard Setbacks (M15-010)**

Report # 2015-00773

**Location:** Citywide

**Action:** 1) Reviewed an Ordinance amending various sections in Chapter 17.204 of the Sacramento City Code relating to front-yard setbacks for single-unit and duplex dwellings; and 2) passed for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted on September 15, 2015.

**Contact:** Bruce Monighan, Urban Design Manager, (916) 808-1241; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

3. **Deed of Gift: Accession of Artwork**

Report # 2015-00568

**Location:** District 4

**Action:** Passed **Motion No. 2015-0231** authorizing the City Manager or his designee to execute a deed of gift from SG Downtown, LLC to the City, whereby the City accepts the following artwork: “Balancing Act, Too” by Tony Natsoulas, and “Spherical Discourse #1 and #2” by Yoshio Taylor.

**Contact:** Shelly Willis, Executive Director, (916) 808-3971, Sacramento Metropolitan Arts Commission; Jody Ulich, Director, (916) 808-5105, Convention and Cultural Services

4. **North Natomas Regional Park Farmer’s Market and Parking Change Order #6**

Report # 2015-00749

**Location:** District 1

**Action:** Passed **Motion No. 2015-0232** authorizing the City Manager, or City Manager’s designee, to execute Change Order #6 to City Contract C2014-0064 between the City of Sacramento and B & M Builders, Inc. in the amount of \$3,545 for the project.

**Contact:** C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

5. **Establishing Capital Improvement Projects for Southside Park Playground Play Surface Rehabilitation Project (L19162300) and Muir Park Playground Play Surface Rehabilitation Project (L19139100)**

Report # 2015-00784

**Location:** District 4

**Action:** Passed **Resolution No. 2015-0296:** 1) establishing a new Capital Improvement Project (CIP) for Southside Park Playground Play Surface Rehabilitation Project (L19162300); 2) establishing a revenue and expenditure budget of \$19,078 for CIP Reimbursable Funds (Fund 3702) to L19162300; 3) transferring \$19,078 from the Parks and Recreation Operations to L19162300; 4) establishing a new CIP for Muir Park

Playground Play Surface Rehabilitation Project (L19139100); and 5) transferring \$27,700 from the Parks and Recreation Operations to L19139100.

**Contact:** C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

**6. Master Consultant Services Agreements for On-Call Construction Inspection Services**

Report # 2015-00767

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0233** approving Master Consultant Services Agreements in an amount not to exceed \$800,000 each with 1) Mendoza & Associates; and 2) HDR Engineering Inc.

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

**7. Agreement: Utility Rate Community Engagement Program**

Report # 2015-00789

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0234** authorizing the City Manager or the City Manager's designee to execute a Professional Services Agreement with Crocker & Crocker for the Utility Rate Community Engagement Program in an amount not-to-exceed \$271,356.

**Contact:** Rhea Serran, Media & Communications Specialist, (916) 808-5594; Bill Busath, Director, (916) 808-1434, Department of Utilities

**Public Hearings**

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

**8. Park Plaza Walgreens Project (P12-016)**

[Noticed 08/28/2015; Passed for Publication 09/01/2015; Published 09/04/2015]

Report # 2015-00714 **Estimated Time: 20 minutes** (Actual Time: 8 minutes)

**Location:** 1600 – 1620 West El Camino Avenue, District 3

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

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

**Absent:** Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Laura Rubalcaba and upon conclusion, passed 1) **Resolution No. 2015-0297** determining that the project is exempt under CEQA Guidelines Section 15332-Infill Development, 2) **Resolution No. 2015-0298** approving the General Plan Amendment to re-designate approximately 0.08 acres from Parks and Recreation to Suburban Center, 3) **Resolution No. 2015-0299** approving the PUD Guidelines Amendment to modify landscape, parking and signage criteria in the Creekside Oaks Planned Unit Development, 4) **Resolution No. 2015-0300 as amended** approving the Park Plaza Walgreens' Tentative Map and Site Plan and Design Review to

develop an approximately 15,019 square-foot retail building in the Shopping Center Planned Unit Development (SC-PUD) zone, and 5) **Ordinance No. 2015-0030** rezoning approximately 0.08 acres from Office Business Low-Rise Mixed-Use Planned Unit Development (OB-PUD) to Shopping Center Planned Unit Development (SC-PUD).  
**Contact:** David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

### **Discussion Calendar**

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

#### **9. Consideration of Consulting Services for Council and Charter Officer Roles and Responsibilities**

Report # 2015-00792      **Estimated Time: 10 minutes** (Actual Time: 23 minutes)

**Location:** Citywide

**Action:** Public comment heard from Laura Rubalcaba, James Clark and Lorraine Brown; received and filed with direction to the City Manager to prepare scope of work and hire a consultant to begin this review.

**Contact:** Councilmember Larry Carr, (916) 808-7008, Council District 8

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

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| <ul style="list-style-type: none"><li>1. Homelessness<ul style="list-style-type: none"><li>a. Colin Meinrath</li><li>b. Michelle</li><li>c. David Andre</li><li>d. Jonathon Gainsbrugh</li><li>e. Rick Tringale</li><li>f. David Hedeem</li><li>g. James Clark</li></ul></li></ul> | <ul style="list-style-type: none"><li>2. Housing<ul style="list-style-type: none"><li>a. Timothy Ngagen</li></ul></li><li>3. Minimum Wage<ul style="list-style-type: none"><li>a. Laura Rubalcaba</li></ul></li><li>4. Miscellaneous<ul style="list-style-type: none"><li>a. Gregory Glavinovich</li><li>b. Lorraine Brown</li></ul></li></ul> |
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### **Council Comments-Ideas, Questions and Meeting/Conference Reports**

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

None.

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

None.

**Adjourned** -7:20 p.m.