

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Mayor Pro Tem, District 1
Allen Warren, District 2
Steve Cohn, District 3
Steve Hansen, District 4
Jay Schenirer, Vice Mayor, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Vacant, District 8

CHARTER OFFICERS

James Sanchez, City Attorney
Shirley Concolino, City Clerk
John F. Shirey, City Manager
Russ Fehr, City Treasurer



Minutes

City Council Financing Authority Housing Authority Public Financing Authority

City Hall-Council Chamber
915 I Street, 1st Floor
Published by the Office of the City Clerk
(916) 808-5163

Tuesday, July 22, 2014
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.
 - o 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.
 - o 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.
 - o 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.
 - o 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.
 - o **Matters not on the Agenda.** Two (2) minutes per speaker.
 - o **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.
 - o **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

MINUTES

Tuesday, July 22, 2014

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 Jay Schenirer at 6:00 p.m., Tuesday, July 22, 2014 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Steve Cohn, Jay Schenirer, Kevin McCarty, Allen Warren

Members Absent: Darrell Fong, Steve Hansen, and Mayor Kevin Johnson

Pledge of Allegiance– led by Summer at City Hall representative Karina Fricke.

Special Presentations/General Communications

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

a. Recognizing Summer at City Hall Youth Participants

Action: Recognition given by Member Schenirer

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Steve Cohn /Member Allen Warren

Yes: Members Angelique Ashby, Steve Cohn, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Members Darrell Fong, Steve Hansen and Mayor Kevin Johnson.

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

1. Ordinance Relating to the Construction and Interpretation of the Code and Ordinances

(Passed for Publication 07/15/2014; Published 07/17/2014)

Report # 2014-00542

Location: Citywide

Action: Passed **Ordinance No. 2014-0021** amending sections 1.04.020 and 1.04.021 of the Sacramento City Code relating to the construction and interpretation of the code and ordinances.

Contact: Steve Itagaki, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney

2. City Attorney Authority for Amicus Curiae Participation or Assistance and Pending Anticipated Litigation

Report # 2014-00534

Location: Citywide

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

Yes: Members Angelique Ashby, Steve Cohn, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Members Darrell Fong, Steve Hansen and Mayor Kevin Johnson

Pulled from Consent Calendar by Member Angelique Ashby; passed **Resolution No. 2014-0240** authorizing the City Attorney 1) to provide amicus curiae assistance upon request for routine matters after consultation with the City Manager without City Council approval; and 2) undertake specified actions and enter into specified agreements without seeking City Council approval.

Contact: Jerry Hicks, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

3. Agreement: Video Streaming Services Contract Renewal

Report # 2014-00546

Location: Citywide

Action: Passed **Resolution No. 2014-0241** authorizing the City Manager to execute a Consultant Professional Services Agreement with Granicus, Inc. to provide video streaming services for five years in an amount not to exceed \$214,860.

Contact: Stephanie Mizuno, Council-Clerk Operations Manager, (916) 808-7171; Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk

4. Confirmation of Board/Commission Appointments

Report # 2014-00566

Location: Citywide

Action: Passed **Motion No. 2014-0179** confirming board/commission appointment(s): 1) Downtown/Riverfront Streetcar Policy Study Committee – David Taylor (Category B) and Sotiris Kolokotronis (Category B); 2) Planning and Design Commission – Joseph Yee (Category C-2); and 3) Sacramento Youth Commission – Shivani Prasad and Oluchi Okwu (Category A-6).

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

5. Regional Human Rights/Fair Housing Commission: Joint Exercise of Powers Agreement Amendment

Report # 2014-00564

Location: Citywide

Action: Passed **Motion No. 2014-0180** approving and authorizing the City Manager or his designee to execute the Amended and Restated Joint Exercise of Powers Agreement for The Regional Human Rights/Fair Housing Commission.

