

CITY COUNCIL

Kevin Johnson, Mayor

Angelique Ashby, Mayor Pro Tem, District 1

Allen Warren, Vice Mayor, District 2

Jeff Harris, District 3

Steve Hansen, District 4

Jay Schenirer, District 5

Vacant, District 6

Rick Jennings, II, District 7

Larry Carr, District 8

CHARTER OFFICERS

James Sanchez, City Attorney

Shirley Concolino, City Clerk

John F. Shirey, City Manager

Russ Fehr, City Treasurer



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, March 10, 2015
6:00 p.m.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

General Conduct for the Public Attending Council Meetings

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the City Council

Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

Speaker Time Limits. In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

MINUTES

Tuesday, March 10, 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 6:10 p.m. Tuesday, March 10, 2015 at the Sacramento City Hall Council Chamber.

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

Absent: Member Rick Jennings.

Pledge of Allegiance– led by People Reaching Out representative Esperanza Taglies.

Closed Session Report – None.

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Angelique Ashby / Member Allen Warren

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

Absent: Member Rick Jennings

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

1. Confirmation of Board and Commission Appointments

Report # 2015-00243

Location: Citywide

Action: Passed **Motion No. 2015-0055** confirming board/commission appointment(s): Ann Land and Bertha Henschel Memorial Funds Commission - Jack Simpson (Seat 7) and Terilyn Cobb (Seat 9).

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

- 2. (City Council/Redevelopment Agency Successor Agency) 14th Avenue Extension and Lowell Street Sidewalk Projects** (Reviewed 03/03/2015)
Report # 2015-00132
Location: District 6
Action: Public comment heard from Jimar Jefferson; passed 1) **City Council Resolution No. 2015-0064** authorizing the City Manager or City Manager's designee to a) accept the transfer of \$1,566,856 in Army Depot Redevelopment bond funds for the 14th Avenue Extension Project (T15098600) and \$220,000 in Army Depot Redevelopment bond funds for the Lowell Street Sidewalk Project (T15036300); b) execute the Excess Bond Expenditure Agreements for the projects; c) establish the revenue and expenditure budgets; and 2) passed **Redevelopment Agency Successor Agency Resolution No. 2015-0003** authorizing the City Manager to execute the Excess Bond Expenditure Agreements for the projects.
Contact: Leslie Fritzsche, Senior Project Manager, (916) 808-7223, Economic Development Department
- 3. (Pass for Publication) Ordinance Amending the City's Fee and Charge Report for Solid Waste Utility Service Rates**
Report # 2015-00067
Location: Citywide
Action: 1) Reviewed an Ordinance amending the City's Fee and Charge Report for proposed Solid Waste rate changes for FY2015/16, FY2016/17, and FY2017/18, consisting of an increase of 3% for the first year and 2% per fiscal year for the subsequent years; and 2) Passed for publication the Ordinance title as required by Sacramento City Charter § 32(c), with the Ordinance to be adopted on March 17, 2015.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services
- 4. Petco Foundation Lifesaving Impact Grant (G13000300)**
Report # 2015-00147
Location: Citywide
Action: Passed **Resolution No. 2015-0065** authorizing the City Manager or the City Manager's designee to 1) accept a Petco Foundation Lifesaving Impact Grant award in the amount of \$132,500; 2) execute all documents necessary to accept the Petco Foundation Lifesaving Impact Grant; 3) establish the Petco Foundation Lifesaving Impact Grant project (G13000300); and 4) establish revenue and expenditure budgets in the Petco Foundation Lifesaving Impact Grant project (G13000300) in an amount not to exceed \$132,500.
Contact: Gina Knepp, Animal Care Services Manager, (916) 808-8333, Department of General Services

5. **Approval of Cooperative Agreement with the County of Sacramento for Cost Sharing of Marconi Avenue Pavement Overlay**

Report # 2015-00218

Location: District 2

Action: Passed **Motion No. 2015-0056** approving the Cooperative Agreement between the City and County of Sacramento for cost sharing of the Marconi Avenue pavement overlay.

