

CITY COUNCIL

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Allen Warren, District 2
Steve Cohn, District 3
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Kevin McCarty, District 6
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Bonnie Pannell, District 8

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DRAFT Minutes
City Council
Financing Authority
Housing Authority

City Hall-Council Chamber
915 I Street, 1st Floor

Published by the
Office of the City Clerk
(916) 808-5442

Tuesday, June 25, 2013
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, June 25, 2013

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 6:02 p.m. Tuesday, June 25, 2013 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 Mike Barnbaum.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Presentation of Scholarship Award(s) by Natomas Community Association**
Action: Recognition given by Member Angelique Ashby
- b. **California State Fair**
Action: Recognition given by Member Steve Cohn

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

1. Homelessness
 - a. Leon Henderson
2. Gang Violence Prevention
 - a. Ronald Montez
3. Variety of issues
 - a. Lorraine Brown
4. Here We Ride
 - a. Mike Barnbaum
5. Code Enforcement
 - a. Jerry/Sharon Richardson
6. Shell Station at Arden Way
 - a. Gordon Temple
7. City Budget
 - a. James Battles

Consent Calendar **Estimated Time: 5 minutes** (Actual Time: 4 minutes)

Action: Moved/Seconded: Member Steve Hansen /Member Bonnie Pannell
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 Appointments

Report # 2013-00534

Location: District 1

Issue: The Mayor's appointments to boards and commissions require Council confirmation.

Action: Passed **Motion No. 2013-0166** confirming board/commission appointment(s): 1) Sacramento Youth Commission – Matthew Joachim and Myles Miller (Category A-1).

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

2. Agreements - Downtown Railyards Proposition 1C Round 2 Grant

Report # 2013-00533

Location: Railyards, District 3

Issue: The State Department of Housing and Development (HCD) requires that grant agreements be executed which allow for disbursement of funds to the City of Sacramento as the recipient of Proposition 1C grant funds. The City will review and approve grant draw requests and funds will be disbursed to the developer as the grant sub-recipient as infrastructure work is completed.

Action: **Continued to July 16, 2013** Resolution to 1) authorizing the City Manager or his designee to execute the Proposition 1C Transit-Oriented Development (TOD) Round 2 Housing Program Infrastructure Grant Standard Agreement and Disbursement Agreement with the State Housing and Community Development Department (HCD) for \$10.865 million for the Railyards; 2) establishing the Railyards TOD Round 2 Prop 1C Capital Improvement Project (T15136500); and 3) establishing a \$10.865 million capital grant (Fund 3704) revenue and expenditure budget in T15136500 to be funded with the Proposition 1C TOD Infrastructure grant funds.

Contact: Fran Halbakken, Downtown Railyards Project Manager, (916) 808-7194, Office of the City Manager

3. Agreement: Trash and Debris Abatement Services

Report # 2013-00544

Location: Citywide

Issue: The current agreement for Trash and Debris Abatement Services is expiring on June 30, 2013, and a new contract is required to continue providing such services in compliance with the Sacramento City Code, Title 8 - Health and Safety.

Action: Passed **Motion No. 2013-0167** 1) rejecting all bids received in response to Bid No. B13211313008; and 2) authorizing the City Manager or City Manager's designee to enter into a non-professional services contract with Innovative Maintenance Solutions, Inc. for trash and debris services with a one year term and two one-year renewal options in an amount not-to-exceed of \$225,000 over three fiscal years.

Contact: Dennis Kubo, Program Manager, 916-808-8577; Elise Gumm, Administrative Analyst, (916) 808-1927, Community Development Department

4. Contract: Printing and Reprographic Services

Report # 2013-00384

Location: Citywide

Issue: The City has an ongoing requirement for printing, reprographic, and related services. Multiple contracts are recommended for award to obtain the most advantageous pricing.

Action: Passed **Motion No. 2013-0168** 1) awarding five-year contracts for printing, reprographic, and related services to: a) MSI in an amount not to exceed \$150,000 for the five-year term; b) Signature Reprographics in an amount not to exceed \$950,000 for the five-year term; c) ProGroup in an amount not to exceed \$175,000 for the five-year term; and d) Zuprinco Printing Co. in an amount not to exceed \$150,000 for the five-year term; and 2) authorizing the City Manager or the City Manager's designee to execute the contracts specified above.

Contact: Marc Robles, Program Analyst, (916) 808-6343; Craig Lymus, Procurement Manager, (916) 808-5524, Department of General Services

5. Contract: Hart Senior Center Roof & HVAC Renewal (C13000500)

Report # 2013-00297

Location: 915 27th Street, Sacramento, CA 95816, District 4

Issue: The Ethel MacLeod Hart Senior Center roof and heating, ventilating, and air conditioning (HVAC) system are both well beyond their useful life and in need of replacement.

