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Legislative Body City Council

Posting Type Meeting Agenda

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Meeting Date & Time 11/13/2018 5PM

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CITY COUNCIL

Darrell Steinberg, Mayor
Angelique Ashby, District 1
Allen Warren, District 2
Jeff Harris, District 3
Steve Hansen, Vice Mayor, District 4
Jay Schenirer, District 5
Eric Guerra, District 6
Rick Jennings, II, District 7
Larry Carr, District 8

CHARTER OFFICERS

Mindy Cuppy, City Clerk
Susana Alcala Wood, City Attorney
Howard Chan, City Manager
John Colville, City Treasurer

Agenda
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, November 13, 2018

5:00 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 or 24 hours prior to a special 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.

City of Sacramento City Council

Tuesday, November 13, 2018

5:00 PM

915 I Street, 1st Floor

Regular Meeting Agenda

City Hall Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 5:00 p.m.

Roll Call

Pledge of Allegiance

Closed Session Report

Special Presentation/General Communications

- A. Recognizing Compassion Awards
- B. Fire Department to Recognize Mayor Steinberg and Chris Conlin

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

1. **Agreement with Orrick, Herrington & Sutcliffe LLP for Bond-Counsel Services in Connection with the Railyards OPA Tax Allocation Bond Financing**
File ID: 2018-01491
Location: Citywide
Recommendation: Pass a **Motion** 1) approving the attached Agreement for Legal Services with Orrick, Herrington, & Sutcliffe, LLP; and 2) authorizing the City Attorney or her designee to sign and deliver the agreement on the City's behalf.
Contact: Jeffrey L Massey, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney

2. **Supplemental Agreement for a Guaranteed Maximum Price for the Sacramento Convention Center Renovation and Expansion Project (Published for 10-Day Review on 11/1/2018)**

File ID: 2018-01528

Location: 1400 J Street, District 4

Recommendation: Pass a **Resolution:** 1) allocating \$194,197,290 in 2018 Transient Occupancy Tax Revenue Bonds (Fund 6110) to the Convention Center Complex Renovation (M17100100) project and increasing the expenditure budget for the Convention Center Complex Renovation (M17100100) project; 2) authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 4 to Contract No. 2017-0912 for Phase 1 of the Guaranteed Maximum Price (GMP), with Hunt Construction Group, Inc., in the amount of \$142.5 million for the construction of the Sacramento Convention Center (SCC) Renovation and Expansion Project; 3) increasing the City Manager's authority to approve single change orders without Council authorization for the construction phase of the SCC for City Agreement No. 2017-0912; 4) authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 4 to Contract No. 2017-0634 with Populous, Inc. for an amount not to exceed \$3,226,875 for construction administration services of the SCC; 5) authorizing the City Manager or City Manager's designee to execute a professional services agreement with O'Connor Construction Management, Inc. for an amount not to exceed \$3,337,925 for construction management services of the SCC; 6) authorizing the City Manager or City Manager's designee to execute a professional services agreement with O'Connor Construction Management, Inc. for an amount not to exceed \$2,670,431 for construction management services of the Sacramento Community Center Theater Renovation Project (CCT); 7) authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 1 to Contract No. 2015-2259 to increase the not to exceed amount by \$558,000, and authorizing Alliant Insurance Services, Inc., to secure an Owner Controlled Construction Insurance Program (OCIP) on behalf of the City in an amount not to exceed \$5,679,433; and 8) authorizing the City Manager or City Manager's designee to make any necessary budgetary adjustments to repay the City Council authorized interfund loans.

Contact: Ofelia Avalos, Senior Engineer, (916) 808-5054; Fran Halbakken, Assistant City Manager/Project Executive, (916) 808-7194; Office of the City Manager

3. Declaring Assessment District Fund Surpluses for the Midtown Street Lighting Assessment District and Tahoe Park West Street Lighting Assessment District, and Ordering the Disposition of Surplus Amounts to the General Fund

File ID: 2018-01466

Location: Districts 4 and 5

Recommendation: Pass a **Resolution:** 1) declaring remaining district funds in the amount of \$49,000 as surplus, and 2) ordering the disposition of surplus funds and all related financial transactions.

