

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
Vacant, District 8

CHARTER OFFICERS

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



DRAFT 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

Tuesday, August 26, 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.

DRAFT MINUTES

Tuesday, August 26, 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 Vice Mayor Jay Schenirer at 6:02 p.m. Tuesday, August 26, 2014 at the Sacramento City Hall Council Chamber.

Members Present: Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren.

Members Absent: Darrell Fong and Mayor Kevin Johnson.

Pledge of Allegiance– led by former city manager Bob Thomas.

Special Presentations/General Communications

A. Recognizing the Alaskan Native Youth Dance Program

Action: Withdrawn

Consent Calendar Estimated Time: 5 minutes (Actual time: 10 minutes)

Action: Moved/Seconded: Member Steve Cohn / Member Steve Hansen

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Member Darrell Fong 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 Appointments

Report # 2014-00640

Location: Citywide

Action: Passed **Motion No. 2014-0208** confirming board/commission appointment(s): 1) Parks and Recreation Commission – David Heitstuman (Category C2); 2) Planning & Design Commission – Matthew Rodgers (Category C4); 3) Sacramento Disabilities Advisory Commission – Charles Bank (Category A6) and Edward Ahern (Category A7); 4) Sacramento Metropolitan Arts Commission – Steven Winlock (Category A4) and 5) Sacramento Youth Commission – Mariana Hardy (Category A7-D4), Olivia Sison (Category A8-D4) and Lyrik Hickman (Category A9-D5).

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

2. Approval of City Council Meeting Minutes

Report # 2014-00660

Location: Citywide

Action: Passed **Motion No. 2014-0209** approving the City Council Meeting Minutes dated June 5, June 10, June 17, and June 24, 2014.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

3. City of Sacramento Investment Policy and Delegation of Investment Authority to City Treasurer

Report # 2014-00624

Location: Citywide

Action: Passed **Resolution No. 2014-0291** approving the investment policy governing the investment and management of City of Sacramento pooled funds and delegating investment authority to the City Treasurer.

Contact: Bob Tokunaga, Senior Investment Officer, (916) 808-5340; Russ Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

4. Sacramento City Employees' Retirement System's Investment Policy

Report # 2014-00625

Location: Citywide

Action: Passed **Resolution No. 2014-0292** approving the investment policy governing the investment and management of the Sacramento City Employees' Retirement System's funds.

Contact: Bob Tokunaga, Senior Investment Officer, (916) 808-5340; Russ Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

5. Purchase and Sale of 730 I Street

Report # 2014-00610

Location: District 4

Action: Public comment given by Michael Ault and David Rumberg; passed **Resolution No. 2014-0293** authorizing the City Manager to enter into purchase and sale agreements for 730 I Street with the County of Sacramento and with SB Sacramento Real Estate LLC at a price of \$5.4 million.

Contact: Leslie Fritzsche, Senior Project Manager, (916) 808-7223, Economic Development Department

- 6. Fiscal Year (FY) 2014/15 Handle Business Improvement District (District) Annual Report**
Report # 2014-00102
Location: District 4
Action: Passed **Resolution No. 2014-0294:** 1) approving the Handle Business Improvement District Annual Report; 2) authorizing budgetary adjustments; and 3) levying an assessment for FY2014/15.
Contact: Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance
- 7. Labor Agreement: Sacramento-Fire Fighters Union, Local 522 Letter of Understanding for Administrative Assignment Pay** (Reviewed 08/12/2014; Continued from 08/19/2014)
Report # 2014-00583
Location: Citywide
Action: Passed **Resolution No. 2014-0295:** 1) approving the letter of understanding between the City of Sacramento and Sacramento Area Fire Fighters, Local 522; and 2) approving the 2013 salary schedule.
Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources
- 8. Capital Improvement Program: University Park Dog Park Project (L19170100)**
Report # 2014-00613
Location: District 6
Action: **Withdrawn** a Resolution 1) establishing a new Capital Improvement Program (CIP) for the University Park Dog Park (L19170100); and 2) appropriating \$80,000 of Park Impact Fees (Fund 3204) and \$20,000 of Reimbursement Funds (Fund 3702) to the University Park Dog Park (L19170100).
Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
- 9. Lease Agreement: Sierra Curtis Neighborhood Association for the Sierra 2 Center for the Arts and Community**
Report # 2014-00622
Location: 2791 24th Street, District 5
Action: Passed **Motion No. 2014-0210:** 1) finding that it is in the best interest of the City to continue to lease the Sierra 2 Center for the Arts and Community to the non-profit Sierra Curtis Neighborhood Association (SCNA) without competitive bidding, due to the long-term operation and maintenance provided by SCNA; and 2) authorizing the City Manager or the City Manager's designee to execute a ten-year lease agreement with SCNA.
Contact: Murray Levison, Administrative Officer, (916) 808-6195; Elizabeth Anderson, Operations Manager, (916) 808-6076, Department of Parks and Recreation