Action: Passed **Motion No. 2013-0169** 1) approving the construction plans and specifications and awarding the construction contract to Bobo Construction, the lowest responsive and responsible bidder, in an amount not to exceed \$827,000 for the Ethel MacLeod Hart Senior Center Roof and HVAC Renewal Project; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above.

Contact: Mark C. Brown, Associate Mechanical Engineer, (916) 808-7118, Yadi Kavakebi, Facilities & Real Property Management Superintendent, (916) 808-8432, Department of General Services

6. Renewal of Insurance Policies

Report # 2013-00518

Location: Citywide

Issue: The City has a need to utilize professional insurance brokerage services to place a variety of commercial insurance policies to protect the City from losses.

Action: Passed **Motion No. 2013-0170** authorizing the City Manager to authorize Alliant Insurance Services, Inc., the City's insurance broker, to secure insurance policies for Excess Liability, Excess Workers' Compensation, Property, Fine Arts, Aircraft and other insurance including Crime Pollution, Bounce House, and Airport Liability, to protect the City from covered losses for an amount not to exceed \$3,016,730.

Contact: Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources

7. Workers' Compensation Bill Review Services

Report # 2013-00515

Location: Citywide

Issue: The City has a continuing need for industrial bill review to reduce medical bill expenses for workers' compensation claims.

Action: Passed **Motion No. 2013-0171** authorizing the City Manager to execute an agreement with StrataCare, LLC for workers' compensation bill review services for a term of five years with a cost not to exceed \$1,000,000.

Contact: Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources

8. Workers' Compensation Nurse Case Management Services

Report # 2013-00516

Location: Citywide

Issue: The City has a continuing need for industrial nurse case management services to assist in reducing the City's workers' compensation expenses.

Action: Passed **Motion No. 2013-0172** authorizing the City Manager to execute an agreement with Excell Managed Care & Disability Services Inc. for workers' compensation nurse case management services for a term of five years with a cost not to exceed \$750,000.

Contact: Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources

9. Workers' Compensation Utilization Review Services

Report # 2013-00517

Location: Citywide

Issue: The City has a continuing need for industrial utilization review services to assist in reducing the City's workers' compensation expenses.

Action: Passed **Motion No. 2013-0173** authorizing the City Manager to execute an agreement with Allied Managed Care, Inc. for workers' compensation utilization review services for a term of five years with a cost not to exceed \$875,000.

Contact: Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources

10. Park Development Impact Fee (PIF) Annual Report for Fiscal Year 2011/12

Report # 2013-00430

Location: Citywide

Issue: Per City Code, Section 18.44.200, mandates an annual report to the City Council regarding the Park Development Impact Fee (PIF) fund.

Action: Passed **Resolution No. 2013-0226** approving the City of Sacramento Park Development Impact Fee Report for Fiscal Year 2011/12.

Contact: Sonja Jarvis, Senior Accountant Auditor, (916) 808-8824; J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Department of Parks and Recreation

11. Agreement: Senior Housing Assistance Program

Report # 2013-00525

Location: Citywide

Issue: The proposed agreement between the City and Sacramento County's Department of Health and Human Services, Adult Protective Services Division will provide transitionally-housed and homeless seniors with access to safe and affordable housing through a service link with the City's Older Adult Services section. Funding for this program will be provided by the Ethel MacLeod Hart Trust Fund.

Action: Passed **Motion No. 2013-0174** authorizing the City Manager or his designee to execute an agreement with the County of Sacramento's Department of Health and Human Services in an amount not to exceed \$50,000 to provide near-homeless and homeless seniors with assistance needed to secure stable housing.

Contact: Sylvia Fort, Recreation Manager, (916) 808-8381; Elizabeth Anderson, Operations Manager, (916) 808-6076; James L. Combs, Director, (916) 808-8526, Department of Parks and Recreation

12. Lease Agreement: Second Amendment to Lease with Gateway Community Charters for a Portion of George Sim Community Center

Report # 2013-00457

Location: 6207 Logan Street, District 6

Issue: Council approval is required to amend the lease for a portion of the George Sim Community Center to extend the term for two years because the revenue would exceed \$100,000.

Action: Passed **Resolution No. 2013-0227** 1) approving extending the term of the lease with Gateway Community Charter School for a portion of the property located at 6207 Logan Street commonly known as George Sim Community Center for two years and to add a room; 2) authorizing the City Manager or the City Manager's designee to execute the Second Amendment; and 3) authorizing the City Manager or the City Manager's designee to establish revenue and expenditure budgets as required within the Parks and Recreation Department, General Fund Budget.