Contact: Nii Laryea, Debt Analyst, (916) 808-5517; Colin Bettis, Senior Debt Analyst, (916) 808-8292; Brian Wong, Debt Manager, (916) 808-5811, Office of the City Treasurer

4. (Pass for Publication) Ordinance Listing 3330 McKinley Boulevard (Iva Gard Shepard Garden and Arts Center), 2801 Franklin Boulevard (Gunther's Ice Cream), 720 9th Street (Sacramento County Courthouse) and 4701 Freeport Boulevard (Chase Bank) as Individual Landmarks on the Sacramento Register of Historic and Cultural Resources (M18-011)

File ID: 2018-01494

Location: 3330 McKinley Boulevard (004-0221-001-0000); 2801 Franklin Boulevard (010-0362-006-0000); 720 9th Street (002-0145-026-0000); and 4701 Freeport Boulevard (018-0104-001-0000). Districts 3, 4, and 5.

Recommendation: 1) Review an Ordinance listing 3330 McKinley Boulevard (Iva Gard Shepard Garden and Arts Center), 2801 Franklin Boulevard (Gunther's Ice Cream), 720 9th Street (Sacramento County Courthouse), and 4701 Freeport Boulevard (Chase Bank) as landmarks on the Sacramento Register of Historic and Cultural Resources; and 2) pass for publication the ordinance title as required by Sacramento City Charter section 32(c), to be considered for adoption on November 27, 2018.

Contact: Carson Anderson, Preservation Director, (916) 808-8259, Community Development Department

5. Railyards Specific Plan Area Fee Credit Standard Form Agreements

File ID: 2018-01379

Location: Districts 3 and 4

Recommendation: Pass a **Resolution:** 1) approving the following standard-form agreements: Railyards Infrastructure Reimbursement and Credit Agreement; b) OPA Financing Reimbursement and Credit Agreement; and c) Assignment Agreement for Railyards Fee Credits; and 2) authorizing the City Manager or City Manager's designee to execute the standard-form reimbursement and credit agreements.

Contact: Arwen Wacht, Program Specialist, (916) 808-7535; Sheri Smith, Special Districts Manager, (916) 808-7204, Department of Finance

6. Establish Capital Improvement Project and Budget Adjustments for the Downtown Mobility Project (T15195000)

File ID: 2018-01405

Location: P Street (15th Street to 21st Street), Q Street (15th Street to 21st Street), 9th Street (H Street to Q Street), 10th Street (Q Street to Broadway), 5th Street (X Street to H Street) and I Street (15th Street to 21st Street) (District 4)

Recommendation: Pass a **Resolution:** 1) establishing the Downtown Mobility Project (T15195000); and 2) authorizing the City Manager or the City Manager's designee to: a) transfer \$368,161 (Downtown Impact Fee, Fund 3210) from the Railyards Fee District Project (J22010000) to the fund balance; and b) establish expenditure budgets of \$518,799 (Major Street Construction, Fund 2007), \$533,201 (Downtown Impact Fee, Fund 3210), and \$548,000 (Transportation Development Impact Fee, Fund 3215) in the Downtown Mobility Project (T15195000) with transfers from available fund balance.

Contact: Megan Johnson, Associate Civil Engineer (916) 808-1967; Jesse Gothan, Supervising Engineer (916) 808-6897, Department of Public Works

7. Supplemental Agreements to Master Services Agreements for On Call Construction Inspection Services

File ID: 2018-01414

Location: Citywide

Recommendation: Pass a **Motion** approving Supplemental Agreements to Master Services Agreements for On-Call Construction Inspection Services for an amount of \$600,000 per agreement with 1) HDR Construction Control Corp.(Agreement 2017-0445); 2) NV5 (Agreement 2017-0449); 3) Psomas (Agreement 2017-0448); 4) Salaber Associates, Inc. (Agreement 2017-0450); and 5) Vali Cooper & Associates, Inc. (Agreement 2017-0447).

Contact: Matthew Johns, Associate Engineer, (916) 808-5760; Nader Kamal, Interim Engineering Services Manager, (916) 808-7035, Department of Public Works.

8. Suspend Competitive Bidding and Approve an Alternative, Competitive Procurement Process for the 3rd Street Relief Sewer Project (Two-Thirds Vote Required)

File ID: 2018-01459

Location: District 3

Recommendation: Pass a **Resolution** suspending competitive bidding, so an alternative competitive process can be utilized for the procurement of construction services for the 3rd Street Relief Sewer project.

