

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



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

Thursday, April 17, 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.
 - 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

Thursday, April 17, 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 17, 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 and Mayor Kevin Johnson.

Pledge of Allegiance– led by Youth at City Council representative Nick Soliz

Closed Session Report – None.

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Steve Hansen /Member

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. **City Code Amendment: Suspend Title 17 Planting and Irrigation Requirements During Declaration of Water Shortage (Two-Thirds Vote Required)**

[In lieu of Pass for Publication, the Ordinance will be published in its entirety within 10 days after adoption as required by Sacramento City Charter section 32(d)]

Report # 2014-00287

Location: Citywide

Action: Passed **Ordinance No. 2014-0009** amending section 13.04.910 of the Sacramento City Code and declaring the ordinance to be an emergency measure to take effect immediately upon adoption.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Terrance Davis, Program Manager, (916) 808-1868, Department of Utilities

- 2. Agreement: Cost Sharing with the Sacramento Area Flood Control Agency (SAFCA) for Lower American River Task Force Meetings**
Report # 2014-00223
Location: Citywide
Action: Public comment heard from Tim Boyd; passed **Motion No. 2014-0077** authorizing the City Manager, or his designee, to execute an agreement with the Sacramento Area Flood Control Agency (SAFCA) for cost sharing and provision of professional services.
Contact: Kathy Howard, Program Specialist, (916) 808-1995; Tom Gohring, Executive Director, CCOMWP, (916) 808-1998
- 3. Agreements: Purchase of Parcel for Powerhouse Science Center**
Report # 2014-00242
Location: District 4
Action: Passed **Motion No. 2014-0078** 1) authorizing the City Manager or the City Manager's designee to execute a Purchase and Sales Agreement with Pacific Gas & Electric Company for the acquisition of a 3,485 square foot, unimproved parcel on Jibboom Street for the Powerhouse Science Center Project in an amount not to exceed \$6,000; and 2) authorizing the City Manager or the City Manager's designee to execute a Release Agreement with Pacific Gas & Electric Company in connection with the Purchase and Sale Agreement.
Contact: Rachel Hazlewood, Sr. Project Manager, (916) 808-8645, Economic Development Department
- 4. First Amendment to Lease Agreement: 1007 L Street, Cafe Connection**
Report # 2014-00222
Location: District 4
Action: Passed **Motion No. 2014-0079** authorizing the City Manager to execute a first amendment to the current lease agreement with Shewkali Rajkumar and Chaitra Prashad for their restaurant, Café Connection located at 1007 L Street in the City's Capitol Parking Garage for payment of arrears.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department; Matt Eierman, Parking Manager, (916) 808-5849, Department of Public Works
- 5. Resolution of Support for the Powerhouse Science Center's IBank Application**
Report # 2014-00251
Location: District 4
Action: Passed **Resolution No. 2014-0088** of Support for the application of the Powerhouse Science Center to the California Infrastructure and Economic Development Bank (IBank) for an economic expansion loan in the amount of \$25 million for the construction of the relocated and expanded Science Center at 400 Jibboom Street.
Contact: Rachel Hazlewood, Sr. Project Manager, (916) 808-8645, Economic Development Department

- 6. Ordinance Adoption: Exemptions to the Mandatory Containerized Yard Waste Collection Programs** (Passed for Publication 04/01/2014; Published 04/03/2014)
Report # 2014-00182
Location: Citywide
Action: Passed **Ordinance No. 2014-0010** amending sections 13.10.010 and 13.10.460 relating to exemptions to the mandatory containerized yard waste collection program.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services
- 7. 2013 Risk Management Annual Report**
Report # 2014-00232
Location: Citywide
Action: Received and filed.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources
- 8. City Auditor's Audit Plan for Fiscal Year 2014/15**
Report # 2014-00229
Location: Citywide
Action: Public comment heard from Mac Worthy, passed **Resolution No. 2014-0089** approving the City Auditor's Annual Audit Plan for Fiscal Year 2014/15.
Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 9. Execution of the Transportation Development Act (TDA) Claim Packet for Fiscal Year 2013/14**
Report # 2014-00252
Location: Citywide
Action: Passed **Resolution No. 2014-0090** 1) approving the Transportation Development Act claim for reimbursement in the amount of \$308,806 for various bicycle and pedestrian facilities in FY 2013/14; 2) authorizing the City Manager or City Manager's designee to execute and submit the Transportation Development Act claim in the amount of \$308,806 for FY 2013/14 to the Sacramento Area Council of Governments for approval and reimbursement to the Transportation Development Act Fund 2013; and 3) authorizing the City Manager or City Manager's designee to amend the budget in the event that the Transportation Development Act claim amount for FY 2013/14 is actually more or less than the \$308,806 estimate.
Contact: Lucinda Willcox, Program Manager, (916) 808-5052; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

10. Consent to Assignment Agreement with Collected Works

Report # 2014-00253

Location: 1019 L Street, District 4

Action: Passed **Motion No. 2014-0080** authorizing the City Manager to execute an agreement approving the assignment of City Agreement 2011-0642 from Roberta Witkin Gould, owner of Collected Works Gifts, LLS, to Lisa Paskaly, owner of The Chef's Olive Mix, Inc.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department; Matt Eiermann, Parking Services Manager (916) 808-5849, Department of Public Works

11. Supplemental Agreement: InCommunications for Water Conservation Education and Public Outreach

Report # 2014-00224

Location: Citywide

Action: Public comment heard from Mac Worthy; passed **Motion No. 2014-0081** authorizing the City Manager or the City Manager's designee to sign a supplemental agreement to Agreement No. 2013-1037 with InCommunications, increasing the budget \$149,975 to a new contract total of \$199,975, to provide additional water conservation outreach and education activities to encourage water savings during the drought.