Contact: Greg Smith, Senior Engineer, (916) 808-8364; Juan Montanez, Maintenance Services Manager, (916) 808-2254; Department of Public Works

6. **Agreement: Groundwater Well Halogen Emergency Valve Actuator Purchase (Two-Thirds Vote Required)**

Report # 2015-00158

Location: Citywide

Action: Passed **Resolution No. 2015-0066:** 1) suspending competitive bidding, in the best interests of the City; and 2) authorizing the City Manager or the City Manager's designee to execute an agreement with Borges and Mahoney Company for the purchase of 16 Halogen emergency valve actuators for Groundwater Well Rehabilitation project (Z14110100) in an amount not-to-exceed \$155,000.

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

Public Hearings

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

7. **Weed and Rubbish Abatement** (Noticed 02/24/2015)

Report # 2015-00159

Estimated Time: 10 minutes

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Jeff Harris

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

Absent: Member Rick Jennings

Conducted a public hearing with public comment heard from Mac Worthy, to consider all objections to the proposed removal of weeds, rubbish, refuse, and dirt, and upon conclusion; passed **Resolution No. 2015-0067** authorizing the Community Development Director to abate the nuisances by having the weeds, rubbish, refuse, and dirt removed from the parcels of property constituting a public nuisance.

Contact: Tina Lee-Vogt, Program Manager, (916) 808-2679, Community Development Department

Discussion Calendar

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

8. Introduction and Discussion of Mayor's Message on Budget Priorities for Fiscal Year 2015-16 (Oral Report)

Report # 2015-00270 **Estimated Time: 15 minutes** (Actual time: 8 minutes)

Location: Citywide

Action: Public comment heard from Mac Worthy, James Clark, Claire White, Mike Barnbaum; received and continued to March 17, 2015 for action.

Contact: Mayor Kevin Johnson, (916) 808-5300, Office of the Mayor

9. Entertainment and Sports Center Quarterly Update on Local Hiring and Business Involvement (Oral Report)

Report # 2015-00265 **Estimated Time: 30 minutes** (Actual time: 25 minutes)

Location: Downtown Plaza, District 4

Action: Public comment heard from Mac Worthy, Mike Barnbaum; received and filed.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager; Dean Peckham, Senior Economic Development Project Manager, (916) 808-7063, Economic Development Department

10. Entertainment and Sports Center Art in Public Places Program (Reviewed 03/03/2015)

Report # 2015-00193 **Estimated Time: 30 minutes**

Location: Downtown Plaza, District 4

Action: Moved/Seconded: Member Jay Schenirer / Member Larry Carr

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

Absent: Member Rick Jennings

Public comment heard from Brian Meiss, Brittni Plavala, Karissa McHurd, David Garibaldi, Barbara Range, Patrick Nooney, William Hughes, Matt Weber, George Raya, Anthony Padilla, Jemar Jefferson, Kevin Carter, Chris Lango, Michael Howell, Armando Flores, Steven Wiget, Marie Acaosta, Preston Sandbakken, Jason Miller, Claire White, James Clark, Jason Waters, Ike Torres, Delphine Brody, Gale Hart, Rachel Teagle, Patrick Harbinson, Marcy Friedman, Rebecca Garrison Matt Post, Lial Jones, Kelly O'shea, Kim Squaglia, Kim Squaglia, Michael Dunlavey, Chris Worden, David Sobon, Milton Bowens, Zoe Zaniker, Alan Dismuke, Liv Moe, Phil Oates, Tim Foster, Phil Halted, Dorian Lynde, Meile Axelrad, Stephanie Bray, Phil America, Lorraine Brown, Mike Barnbaum, Kenneth Steele, Joey Garcia, Tim Boyd, Terrence Martin and Jill Taft; passed **Resolution No. 2015-0068:** A) authorizing the City Manager or his designee to execute the following agreements: 1) Agreement to Purchase Artwork for the Sacramento Entertainment and Sports Center Project (“ESC”) with the Gagosian Gallery and Vivek Ranadive, Kevin Nagle, and Phil Oates (“Donors”) for the purchase of the sculpture “Coloring Book” for \$7.5 million (Exhibit A); 2) Contribution and Co-Ownership Agreement for