- 10. Administrative Adjustment: Sacramento Regional Transit Police Services Contract**
Report # 2014-00617
Location: Citywide
Action: Passed **Resolution No. 2014-0296** authorizing the City Manager, or the City Manager's designee, to increase the expense and revenue appropriations in the Sacramento Police Department's operating budget by an amount not to exceed \$178,682 to account for the Sacramento Regional Transit's (RT) contribution to the replacement of Mobile Data Computers (MDC) and In-Car-Camera (ICC) equipment in RT patrol vehicles operated by Sacramento Police Department officers, pursuant to the fourth amendment to Agreement 2011-0733.
Contact: Justin Eklund, Police Captain, Contract Services, (916) 808-5650; Scott Pettingell, Police Administrative Manager, Fiscal, (916) 808-0909, Police Department
- 11. Contract Award: 2014 Street Overlay Project** (Reviewed 08/19/2014)
Report # 2014-00585
Location: Districts 1, 3, and 6
Action: Passed **Resolution No. 2014-0297** 1) approving the Plans and Specifications for the 2014 Street Overlay Project; 2) transferring funding in the amount of \$449,432; and 3) awarding the construction contract with Martin Brothers Construction for an amount not to exceed \$2,038,885 for the 2014 Street Overlay Project.
Contact: Josh Werner, Assistant Civil Engineer, (916) 808-8158; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 12. Approval of the 2014 Transportation Programming Guide**
Report # 2014-00561
Location: Citywide
Action: Public comment given by Virginia Smith; passed **Motion No. 2014-0211** approving the 2014 Transportation Programming Guide.
Contact: Cecilyn Foote, Associate Civil Engineer, (916) 808-6843; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
- 13. Award Contract for Meter Interface Unit Installation and Programming** (Reviewed 08/19/2014)
Report # 2014-00574
Location: Citywide
Action: Public comment given by Mac Worthy; passed **Motion No. 2014-0212** 1) awarding a one-year contract for Meter Interface Unit Installation and Programming, with four one-year extension options, to Vanguard Utility Service, Inc., for a total not-to-exceed amount of \$1,192,100 for the maximum potential five-year term; and 2) authorizing the City Manager or City Manager's designee to sign the one-year extensions, provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).
Contact: Michael Malone, Manager, Operations and Maintenance, (916) 808-6226; Ken Swartz, Stores Administrator, Operations and Maintenance, (916) 808-6276, Department of Utilities

- 14. Award Contract for Oak Park and Colonial Heights Water Improvement Project (Z14010069)**
(Reviewed 08/19/2014)
Report # 2014-00577
Location: Districts 5 and 6
Action: Passed **Motion No. 2014-0213** 1) approving the contract plans and specifications for the Oak Park and Colonial Heights Water Improvement project; and 2) awarding the contract to Teichert Construction for an amount not-to-exceed \$3,822,670.
Contact: Bill Busath, Manager, Engineering and Water Resources, (916) 808-1434; Dan Sherry, Supervising Engineering, Engineering and Water Resources, (916) 808-1419, Department of Utilities
- 15. Supplemental Agreement: Larry Walker Associates for FY2014/15 Stormwater Monitoring Services (14010200)**
Report # 2014-00600
Location: Citywide
Action: Passed **Motion No. 2014-0214** authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 3 to City Agreement 2011-1218 with Larry Walker Associates, Inc., to provide Stormwater Monitoring Services for FY2014/15 for an amount not-to-exceed \$705,344.
Contact: Bill Busath, Manager, Engineering and Water Resources, (916) 808-1434; Sherill Huun, Supervising Engineer, Engineering and Water Resources, (916) 808-1455, Department of Utilities
- 16. Professional Services Agreement: Source Water Protection Consultation Services for FY 2014-15 & FY 2015-16**
Report # 2014-00601
Location: Citywide
Action: Passed **Motion No. 2014-0215** authorizing the City Manager or the City Manager's designee to execute a professional services agreement with Starr Consulting to provide Source Water Protection Consultation Services for FY2014/15 & FY2015/16 in an amount not-to-exceed \$297,500.
Contact: Bill Busath, Manager, Engineering and Water Resources, (916) 808-1434; Sherill Huun, Supervising Engineer, Engineering and Water Resources, (916) 808-1455, Department of Utilities

Public Hearings

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

17. Ordinance Revisions to City Code Chapter 5.108 Relating to Entertainment Establishments

(Passed for Publication 08/12/2014; Noticed 08/13/2014; Published 08/15/2014)

Report # 2014-00570 **Estimated Time: 15 minutes** (Actual time: 30 minutes)

Location: Citywide

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

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Member Darrell Fong and Mayor Kevin Johnson.