Contact: Dave Brent, Director, (916) 808-1400; Jessica Hess, Media & Communications Specialist, (916) 808-8260, Department of Utilities

Discussion Calendar

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

12. Fight the Bite! Mosquito Control Services Report from Sacramento-Yolo Mosquito & Vector Control District (Oral Report)

Report # 2014-00234 **Estimated Time: 10 minutes** (Actual Time: 8 minutes)

Location: Citywide

Action: Received and filed.

Contact: Luz Maria Rodriguez, Public Information Officer, (916) 405-2082; Gary Goodman, District Manager, (916) 685-5464, Sacramento-Yolo Mosquito & Vector Control District

13. Agreement: Community Center Theater Renovation Options (M17100100)

Report # 2014-00141 **Estimated Time: 90 minutes** (Actual Time: 95 minutes)

Location: 1301 L Street, District 4

Action: Moved/Seconded: Member Steve Hansen /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.

Public comment heard from Tim Boyd, Chris Worden, Kevin Greene, Richard Lewis, Nina Angele, Tony Giannoni, George Raya, John Kelly, Mac Worthy, and Dennis Neufeld; passed **Motion No. 2014-0082** 1) directing City Manager to proceed with construction documents for both the Basic Option (with added women's restrooms) and for the Enhanced Basic Option (with the south lobby and L Street site work as an alternate bid item); 2) establishing a Mayor's task force to review new theatre options with a preliminary report to the City Council in six months and a final report due within one year; 3) directing City Manager to provide a report by November 1, 2014 with recommendations to improve operations on increasing utilization of the Convention Center/Theater; 4) directing the City Manager to complete the construction documents and report to City Council prior to development of a Guaranteed Maximum Price (GMP) construction contract for City Council consideration; and 5) authorizing the City Treasurer to prepare a financing plan for construction for the City Council's consideration prior to award of the GMP contract.

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

- 14. Ground Lease with North Sacramento CJD, LLC for Chrysler, Jeep, Dodge, KIA Project**
Report # 2014-00255 **Estimated Time: 10 minutes** (Actual Time: 7 minutes)
Location: District 2

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, Allen Warren, and Mayor Kevin Johnson.

Public comment heard from Tim Boyd; passed **Resolution No. 2014-0091 as amended** 1) authorizing the City Manager to execute a 25-year ground lease agreement with North Sacramento CJD, LLC for development of a Chrysler, Jeep, Dodge, KIA dealership; and 2) finding that entering into the lease without bidding is in the City's best interest because special circumstances make the use of bidding inappropriate.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789; Jim Rinehart, Director, (916) 808-5054, Economic Development Department

Agreement/Contract Review Only – No Action

Agreements and/or Contracts are provided for review and will be presented for approval as noted in the recommendation.

15. (Agreement/Contract for Review and Information) Contract: Wild Rose Park Development (L19187000)

Report # 2014-00183

Location: District 1

Action: Reviewed a report 1) approving the transfer of \$150,000 from Park Development Impact Fee (PIF) (Fund 3204) funds to L19187001; 2) approving the construction plans and specifications for Wild Rose Park Development project (L19187001); 3) awarding the contract to Peterson Developments for an amount not to exceed \$2,126,040; 4) authorizing the City Manager or City Manager’s designee to execute the contract with Peterson Developments for an amount not to exceed \$2,126,040; and 5) **continued to April 22, 2014 for approval.**

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

16. (Agreement/Contract for Review and Information) Contract: Valley Oak Park Development (L19184000)

Report # 2014-00185

Location: District 1

Action: Reviewed a report 1) approving the construction plans and specifications for Valley Oak Park Development (L19184001) project; 2) awarding the contract to Olympic Landscape Construction for an amount not to exceed \$1,868,340; 3) authorizing the City Manager or City Manager’s designee to execute the contract with Olympic Landscape Construction for an amount not to exceed \$1,868,340; and 4) **continued to April 22, 2014 for approval.**

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

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

- | | |
|--------------------|---------------------|
| 1. Council Respect | 4. Jobs |
| a. Tim Boyd | a. Mac Worthy |
| 2. UN Report | 5. Code Enforcement |
| a. Linda Roberts | a. Bill |
| b. James Clark | 6. Mack Road |
| c. David Andre | a. Rommel Pinzon |
| 3. Homeless | |
| a. Rev Paul Sr. | |

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Information Requests**
 - a. Mayor Johnson
 1. Request for Closed Session next week re SPOA Negotiations
2. **Board/Commission Appointments**
 - a. Sacramento County Redevelopment Agency Successor Agency
 1. Dr. Michael Marion Junior (Mayoral Appt)

Adjourned – 7:59 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of April 17, 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 17:04:33 -08'00' ✓

Shirley Concolino, City Clerk