



**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**

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
- Bonnie Pannell**, District 8

CHARTER OFFICERS

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

**Tuesday, April 8, 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 DRA 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, April 8, 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 Mayor Kevin Johnson at 6:00 p.m. Tuesday, April 8, 2014 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren (departed 6:40 p.m.) and Mayor Kevin Johnson (departed 6:09 p.m.)

Pledge of Allegiance– led by Youth at City Council representative Taylor Buck.

Closed Session Report – None.

Special Presentations/General Communications

a. Recognizing Creek Week

Action: Resolution presented by Member Angelique Ashby

Consent Calendar Estimated Time: 5 minutes (Actual Time: 3 Minutes)

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, 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 Board/Commission Nomination

Report # 2014-00261

Location: Citywide

Action: Passed **Motion No. 2014-0072** confirming board/commission nomination: 1) Capitol Area Committee – Steven Maviglio and Joshua Divelbiss.

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

2. Confirmation of Board/Commission Appointments

Report # 2014-00262

Location: Citywide

Action: Passed **Motion No. 2014-0073** confirming board/commission appointment(s): 1) Paratransit, Inc. Board of Directors – Scott Leventon (Category B); 2) Preservation Commission – Mark Huck (Category A); and 3) Sacramento City/County Bicycle Advisory Committee - Jonathan Lee (Category A).

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

3. Designating FirstSouthwest Company as the Municipal (Financial) Advisor on City Debt Financings and Related Dealings

Report # 2014-00238

Location: Citywide

Action: Passed **Resolution No. 2014-0079** designating FirstSouthwest Company as the Municipal (Financial Advisor) on City debt financings and related dealings and approving a Professional Services Agreement for that purpose.

Contact: Russell Fehr, City Treasurer, Office of the City Treasurer, (916) 808-5832; Janelle Gray, Debt Manager, Office of the City Treasurer, (916) 808-8296

4. City Auditor's Activity Report for July 2013 to December 2013

Report # 2014-00227

Location: Citywide

Action: Passed **Motion No. 2014-0074** accepting the Auditor's Activity Report for July 2013 to December 2013.

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

5. City Auditor's Recommendation Follow-up Report for the Six Month Period Ending December 31, 2013

Report # 2014-00228

Location: Citywide

Action: Passed **Motion No. 2014-0075** accepting the Auditor's Recommendation Follow-up Report for the July 1, 2013 to December 31, 2013.

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

6. Contract: Landscape Architecture Design Services for American River Parkway Enhancements at Sutter's Landing Park

Report # 2014-00221

Location: District 3

Action: Passed **Motion No. 2014-0076** authorizing the City Manager, or City Manager's designee, to enter into a Professional Services Agreement for landscape architecture design services with H.T. Harvey and Associates for the American River Parkway Enhancements at Sutter's Landing Park project (L19167200) in an amount not-to-exceed \$232,340.

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

7. Appropriation of Gas Tax Contingency to Maintenance Services Division Operating Budget

Report # 2014-00239

Location: Citywide

Action: Passed **Resolution No. 2014-0080:** 1) approving the appropriation of \$1,213,000 from Gas Tax (Fund 2002) fund balance to the Fiscal Year (FY) 2013/14 Department of Public Works Maintenance Services Division Operating Budget; and 2) amending the FY13/14 Department of Public Works Maintenance Services Division Operating Budget by replacing \$1,213,000 in Measure A Maintenance (Fund 2026) with Gas Tax (Fund 2002) funds.

Contact: Karen Shipley, Support Services Manager (916) 808-3136; Juan Montanez, Operations General Supervisor (916) 808-2254; Jerry Way, Director of Public Works, Department of Public Works

8. Agreement: Xylem Flygt Pump Equipment and Parts (Two-Thirds Vote Required)

Report # 2014-00190

Location: Citywide

Action: Passed **Resolution No. 2014-0081** 1) suspending competitive bidding, in the best interests of the City, for the purchase of Flygt pump equipment and parts from Xylem Water Solutions, Inc.; and 2) authorizing the City Manager or the City Manager's designee to execute a Supplies Agreement with Xylem Water Solutions, Inc., to purchase Flygt pump equipment and parts for an amount not-to-exceed \$750,000 over a five-year term, provided that sufficient funds are available for this purpose in the budget adopted for the applicable fiscal year(s).