Contact: Mark Elliott, Project Manager (916) 808-8894; Brett Grant, Supervising Engineer (916) 808-1413; Dan Sherry, Engineering & Water Resources Division Manager, (916) 808-1419; Department of Utilities

9. **Memorandum of Understanding: Reimbursement of Costs from the American River Flood Control District (ARFCD) for the Phase 1 Evaluation of Levee Penetrations**

File ID: 2018-01428

Location: Districts 2, 3, 4, and 6

Recommendation: Pass a **Resolution:** 1) authorizing the City Manager or the City Manager's designee to execute a Memorandum of Understanding (MOU) with American River Flood Control District (ARFCD) for inspection of city-owned pipes in ARFCD's jurisdiction, in an amount not-to-exceed \$27,100; and 2) approving adding a reimbursable/expense budget to the SAFCA Levee Maintenance Project (I14120300, Fund 6211).

Contact: Bradley Howard, Project Manager (916) 808-8889; Tony Bertrand, Supervising Engineer (916) 808-1461; Dan Sherry, Engineering & Water Resources Division Manager, (916) 808-1419, Department of Utilities

Public Hearings

10. **(Housing Authority/City Council) Approval of 2019 Sacramento Housing and Redevelopment Agency Budget (Noticed 11/02/2018)**

File ID: 2018-01319

Location: Citywide

Recommendation: Conduct a public hearing and upon conclusion: 1) pass a **City Council Resolution:** a) approving the 2019 proposed budget for the Sacramento Housing and Redevelopment Agency (Agency); b) delegating authority to the Agency to administer certain federal funds; c) authorizing the Agency to submit grant applications for activities within the jurisdiction of the Agency; d) authorizing the Agency to enter into contracts, make fund transfers, transfer project appropriations, amend the Agency budget and to undertake other actions necessary to implement the delegated authorizations; and e) consent to the Agency's submittal of the annual housing operating budgets and application for Capital Fund Plan funding to HUD; 2) pass a **Housing Authority Resolution:** a) approving the 2019 proposed budget for the Housing Authority of the City of Sacramento (Authority); b) delegating authority to administer certain federal funds; c) authorizing the Authority to submit grant applications for activities within the jurisdiction of the Authority; d) authorizing the Executive Director to submit the annual housing operating budgets to HUD and the application to HUD for Capital Fund Plan funding; and e) authorizing the Executive Director to enter into contracts, make fund transfers, transfer project appropriations, amend the Agency budget and undertake other actions necessary to implement the delegated authorizations; and 3) pass a **City Council Resolution** adopting a Multi-Family Loan and Mortgage Revenue Bond Application Schedule that correspond with California Tax Credit Allocation Committee and California Debt Limit Allocation Committee application deadlines.

Contact: La Shelle Dozier, Executive Director, (916) 440-1319; Russ Robertson, Finance Director, (916) 449-6256; Sacramento Housing and Redevelopment Agency

Discussion Calendar

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

11. Discussion on Storefront Cannabis Dispensaries

File ID: 2018-01386

Location: Citywide

Recommendation: Receive and provide direction.

Contact: Joe Devlin, Chief, 916-808-4772; Zarah Cruz, Program Specialist, 916-808-8925, Office of Cannabis Policy and Enforcement, Office of the City Manager.

Information Items

These items are for information only and not eligible for action at this time.

12. Notification of Final Map Approval for Sutter Park Neighborhood (P16-043)

File ID: 2018-01535

Location: District 3

Recommendation: Receive and file.

Contact: Jerry Lovato, Program Analyst, (916) 808-7918, Department of Public Works

13. Notification of Parcel Map Approval for 2218 Capital Avenue (Z16-026)

File ID: 2018-01551

Location: District 4

Recommendation: Receive and file.

Contact: Jerry Lovato, Program Analyst, (916) 808-7918, Department of Public Works

14. Third-Party Appeal of I & 23rd Multi-family Development Project (PB17-067)

[Noticed on 10/12/2018] {Continued from 10/23/2018}

File ID: 2018-01378

Location: 2226 I Street, District 4

Recommendation: Withdraw a public hearing on Third-Party Appeal of I & 23rd Multi-family Development Project (PB17-067).

Contact: Carson Anderson, Preservation Director, (916) 808-8259, Community Development Department

Council Comments-Ideas, Questions, AB1234 Reports, and JPA/Board and Commission Appointments**Public Comments-Matters Not on the Agenda****Adjournment**