Artwork for the ESC with the Donors (Exhibit B); 3) Lease of Artwork for the ESC with the Donors (Exhibit C); 4) Pledge to Gift Artwork for the ESC with the Donors (Exhibit D); 5) Pledge to Gift Funds for Artwork for the ESC with Marcy Friedman to accept her pledge of \$1,000,000 (Exhibit E); 6) an agreement, in a form approved by the City Attorney, with SG Downtown, LLC, concerning the placement, access, and maintenance of the sculpture; and 7) other agreements or other instruments necessary, in a form approved by the City Attorney, to implement the agreements described above; and B) authorizing the City Manager or his designee to establish projects and revenue and expenditure budgets for the acquisition, installation and ongoing maintenance of the public art for the ESC and accept the donations outlined above, to be used consistent with the governing agreements; C) authorizing the City Manager or his designee to establish the Marcy Friedman ESC APP Fund as Fund 2609.

Contact: Shelly Willis, Executive Director, (916) 808-3971, Sacramento Metropolitan Arts Commission

11. **Recommended Allocation of FY2013/14 Year-end Results**

Report # 2015-00264 **Estimated Time: 45 minutes**

Location: Citywide

Action: Continued a **Resolution** authorizing the City Manager to implement the approved budget adjustments.

Contact: Leyne Milstein, Director, (916) 808-8491; Dawn Holm, Budget Manager, (916) 808-5574, 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.

12. **(Agreement/Contract for Review and Information) Agreement: Studios for the Performing Arts**

Report # 2015-00261

Location: 2420 N Street, District 4

Action: Public comment heard from Tim Boyd, Denise Jones, Meile Axelrad, Richard Rich, and Beatrice Hildebrand; 1) reviewed a report a) authorizing the City Manager or his designee to execute the Studios for the Performing Arts Sublease Agreement to sublease the Fremont building, at 2420 N Street in Sacramento, California, to the Studios Company at a rental rate of \$1.00 per year; b) authorizing the City Manager or his designee to appropriate \$2.5 million from the Economic Development Fund (Fund 2031) to the Studios for the Performing Arts Capital Improvement Project (B13000400); c) authorizing the City Manager or his designee to deposit the proceeds of the loan repayment of Non-Interest Bearing Principal B by the Crocker Art Museum Association, as specified in the Loan Forgiveness and Deferred Repayment Agreement (City Agreement 2013-0860) into the Economic Development Fund (Fund 2031); and 2) continued to March 17, 2015 for approval.

Contact: Jody Ulich, Director, (916) 808-5105; Leslie Wisniewski, Administrative Officer, (916) 808-8920, Convention & Cultural Services

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

1. Big Sky Dates
 - a. Mike Barnbaum
2. Jobs
 - a. Mac Worthy
3. Misc
 - a. Laura Rubalcaba
 - b. Michelle Ann
 - c. Tim Boyd
 - d. Ron Emslie
4. History Document
 - a. Kevin Carter
5. Peace Walk
 - a. Demeatric Lewis
6. Public Peace Walk
 - a. Michelle Irvine
7. Nestle Water
 - a. Andy Conn
8. Homeless
 - a. Armando Flores
 - b. Claire White
 - c. James Clark
 - d. Delphine Brody
 - e. Eric Hoover
 - f. David Andre
 - g. Kenneth Steele
9. Street Light
 - a. Lambert Davis

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

None.

Adjourned – 10:28 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of March 10, 2015 as approved by the Sacramento City Council.

Shirley Concolino

Digitally signed by Shirley Concolino
DN: cn=Shirley Concolino, o=City of
Sacramento, ou=City Clerk,
email=sconcolino@cityofsacramento.org, c=US
Date: 2015.04.10 15:06:03 -07'00'

Shirley Concolino, City Clerk