Contact: Howard Chan, Assistant City Manager, (916) 808-7488, Office of the City Manager

6. **(Public Financing Authority) Adopting the Conflict of Interest Code of the Sacramento Public Financing Authority**
Report # 2014-00489
Location: Citywide
Action: Passed **Public Financing Authority Resolution No. 2014-0002** adopting the Conflict of Interest Code of the Sacramento Public Financing Authority.
Contact: Janelle Gray, Debt Manager, (916) 808-8296; Russ Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer
7. **(Pass for Publication) 515 T Street Multi-Family Residential Rezone**
Report # 2014-00535
Location: District 4
Action: 1) Reviewed a) a Resolution determining the 515 T Street Multi-Family Residential project exempt from review under the California Environmental Quality Act; b) an Ordinance rezoning approximately 0.29 acres from the Multi-Unit (R-3A) Zone to the Multi-Unit (R-4) Zone; and c) a Resolution adopting findings of fact and approving the 515 T Street multi-family residential project including site plan and design review for 11 new residential units, with rear setback deviation, and the rehabilitation of an existing residential building; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on July 29, 2014.
Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Roberta Deering, LEED AP, Preservation Director, (916) 808-8259; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department
8. **(Pass for Publication) 3015 H Street Rezone (APN: 003-0212-018-0000)**
Report # 2014-00497
Location: 3015 H Street, District 3
Action: Public comment heard from Judy McClaver; and 1) Reviewed a) a Resolution determining the project exempt from review under the California Environmental Quality Act, b) an Ordinance to rezone 0.15 acres from Residential Office (RO-SPD) zone to General Commercial (C-2-SPD) zone within the Alhambra Corridor Special Planning District, and c) a Resolution approving a conditional use permit to operate a medical marijuana dispensary in the proposed General Commercial (C-2-SPD) zone within the Alhambra Corridor Special Planning District; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on August 12, 2014.
Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Stacia Cosgrove, Principal Planner, (916) 808-7110

9. **(Pass for Publication) Curtis Park Village Community Facilities District (CFD) No. 2014-02, Declare Results of Special Mail Ballot Election Results and Pass for Publication an Ordinance to Levy a Special Tax**
Report # 2014-00214
Location: District 5
Action: Public comment heard from Mac Worthy; and 1) Passed **Resolution No. 2014-0242** declaring results of the special mailed ballot election, and, if an election is in the affirmative; 2) reviewed an Ordinance to levy a special tax on land within the CFD; and 3) passed for publication the ordinance title as required by section 32(c) of the Sacramento City Charter to be considered on July 29, 2014.
Contact: Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
10. **River District Property and Business Improvement District No. 2014-01 - Ballot Results**
Report # 2014-00101
Location: Districts 3 and 4
Action: 1) Received a report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 15, 2014; and 2) based on the results of the tabulation, passed a) **Resolution No. 2014-0243** declaring the results of the majority protest proceedings and renewing the River District PBID No. 2014-01; b) **Resolution No. 2014-0244** approving the annual River District PBID No. 2014-01 budget and levying assessment; and c) **Resolution No. 2014-0245** amending the FY2014/15 City budget for the River District PBID No. 2014-01.
Contact: Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
11. **Citywide Landscaping and Lighting Assessment District – Initiate Annual Proceedings**
Report # 2014-00503
Location: Citywide
Action: Passed 1) **Resolution No. 2014-0246** replacing Resolution No. 2014-0168 and directing filing of the Annual Report for Fiscal Year (FY) 2014/15 for the Citywide Landscaping and Lighting Assessment District; and 2) **Resolution No. 2014-0247** replacing Resolution No. 2014-0169, approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2014/15 for the Citywide Landscaping and Lighting Assessment District, and setting a time and place for a Public Hearing for August 7, 2014.
Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

