CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, District 1
Allen Warren, District 2
Jeff Harris, District 3
Steve Hansen, District 4
Jay Schenirer, District 5
Eric Guerra, District 6
Rick Jennings, II, Vice Mayor, District 7
Larry Carr, Mayor Pro Tem, 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, January 12, 2016
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, January 12, 2016

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, January 12, 2016 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby (departed 6:10), Larry Carr (departed 7:00), Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren (departed 6:26), and Mayor Kevin Johnson (departed 6:10).

Pledge of Allegiance – led by three McClatchy students

Consent Calendar Estimated Time: 5 minutes

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.

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

1. Confirmation of 2016 Mayoral Appointments to Council Standing Committees and Regional Authorities, Agencies, and Committees

Report # 2016-00019

Location: Citywide/Regional

Action: Passed 1) **Resolution No. 2016-0003** confirming the Mayor's appointment of Councilmembers to Council standing committees, and various regional authorities, agencies and committees; and 2) **Resolution No. 2016-0004** confirming the Mayor's appointment of councilmembers to the Sacramento Regional County Sanitation District and Sacramento Area Sewer District Boards as required by SB1663.

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

2. Approval of City Council Meeting Minutes
Report # 2016-00029
Location: Citywide
Action: Passed **Motion No. 2016-0004** approving the City Council Meeting Minutes dated December 1, 8 and 15, 2015.
Contact: Shirley Concolino, MMC, City Clerk, (916) 808-5442, Office of the City Clerk

3. Candidate Statement Regulations for the June 7, 2016 Primary Municipal Election
Report # 2016-00033
Location: Citywide
Action: Pass **Resolution No. 2016-0005** adopting regulations for candidate statements to be submitted to the voters at the June 7, 2016, Primary Municipal Election.
Contact: Shirley Concolino, MMC, City Clerk, (916) 808-5442, Office of the City Clerk

4. Confirmation of Board and Commission Appointments
Report # 2016-00076
Location: Citywide
Action: Passed **Motion No. 2016-0005** confirming board/commission appointment(s) to: Sacramento Metropolitan Arts Commission – Maya Wallace (Seat B) and Michael Marion Jr. (Seat A).
Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

5. Establishing the Annual Mort Friedman Legacy Award as Part of the Annual State of the City Event
Report # 2016-00087
Location: Citywide
Action: Pass **Resolution No. 2016-0006** establishing the ongoing Mort Friedman Legacy Award to be awarded each year in conjunction with the Mayor's Annual State of the City event.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

6. Change in the Construction Retainage for the Entertainment and Sports Center Project
Report # 2015-00800
Location: Downtown Plaza, District 4
Action: Passed **Motion No. 2016-0006:** 1) authorizing the City Manager or his designee to execute the second amendment to the Arena Finance and Funding Agreement (AFFA), which establishes a process for the early release of retainage and which sets forth the process for the City's final release of retainage for the Entertainment and Sports Project (Golden 1 Center) based on satisfaction of specific City terms and conditions set forth in the amendment.
Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager

7. Agreement Amendment: Additional Funding for Weston Sports and Entertainment for Entertainment and Sports Center (ESC) Project

Report # 2015-01001

Location: Downtown Plaza, District 4

Action: Pass **Resolution No. 2016-0007** 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 $1,000,000.

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

8. Inclusion of Properties within the City of Sacramento in the California Statewide Communities Development Authority Open Property Assessed Clean Energy Program

Report # 2016-00063

Location: Citywide

Action: Pass **Resolution No. 2016-0008** consenting to the inclusion of properties within the City of Sacramento in the California Statewide Communities Development Authority (CSCDA) Open Property Assessed Clean Energy (PACE) Program.

Contact: Randi Knott, Director of Governmental Affairs, (916) 808-5771, Office of the City Manager

9. November 2015 Monthly Investment Transactions Report

Report # 2016-00017

Location: Citywide

Action: Received and filed.

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

10. City Auditor's Activity Report for 1st Quarter of Fiscal Year 2015/2016

Report # 2016-00045

Location: Citywide

Action: Passed **Motion No. 2016-0007** accepting the City Auditors Activity Report for the 1st Quarter of Fiscal Year 2015/16.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

11. (Pass for Publication) Ordinances Amending Title 17 of the Sacramento City Code Relating to Bed and Breakfast Inns and Adding Chapter 5.114 to the Sacramento City Code Relating to Short-Term Rentals (M15-006)

Report # 2015-00963

Location: Citywide

Action: 1) Reviewed an Ordinance amending various sections in 17 relating to bed and breakfast inns; 2) reviewed an Ordinance adding chapter 5.114 relating to short-term rentals; and 3) passed for publication both Ordinance titles as required by Sacramento City Charter section 32(c) to be adopted on January 19, 2015.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

12. Delta Shores - Beach Lake Road Annexation Application to Sacramento Local Agency Formation Commission (LAFCo)

Report # 2015-01089

Location: District 7

Action: Passed 1) **Resolution No. 2016-0009** adopting Findings of Fact related to the Delta Shores Environmental Impact Report and Mitigation Monitoring Program for the Delta Shores Project (CEQA Guidelines sections 15162, 15163, and 15164); 2) **Resolution No. 2016-0010** authorizing the City to Submit an Annexation Application to the Sacramento Local Agency Formation Commission to Initiate Proceedings for the Annexation of a portion of Beach Lake Road located in Sacramento County; and 3) **Resolution No. 2016-0011** adopting the property Tax Exchange Agreement for the Annexation of a portion of Beach Lake Road located in Sacramento County.

