

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
Eric Guerra, 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

Thursday, August 6, 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. **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 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.

MINUTES

Thursday, August 6, 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 6:00 p.m. Thursday, August 6, 2015 at the Sacramento City Hall Council Chamber.

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

Members Absent: Member Eric Guerra

Pledge of Allegiance- led by Omar Baldwin

Special Presentations/General Communications

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

- a. **Recognizing Sutter Medical Center on the Completion of the Anderson Lucchetti Women and Children's Center**

Action: Resolution presented by Member Steve Hansen.

Consent Calendar Estimated Time: 5 minutes

Action: Moved/Seconded: Member Jay Schenirer / Member Rick Jennings

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

Absent: Member Eric Guerra

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

1. City Board and Commission Term Expiration List for 2016

Report # 2015-00658

Location: Citywide

Action: Received and filed.

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

2. Confirmation of Board and Commission Appointments

Report # 2015-00697

Location: Citywide

Action: Passed **Motion No. 2015-0204** confirming board/commission appointment(s): 1) Measure U Citizens Oversight Committee – Jamie Matthews (Seat A), Sarah Sciandri (Seat C), and Chris Shipman (Seat E); and 2) Sacramento Youth Commission – Emiliano Gomez (Seat T), Hannah Tschudin (Seat U) and Aidan Willett (Seat S).

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

3. Order of Succession for the City Manager

Report # 2015-00698

Location: Citywide

Action: Passed **Resolution No. 2015-0246:** 1) establishing the order of succession in the event of absence or disability of the City Manager; and 2) repealing Resolution No. 2013-0367.

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

4. (Pass for Publication) McKinley Village Community Facilities District No. 2015-04 (Improvements) — Election Results and Ordinance Levying a Special Tax

Report # 2015-00295

Location: District 3

Action: Passed 1) **Resolution No. 2015-0247** declaring results of the special mailed-ballot election within McKinley Village Community Facilities District No. 2015-04 (Improvements), and, if the election is in the affirmative, 2) reviewed an Ordinance that levies a special tax on land within the district, to be adopted on August 18, 2015, and 3) pass for publication the Ordinance title as required by section 32(c) of the Sacramento City Charter.

Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

5. Contract/Agreement: Beverage and Snack Vending

Report # 2015-00648

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Rick Jennings

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

Absent: Member Eric Guerra

Removed from Consent Calendar by Member Rick Jennings; passed **Motion No. 2015-0205:** 1) modifying the 50% requirement in the Health Nutrition Vending Policy to maximize the healthy food selections and lower the City's revenue proportionally, and 2) authorizing the City Manager or his designee to execute a contract with Legend Vending in an amount not to exceed \$30,000 for a one-year term with four one-year renewal options.

Contact: Virginia Smith, Program Analyst, (916) 808-7432; Craig Lymus, Procurement Manager, (916) 808-5524, Department of Finance

6. **Labor Agreement: Sacramento City Exempt Employee Association Memorandum of Understanding** (Published for Review 07/24/2015)
Report # 2015-00671
Location: Citywide
Action: Passed **Resolution No. 2015-0248** approving the Memorandum of Understanding between the Sacramento City Exempt Employee Association and the City of Sacramento.
Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources
7. **Agreement: Budget Enterprise Performance Management Support**
Report # 2015-00496
Location: Citywide
Action: Passed **Motion No. 2015-0206** authorizing the City Manager, or his designee, to execute a Professional Services Agreement with RCW Services, Inc. to purchase technical support services, maintenance, and upgrades for the City's Budget Enterprise Performance Management application for an amount not-to-exceed \$200,000.
Contact: Ignacio Estevez, Information Technology Manager, (916) 808-7349, Information Technology
8. **Agreement: Naming Park Site ES1 and ES2, Revising Park Development Impact Fee Credit Agreement Form, and Approving the Park Development Impact Fee Credit Agreement with Encore McKinley Village for the Alan and Helen Post Park**
Report # 2015-00652
Location: Between I-80 and the Union Pacific Railroad Lines, south of Sutter's Landing Regional Park, District 3
Action: Passed **Resolution No. 2015-0249:** 1) naming Park Site ES1 as R. Burnett Miller Park; 2) naming Park Site ES2 as Alan and Helen Post Park; 3) approving the revised Park Development Impact Fee Credit Agreement Form; 4) approving the plans and specifications for the Alan and Helen Post Park; 5) approving the Park Development Impact Fee Credit Agreement with Encore McKinley Village for the Alan and Helen Post Park and authorizing the City Manager or his designee to execute the agreement; 6) accepting payment of \$26,313 pursuant to the Park Development Impact Fee Credit Agreement from Encore McKinley Village, LLC to be deposited into Park Development Impact Fee (PIF), Fund 3204; 7) appropriating \$5,274 from Park Development Impact Fee (PIF), Fund 3204 to McKinley Village Parks CIP L19019000; 8) appropriating \$6,011 from Park Development Impact Fee (PIF), Fund 3204 to L19920600 for Community Plan Area 6 Art in Public Places.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, Department of Parks and Recreation