- 12. Agreement for Revenue Audit, Recovery Services, and Business Tax System**
Report # 2014-00500
Location: Citywide
Action: Passed 1) **Resolution No. 2014-0248** authorizing MuniServices, LLC to examine sales or transactions and use tax records of the State Board of Equalization; and 2) **Motion No. 2014-0181** authorizing the City Manager or the City Manager's designee to execute (a) a professional services agreement with MuniServices, LLC to provide revenue audit, recovery services, and a business tax system in an amount not-to-exceed \$550,000 plus contingency fees for the initial term of five years, and (b) the option for a one-year extension of the agreement specified above, provided that sufficient funds are available in the budget adopted for the applicable fiscal years.
Contact: Brad Wasson, Revenue Manager, (916) 808-5724, Department of Finance
- 13. Cooperative Purchase Agreement: Hertz Equipment Rental**
Report # 2014-00526
Location: Citywide
Action: Passed **Motion No. 2014-0182:** 1) approving the use of a U.S. Communities cooperative purchase agreement with Hertz Equipment Rental (Contract No. 31172) for equipment rental in an amount not-to-exceed \$705,775 through March 31, 2019 or until the agreement is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchases specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year.
Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Keith Leech, Fleet Manager, (916) 808-5869, Department of General Services
- 14. Contract: Meadowview City Service Complex Roof Replacement (Y14000900)**
Report # 2014-00460
Location: 2812 Meadowview Road, District 8
Action: Passed **Motion No. 2014-0183:** 1) approving the construction plans and specifications for the Meadowview City Service Complex Roof Replacement Project ("Project"); 2) awarding a construction contract to Kings Roofing, the lowest responsive and responsible bidder, in an amount not to exceed \$309,200 for the Project; and 3) authorizing the City Manager or the City Manager's designee to execute the contract specified above.
Contact: Jeff Blanton, Associate Architect, (916) 808-8423; Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432, Department of General Services
- 15. The 2014 Speed Lump Project**
Report # 2014-00522
Location: Citywide
Action: Passed **Motion No. 2014-0184** approving the 2014 Speed Lump Project.
Contact: Debb Newton, Program Analyst, (916) 808-6739; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

16. **Memorandum of Understanding between the State of California, City of Sacramento and City of West Sacramento of the intent to relinquish a portion of State Route 275 including the Tower Bridge**
Report # 2014-00525
Location: District 4
Action: Passed **Resolution No. 2014-0249** approving a Memorandum of Understanding (MOU) between the State of California Department of Transportation (Caltrans), City of Sacramento and City of West Sacramento (Cities) declaring the intent of Caltrans to relinquish a portion of State Route 275 (SR275) at PM 13.07, including the Tower Bridge (Bridge No. 22-0021) to Cities.
Contact: Jerry Way, Director of Public Works, (916) 808-7111, Department of Public Works
17. **Agreement: Integrated Planning and Asset Management Process and Action Plan**
Report # 2014-00472
Location: Citywide
Action: Passed **Motion No. 2014-0185** authorizing the City Manager or the City Manager's designee to execute a Professional Services Agreement with MWH Americas Inc. for the development of an Integrated Planning and Asset Management Process and Action Plan, for an amount not-to-exceed \$169,322.
Contact: Jammie Moens, Manager, Business and Integrated Planning Division, (916) 808-5988; Rick Matsuo, Supervising Engineer, Business and Integrated Planning Division, (916) 808-1728, Department of Utilities
18. **Change Order: T Street Sewer Replacement, 19th-21st Street (X14010052)**
Report # 2014-00509
Location: District 4
Action: Passed **Motion No. 2014-0186** authorizing the City Manager or the City Manager's designee to sign Change Order No. 3 to City Contract No. 2013-00835 with CSI Engineering, for the amount of \$19,072, bringing the contract amount to \$436,010.
Contact: Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

Public Hearings

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

19. **Delinquent Charges - Special Assessment and Liens for Weed Abatement on Private Property and Related Costs (Noticed 05/14/2014)**
Report # 2014-00397 **Estimated Time: 10 minutes** (Actual Time: 5 minutes)
Location: Citywide
- Action:** Moved/Seconded: Member Angelique Ashby /Member Allen Warren
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren
Absent: Members Darrell Fong, Steve Hansen and Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Mac Worthy and upon conclusion passed **Resolution No. 2014-0250** confirming the special assessments and placing a lien on the listed properties listed in Exhibit A for unpaid weed abatement services.