Contact: Antonio Ablog, Senior Planner, (916) 808-7702; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

13. (Pass for Publication) Sacramento Public Library Authority Funding Update: Ordinance for the Renewal of Measure X (2004 Voter-approved Parcel Tax)

Report # 2016-00062

Location: Citywide

Action: 1) Reviewed an ordinance to be placed on the June 7, 2016, ballot to renew the existing library parcel tax with the necessary modifications to ensure that resources are available to fund the current breadth and levels of the programs and services currently offered at the City's libraries, effective July 1, 2017, for a period of 10 years, which supersedes Ordinance 2004-029, adopted on June 22, 2004; and 2) passed for publication the ordinance title per Sacramento City Charter section 32(c) for consideration on January 19, 2016.

Contact: Leyne Milstein, Director of Finance, (916) 808-8491; Mark Griffin, Special Districts Manager, (916) 808-8788, Department of Finance; Rivkah K. Sass, Library Director, (916) 264-2830, Sacramento Public Library

14. Increase Spending Authority for On-Call Plan Review and Permit Services

Report # 2016-00014

Location: Citywide

Action: Passed **Resolution No. 2016-0012** authorizing the City Manager to adjust FY2015/16 General Fund revenue and expenditure budgets for the Building Plan Check Division (21001212) by an amount not-to-exceed $540,500.

Contact: Susanne Cook, Administrative Analyst, (916) 808-5375; Winfred DeLeon, P.E., Chief Building Official, (916) 808-5475, Community Development Department

15. City Signatory Authority for City Properties: Proposed Expansion and Renewal of Midtown Sacramento Property and Business Improvement District (Midtown PBID) No. 2016-02

Report # 2016-00022

Location: District 4

Action: Passed **Resolution No. 2016-0013** designating the City Manager or designee as the signatory authority for all City-owned properties to be included in the proposed Midtown Property and Business Improvement District (PBID).

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

16. Participation in the Rate Range Intergovernmental Transfer (IGT) program with the California Department of Health Care Services (DHCS) and Medi-Cal Manage Care Plan Providers (MMCPP) [Published for Review 12/28/2015]

Report # 2016-00047

Location: Citywide

Action: Passed **Motion No. 2016-0008:** 1) authorizing the City Manager, or his designee, to execute a) the Rate Range Intergovernmental Transfer (IGT) Agreement with the California State Department of Health Care Services (DHCS); b) the Health Plan-Provider Agreements with participating Medi-Cal Managed Care Plan Provider(s); and c) the IGT Assessment Fee Agreement with DHCS; 2) authorizing transfer of funds up to $2,351,626 from the Fire Department operating budget to DHCS and accept a reimbursement for Medi-Cal services of $3,840,989, of which $2,351,626 will reimburse the Fire Department operating budget; and 3) authorizing designation of the additional federal reimbursement of $1,489,363 to offset costs of providing Emergency Medical Services (EMS).

Contact: Walt White, Fire Chief, (916) 808-1601, Fire Department

17. Supplemental Agreement: Ramona Avenue Extension Project (T15018400)

Report # 2016-00026

Location: Districts 3 and 6

Action: Passed **Motion No. 2016-0009** authorizing the City Manager or his designee to execute Supplemental Agreement No. 1 to City Agreement No. 2013-0055 with the Sacramento Municipal Utilities District (SMUD) in an amount not to exceed $359,154.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-8280, Department of Public Works

18. Recycled Water Principles of Agreement with Sacramento Regional County Sanitation District

Report # 2015-01074

Location: Citywide

Action: Passed **Motion No. 2016-0010** authorizing the City Manager or the City Manager's designee to execute the Recycled Water Principles of Agreement with the Sacramento Regional County Sanitation District.

Contact: Dan Sherry, Engineering Manager, (916) 808-1419; Michelle Carrey, Supervising Engineer, (916) 808-1438, Department of Utilities

19. Contract: Sewer Replacement Project, D Street, 18th to 20th Streets, V/W Alley 14th to 15th Streets, and O/P Alley 17th to 18th Streets

Report # 2016-00006

Location: District 4

Action: Continued to January 26, 2016.

Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

20. Adjustments to the FY2015/16 Capital Improvement Program (CIP) and to the Multi-year Operating Project (MYOP) Budgets

Report # 2016-00021

Location: Citywide

Action: Passed **Resolution No. 2016-0014:** 1) amending the FY2015/16 MYOPs to create four new projects; and 2) authorizing the City Manager to make allocation adjustments to CIP and MYOP budgets in the Water, Wastewater, Storm Drainage, Water Revenue Bond, Wastewater Revenue Bond, and Water Grant Funds.