Conducted a public hearing with public comment given by Lorraine Brown, Mac Worthy, Chris McSwain, Bob Simpson, Chris Worden, Terry Sidie, and Robert Thomas, and upon conclusion 1) passed **Ordinance No. 2014-0026 as amended** amending Chapter 5.108 of the Sacramento City Code relating to the Entertainment Establishments; and 2) passed **Resolution No. 2014-0298** establishing the fees and penalties relating to the Entertainment Permit Program.

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”.

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

Report # 2014-00628 **Estimated Time: 15 minutes** (Actual Time: 37 minutes)

Location: Citywide

Action: Public comment given by Julie Ostoich, Julie Ostoich, Jessica Radtke, Debra Desroisiers, Victoria Davi, Lorraine Brown, Kim Glazzard, Joshua Foster, Arthur Ringwalt, and Joshua Foster; 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

19. **Liquid Fluorosilicic Acid for Drinking Water Treatment** (Reviewed 8/12/2014)
Report # 2014-00362 **Estimated Time: 15 minutes** (Actual Time: 40 minutes)
Location: Citywide

Action: Moved/Seconded: Member Angelique Ashby / Member Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Kevin McCarty, Jay Schenirer, and Allen Warren

Absent: Member Darrell Fong and Mayor Kevin Johnson

Public comment heard from Lorraine Brown, Rick Feher, Kim Glazzard, Mac Worthy; Nathan Sween, Joshua Foster, and Dennis Moore; **passed Motion No. 2014-0216:** 1) adopting the findings of fact issued by the Hearing Examiner on the bid protest filed by Thatcher Company of California, without hearing evidence from any party; 2) adopting the Hearing Examiner's recommended determination to deny the bid protest and find Solvay Fluorides, LLC to be the lowest responsible bidder; 3) denying the bid protest; 4) awarding a contract for the purchase of Liquid Fluorosilicic Acid (Bid# B14141111012) to Solvay Fluorides, LLC., for an initial term of one-year with up to four one-year extension options, in an amount not to exceed \$2,295,780.82 for the maximum five-year term; 5) **directing the city manager to review ordinance and report to Council on options prior to the end of October 2014;** and 6) authorizing the City Manager, or the City Manager's designee, to approve the one-year extensions, 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; Dave A. Phillips, Operations & Maintenance Superintendent, (916) 808-5652, Department of Utilities

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.

20. **(Agreement/Contract for Review and Information) Contract: Old Sacramento Historic District Maintenance Services (Two-Thirds Vote Required)**

Report # 2014-00266

Location: District 4

Action: Reviewed a report 1) suspending competitive bidding, in the best interests of the City, for the procurement of maintenance services in the Old Sacramento Historic District (“District”); 2) authorizing the City Manager or his designee to eliminate 6.7 full-time equivalents (“FTEs”) from the District’s operations, once the positions have been vacated, and transfer the associated \$413,214 labor budget to the service and supply budget within the District (17001311); 3) authorizing the City Manager, or City Manager's designee, to enter into a non-professional services agreement with the Downtown Sacramento Partnership, Inc., for maintenance of the Old Sacramento Historic District , in an amount not-to-exceed \$1,090,344 for the maximum three-year term; and 4) continued to September 2, 2014 for approval.

Contact: Judy Goldbar, Interim Director, (916) 808-5630, Convention and Cultural Services

21. (Agreement/Contract for Review and Information) Vehicle Body Repairs and Services

Report # 2014-00608

Location: Citywide

Action: 1) Reviewed a report a) awarding Harrold Ford a one-year contract with three one-year renewal options for light duty vehicle body repairs and services in an amount not to exceed \$1.2 million for the potential four-year term; b) awarding Kearney's Painting, Inc. a one-year contract with three one-year renewal options for heavy duty vehicle body repairs and services in an amount not to exceed \$800,000 for the potential four-year term; and c) authorizing the City Manager or the City Manager's designee to execute the contracts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year; and 2) continued to September 2, 2014 for approval.

Contact: Iseña Garcia, Program Specialist, (916) 808-1163; Keith Leech, Fleet Manager, (916) 808-5869, Department of General Services

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

- 1. Misc.
 - a. Lorraine Brown
 - b. Ed Clark
 - c. Nissim Lanyadoo
- 2. Homelessness
 - a. Sandra Strong
 - b. Robert Lee Jones
- 3. Jobs
 - a. Mac Worthy

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Steve Cohn
 - 1. Report on plastic bag status next week
- b. Member Angelique Ashby
 - 1. City Manager report in Closed Session within two weeks on all labor negotiations

2. Board/Commission Appointments

None.

Adjournment – 8:30 p.m.