Contact: Brad Wasson, Revenue Manager, (916) 808-5724, Department of Finance

20. Delinquent Charges - Special Assessment Liens for Sidewalk Repair on Private Property and Related Costs (Noticed 05/14/2014)

Report # 2014-00401 **Estimated Time: 10 minutes** (Actual Time: 5 minutes)

Location: Citywide

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Members Darrell Fong, Steve Hansen and Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Mac Worthy and upon conclusion passed **Resolution No. 2014-0251** accepting the delinquency lien report; thereby placing special assessment liens on the listed properties for unpaid sidewalk repairs.

Contact: Brad Wasson, Revenue Manager, (916) 808-5724, Department of Finance

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) Plan Review, Field Inspection and/or Permit Processing Services

Report # 2014-00532

Location: Citywide

Action: Reviewed 1) a resolution to authorize the City Manager to adjust FY2014/15 revenue and expenditure budgets for the Building Plan Check Division (21001212), up to and not to exceed \$741,000, based on actual building permit revenues received; 2) a report authorizing the City Manager or his designee to execute professional services agreements for On-Call Plan Review, Field Inspection and/or Permit Processing Services with 4Leaf, Inc., Bureau Veritas North America, Inc., Interwest Consulting Group, Inc., TRB and Associates, Inc., and West Coast Code Consultants, Inc. for one year with four one-year renewal options to provide On-Call Plan Review, Field Inspection and/or Permit Processing Services as needed basis, in a total amount not to exceed \$5,000,000; and 3) continued until July 29, 2014 for approval.

Contact: Elise Gumm, Administrative Analyst, (916) 808-1927; Winfred DeLeon, P.E., Supervising Engineer, (916) 808-5475, Community Development Department

22. (Agreement/Contract for Review and Information) Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000) – Review Change Order

Report # 2014-00507

Location: Interstate 5, one mile south of Pocket Road/Meadowview Road, from Franklin Boulevard west to Freeport Boulevard, Districts 7 and 8

Action: Reviewed a report 1) authorizing the City Manager or his designee to execute Change Order No. 11 to City Agreement No. 2013-0023 with Teichert Construction in an amount not to exceed \$1,902,762 for the Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000); 2) ratifying Change Order No. 9 and 10 to City Agreement No. 2013-0023 with Teichert Construction; 3) resetting the City Manager's authority to issue change orders for City Agreement No. 2013-0023; and 4) continued to July 29, 2014 for approval.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

23. (Agreement/Contract for Review and Information) 7th Street Sewer Replacement P to K Street Project

Report # 2014-00515

Location: District 4

Action: 1) Reviewed a report recommending a) passage of a Resolution readopting the Addendum to the Environmental Impact Report for the Combined Sewer System Rehabilitation and Improvement Plan - Downtown Combined Sewer Upsizing Project including the 7th Street Sewer Replacement Project P to K Street; and b) approval of the contract plans and specifications for the project and award of the contract to Steve P. Rados, Inc., for an amount not to exceed \$4,576,410; and 2) continued to July 29, 2014 for approval.

Contact: Bill Busath, Engineering & Water Resources Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

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

1. Police Investigation
 - a. Gary Yabumoto
2. Homeless
 - a. Eric Hoover
3. Jobs
 - a. Mac Worthy
4. Capitol Mall
 - a. Mike Barnbaum

5. Kings Arena
 - a. Miguel Trujillo
6. City Leased Property
 - a. Joel Velasco
 - b. Darron Peters
 - c. Nissim Lanyadoo

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

- a. Planning & Design Commission
 1. Jose Bodipo-Memba (District 5)
 2. Cornelious Burke (Mayor)

Adjourned – 6:50 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of July 22, 2014 as approved by the Sacramento City Council.

Digitally signed by Shirley A. Concolino
DN: cn=Shirley A. Concolino, o=City of Sacramento, ou=City Clerk,
email=sconcolino@cityofsacramento.org, c=US
Date: 2014.12.18 17:20:01 -08'00' /

Shirley Concolino, City Clerk