9. **Agreement: 5th Amendment to the Regional Transit Police Services Agreement**
Report # 2015-00645
Location: Citywide
Action: Passed **Resolution No. 2015-0250** authorizing the City Manager, or the City Manager's designee, to 1) amend Agreement 2011-0733-4 with the Sacramento Regional Transit District (RT) by \$86,047, from \$21,514,948 to \$21,600,995; and 2) reclassify one Police Sergeant to a Police Captain.
Contact: William Champion, Police Captain, Contract Services, (916) 808-0714; Norm Leong, Police Lieutenant, Contract Services, (916) 221-0420, Police Department
10. **Supplemental Agreement: Construction Management Services for the Treatment Plants Rehabilitation Design Project (Z14006000)**
Report # 2015-00594
Location: District 3
Action: Passed **Motion No. 2015-0207** authorizing the City Manager, or the City Manager's designee, to execute Supplemental Agreement No. 6 to City Agreement No. 2013-0404 with MWH Americas, Inc. for additional construction management and inspection services in an amount not-to-exceed \$996,151, bringing the agreement's total not-to-exceed amount to \$9,355,068.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Michelle Carrey, Supervising Engineer, (916) 808-1438, Department of Utilities
11. **Contract: South Natomas & Hagginwood Water Improvements Project (Z14010068)**
[Published for Review 07/24/2015]
Report # 2015-00611
Location: Districts 2 and 3
Action: Passed **Motion No. 2015-0208:** 1) approving the contract plans and specifications for the South Natomas & Hagginwood Water Improvements Project; and 2) awarding the contract to Florez Paving for an amount not-to-exceed \$4,948,922.
Contact: Dan Sherry, Engineering & Water Resources Manager, (916) 808-1419; Michelle Carrey, Supervising Engineer, (916) 808-1438, Department of Utilities
12. **Agreement: Department of Utilities Student Intern Assistance**
Report # 2015-00638
Location: Citywide
Action: Public comment heard from Mac Worthy; passed **Motion No. 2015-0209** authorizing the City Manager or the City Manager's designee to sign an agreement with University Enterprises, Inc., for Student Intern Assistance, for an initial term of September 1, 2015 through June 30, 2016, with the option to extend for up to two additional one-year terms, for a total amount not-to-exceed \$325,000 for the initial term.
Contact: Susan Goodison, Business Services Manager, (916) 808-8995; Michele Chapman, Support Services Manager, (916) 808-5653, Department of Utilities

Public Hearings

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

13. Whole Foods Mixed-Use Project (P14-045)

[Noticed 07/27/2015; Passed for Publication 07/28/2015; Published 07/31/2015]

Report # 2015-00600 **Estimated Time: 30 minutes** (Actual Time 33 minutes)

Location: 2001/2025 L Street and 2100 Capitol Ave, District 4

Action: Moved/Seconded: Member Steve Hansen / Member Jeff Harris

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

Absent: Member Eric Guerra

Conducted a public hearing with public comment heard from Robert Thomas, Ken Turton, Valerie Mamone, Mark Schlaich, Jim Brown, and Mac Worthy, and upon conclusion passed 1) **Resolution No. 2015-0251** certifying an Environmental Impact Report (EIR) and approving a Mitigation Monitoring and Reporting Program (MMRP); 2) **Resolution No. 2015-0252** approving a General Plan Amendment of 0.160 acres from Traditional Neighborhood Medium Density to Urban Corridor Low; 3) **Ordinance No. 2015-0023** to Rezone of 0.406 acres from Residential Office (RO) to General Commercial (C-2); and 4) **Resolution No. 2015-0253** approving the entitlements for the project including a Tentative Map for condominium purposes, a Conditional Use Permit to allow a retail use exceeding 40,000 square feet in the General Commercial (C-2) zone, a Variance to allow signage that exceeds the maximum number of attached signs and a projecting sign that exceeds maximum area, and Site Plan and Design Review with deviations for 2001/2025 L Street and 2101 Capitol Avenue. **Contact:** Teresa Haenggi, Associate Planner, (916) 808-7554; Evan Compton, Senior Planner, (916) 808-5260, Community Development Department

14. Urban Agriculture Incentive Zone Ordinance

(Noticed 07/27/2015; Passed for Publication 07/28/2015; Published 07/31/2015)

Report # 2015-00627 **Estimated Time: 5 minutes** (Actual Time 25 minutes)

Location: Citywide

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

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

Absent: Member Eric Guerra

Public comment heard from Ron Emslie, Paul Towers, Randy Stannard, Chanowk Yisrael, Alexandra Reagan, Matt Read, Mac Worthy, passed **Ordinance No. 2015-0024** adding chapter 17.722 to the Sacramento City Code relating to an Urban Agriculture Incentive Zone. **Contact:** Helen Selph, Associate Planner, (916) 808-7852, Community Development Department

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

1. Drugs
 - a. Robbin Ware
2. Police
 - a. Mac Worthy
3. Oak Park
 - a. Ron Emslie
4. Misc.
 - a. Lorraine Brown
5. Sacramento Peace Survey Project
 - a. Omar Baldwin
6. Animal Care
 - a. Andy Borovansky
7. Homeless
 - a. Jonathan Gainsbrugh

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Jay Schenirer
 1. Report to Law and Legislation Committee re options to regulate and tax marijuana grows

2. Board/Commission Appointments

None.

Adjourned – 7:45 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of August 6, 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: 2015.12.23 21:58:24 -08'00'

Shirley Concolino, City Clerk