Contact: Michael Malone, Operations Manager, (916) 808-6226; Pete Millino, Operations & Maintenance Superintendent, (916) 808-5173, Department of Utilities

9. Agreement: Landscape Maintenance Services for Various Department of Utilities Water, Sewer, and Drainage Facilities

Report # 2014-00188

Location: Citywide

Action: Passed **Resolution No. 2014-0082** 1) rejecting the low bidder, JFD Enterprises, as a non-responsible bidder, based on its unsatisfactory performance on a prior City contract; 2) awarding a non-professional services agreement to Azevedo's Landscape to provide landscape maintenance services for an initial term of one-year with up to four one-year extension options, in an amount not-to-exceed \$382,600 for the maximum five year term; and 3) authorizing the City Manager or the City Manager's designee to approve the one-year extensions.

Contact: Michael Malone, Operations Manager, (916) 808-6226; Dave A. Phillips, Operations & Maintenance Superintendent, (916) 808-5652, Department of Utilities

Public Hearings

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

10. **Sutter Park Neighborhood Project (P12-031)** [Passed for Publication 04/01/2014; Noticed on 03/28/2014; Published on 04/03/2014]
Report # 2014-00191 **Estimated Time: 10 minutes** (Actual Time: 30 minutes)
Location: District 3

Action: Moved/Seconded: Member Steve Cohn /Member Darrell Fong
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren
Absent: Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Joe Livaic, Mac Worthy, David Felderstein, Ellen Cochrane, and Paul Noble, and upon conclusion 1) passed **Resolution No. 2014-0083** certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program; 2) passed **Resolution No. 2014-0084** amending the General Plan for 19.36 acres from Public/Quasi-Public to Traditional Neighborhood Low Density; 3) passed **Ordinance No. 2014-0008** to rezone 19.36 acres of the site from Hospital (H) to 18.09 acres of Single-Unit or Duplex Dwelling Unit (R-1A PUD), 0.87 acres of Multi-Unit Dwelling (R-3A PUD), and 0.40 acres of Residential Mixed Use (RMX PUD) zones; 4) passed **Resolution No. 2014-0085** establishing the Sutter Park Neighborhood Planned Unit Development Guidelines and Schematic Plan; and 5) passed **Resolution No. 2014-0086** adopting the findings of fact and approving the Sutter Park Neighborhood Tentative Map, Subdivision Modifications, and Site Plan and Design Review.

Contact: Evan Compton, Associate Planner, (916) 808-5260; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department

Discussion Calendar

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

11. **City Council Confidentiality Policy**
Report # 2014-00254 **Estimated Time: 15 minutes** (Actual Time: 15 minutes)
Location: Citywide
Action: Public comment heard from Mac Worthy and Ron Emslie; **continued** a Resolution approving the City Council Confidentiality Policy and repealing Resolution No. 2010-108.
Contact: James Sanchez, City Attorney, (916) 808-5346, Office of the City Attorney

12. **U.S. 50 (W-X Freeway) Rehabilitation Project (T15145700): Establish Capital Improvement Project, Approve Cooperative Agreement, and Appropriate Funds**
Report # 2014-00258 **Estimated Time: 15 minutes** (Actual Time: 25 minutes)
Location: Citywide

Action: Moved/Seconded: Member Kevin McCarty /Member Darrell Fong
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer
Absent: Member Allen Warren and Mayor Kevin Johnson

Public comment heard from Mac Worthy, passed **Resolution No. 2014-0087** 1) establishing a new Capital Improvement Project for the W-X Freeway Rehabilitation Project (T15145700); 2) approving the Cooperative Agreement between the City of Sacramento and the State of California Department of Transportation; and 3) appropriating \$1,550,000 to the W-X Freeway Rehabilitation Project (T15145700).

Contact: Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

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

- | | |
|-----------------------|--|
| 1. City Cemetery | 5. Jobs |
| a. Megan Crose | a. Mac Worthy |
| 2. Unresponsive Mayor | 6. Senior Concerns |
| a. Joseph Montoya | a. Bill Grant |
| 3. Oak Park | 7. Police Cover Up |
| a. Ron Emslie | a. Jerry Richardson and Sharon Wallace |
| 4. Capitol Estates | |
| a. Larry Short | |
| b. Jo Fleming | |

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Information Requests**
 - a. Angelique Ashby
 1. AB1234 Compliance – reported on her Washington DC trip for Sacramento Area Flood Control Agency
2. **Board/Commission Appointments**

None.

Adjourned - 7:50 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of April 8, 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 17:03:54 -08'00' ✓

Shirley Concolino, City Clerk