Contact: Bill Busath, Director, (916) 808-1434; Susan Goodison, Business Services Manager, (916) 808-8995; Daniel Choe, Supervising Financial Analyst, (916) 808-5988; Penny Buchman, Administrative Analyst, (916) 808-1481, Department of Utilities

21. (Housing Authority) Approval of Housing Authority Participation in the Renewal of the Midtown Sacramento Property and Business Improvement District

Report # 2016-00056

Location: District 4

Action: Passed **Housing Authority Resolution No. 2016-0001:** a) delegating signatory authority to the Executive Director, or her designee, for Housing Authority-owned properties included in the proposed Midtown Sacramento Property and Business Improvement District, b) allocating approximately $6,150 in Conventional Housing Funds on an annual basis for the assessment, subject to annual increases not-to-exceed 3% per year, and c) authorizing the Executive Director, or her designee, to pay the annual assessment.

Contact: Mary Liz Paulson, (916) 440-1334, Sacramento Housing and Redevelopment Agency

Public Hearings

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

22. Urban Agriculture Clean-up Amendments and Update (Noticed 12/30/2015; Passed for Publication 01/05/2016; Published 01/08/2016)
Report # 2016-00046 **Estimated Time: 30 minutes** (Actual Time: 15 minutes)
Location: Citywide

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

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

Absent: Member Angelique Ashby and Mayor Kevin Johnson

Public comment heard from Faygo, Mac Worthy, Matt Read; 1) passed **Ordinance No. 2016-0001:** a) amending sections 5.88.200; and b) amending, adding, and repealing various sections in Title 17 of the Sacramento City Code relating to urban agriculture; and 2) review six-month update on urban agriculture; **with direction to city staff to look at another six months of data and return to Council in six months to determine if the program should be expanded.**
Contact: Helen Selph, Associate Planner, (916) 808-7852, Community Development Department

Discussion Calendar

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

23. Adoption of the Council Rules of Procedure
Report # 2016-00020 **Estimated Time: 15 minutes** (Actual Time: 5 minutes)
Location: Citywide

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, Allen Warren, and Mayor Kevin Johnson.

Passed **Resolution No. 2016-0015 as amended** approving the Council Rules of Procedure.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk; James Sanchez, City Attorney, (916) 808-5346, Office of the City Attorney

24. City Auditor's Audit of the City's Master Vendor File
Report # 2016-00042 **Estimated Time: 15 minutes** (Actual Time: 20 minutes)
Location: Citywide

Action: Moved/Seconded: Member Jeff Harris / Member Larry Carr

Yes: Members Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, and Jay Schenirer

Absent: Members Angelique Ashby, Allen Warren and Mayor Kevin Johnson

Public comment heard from Faygo and Mac Worthy; passed **Motion No. 2016-0011** accepting the City Auditor's Audit of the City's Master Vendor File.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

25. City Auditor's Whistleblower Hotline Activity Report
Report # 2016-00044 **Estimated Time: 10 minutes** (Actual Time: 7 minutes)
Location: Citywide

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

Yes: Members Larry Carr, Eric Guerra, Steve Hansen, Jeff Harris, Rick Jennings, and Jay Schenirer

Absent: Members Angelique Ashby, Allen Warren, and Mayor Kevin Johnson.

Public comment heard from Mac Worthy and Faygo; passed **Motion No. 2016-0012** accepting the City Auditor's Whistleblower Hotline Activity Report.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

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

Recess: 7:15 p.m. - Council took a temporary recess due to the disorderly conduct of the homeless advocates who after repeated warnings continued to disrupt the public meeting.

1. Homelessness
   a. Ronnie Guice
   b. Melissa Davey
   c. Jmar Jefferson
   d. Ella Walzer
   e. Jeff Garber
   f. Mohammmed
   g. Trina Allen
   h. Frank Topping
   i. Shelley Davis
   j. Niki Jones
   k. Laurie Blazich
   l. Mike Williams
   m. Peter Hoffman
   n. David Andre
   o. Robert Coplin
   p. James Sweeney
   q. Alexander
   r. Mac Worthy
   s. Jose Ortiz
   t. Debora Slay
   u. Faygo
   v. Cindy McEnry
   w. Bob Saunders
   x. Dan Everhart
   y. Cynthia
   z. Wanda
   aa. Janet Fricke
   bb. Armando Flores
   cc. Stephen Handlin
   dd. Kevin Carter
   ee. Jennifer Chambers
   ff. Tracie Rice-Baily
   gg. Andi Vahey
   hh. Laura Goldstein
   ii. Alan Goldstein
2. Misc.
   a. David Baumgartner
   b. Michelle

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Information Requests**

   None.

2. **Board/Commission Appointments**

   None.

Adjournment – 8:17 p.m.