Contact: Sylvia Fort, Recreation Manager, (916) 808-8381; Elizabeth Anderson, Operations Manager, (916) 808-6076; James L. Combs, Director, Department of Parks and Recreation

13. Vacation of a Portion of Lee Avenue

Report # 2013-00445

Location: 826 Park Road located between Marysville Boulevard and Rose Avenue, District 2

Issue: The property owner of 826 Park Road requests the summary vacation of a portion of the public right-of-way known as Lee Avenue located within the southern portion of the property to remedy the encroachment status of the residential structure situated on the property.

Action: Passed **Resolution No. 2013-0228** vacating a portion of Lee Avenue located on the south portion of the lots located at 826 Park Road.

Contact: Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

14. Sacramento Valley Station Phase 2 Intermodal (T15029040) – Design-Assist Construction Services Agreement

Report # 2013-00391

Location: District 3

Issue: The Design-Assist Construction Services contract will allow the City to utilize the contractor during the final design phase to maximize constructability of the project.

Action: Passed **Motion No. 2013-0174** awarding a contract to Rudolph & Sletten, Inc. for an amount not to exceed \$181,914 for Design-Assist services and foundation investigation for Phase 2 of the Sacramento Valley Station Intermodal project—the rehabilitation of the historic train depot.

Contact: Greg Taylor, Urban Design Manager, Project Manager, (916) 808-5268; Jerry Way, Director of Public Works, (916) 808-7100, Department of Public Works

15. 6th Street at Sacramento Railyards Contract Award (T15116200) - Approve of Change Order No. 3

Report # 2013-00489

Location: 6th Street, between H Street and the future Railyards Boulevard as shown on the attached location map, District 3

Issue: Approval of Change Order No. 3 in an amount not to exceed of \$370,965 is needed to address unanticipated conditions and complete the project. The City Code requires City Council approval of change orders equal to or greater than \$100,000.

Action: Passed **Motion No. 2013-0176** 1) approving Change Order No. 3 to City Agreement No. C2012-1023 with O.C. Jones & Sons in an amount not to exceed \$360,305; and 2) resetting the City Manager's authority for the construction contract with O.C. Jones & Sons.

Contact: Marc Lee, Associate Engineer, (916) 808-7481; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

16. Train Horn Quiet Zone Project (T15058200) – Transfer of Funds

Report # 2013-00510

Location: The project is located at the Union Pacific Railroad crossing of Elkhorn Boulevard near Blacktop Avenue in unincorporated Sacramento County

Issue: Additional funds are needed to complete the construction of raised medians at the Union Pacific Railroad crossing of Elkhorn Boulevard near Blacktop Avenue. These improvements are necessary to implement a train horn quiet zone from West El Camino Avenue to Elkhorn Boulevard.

Action: Passed **Resolution No. 2013-0229** 1) transferring \$135,000 from the Major Streets Improvement Project (T15138000) to the Train Horn Quiet Zone Project (T15058200); 2) resetting the City Manager's administrative authority for the Major Street Improvement Project (T15138000); and 3) resetting the City Manager's administrative authority for the Train Horn Quiet Zone Project (T15058200).

Contact: Matthew Johns, Associate Engineer, (916) 808-5760; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

17. Supplemental Agreement #1: Richard Boulevard Streetscape Project (T15136300)

Report # 2013-00485

Location: District 3

Issue: Approval of Supplemental Agreement No. 1 to the existing Professional Services Agreement with Wood Rodgers (2013-0395) is needed to begin final design of the project.

Action: Passed **Motion No. 2013-0177** authorizing the City Manager to execute Supplemental Agreement No. 1 to the existing Professional Services Agreement with Wood Rodgers (2013-0395) for an amount not-to-exceed \$198,112.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

18. Contract Award: El Camino Avenue and Boxwood Street Traffic Signal Project (S15124300)

Report # 2013-00478

Location: Intersection of El Camino Avenue and Boxwood Street, District 2

Issue: City Council approval of the project plans and specifications for the El Camino Avenue and Boxwood Street Traffic Signal, and award of the construction contract is needed for the project to proceed to construction.

Action: Passed **Resolution No. 2013-0230** 1) approving the Plans and Specifications for the El Camino Avenue and Boxwood Street Traffic Signal Project (S15124300); 2) transferring funds in the amount of \$100,000 (Fund 2007) from the Major Street Improvements Project (T15128000) to the El Camino Avenue and Boxwood Street Traffic Signal Project (S15124300); 3) awarding the construction contract to Siemens for an amount not to exceed \$258,908; and 4) resetting the administrative authority for the El Camino Avenue and Boxwood Street Traffic Signal Project (S15124300) and the Major Street Improvements Project (T15128000).

Contact: Kaleb Haile, Senior Engineer, (916) 808-7020; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

19. Agreement: Long-Term Water Treatment Capacity Evaluation of E.A. Fairbairn Water Treatment Plant

Report # 2013-00417

Location: Council Districts 1, 3, & 6

Issue: Approval of a professional services agreement is recommended to evaluate rehabilitation options for E. A. Fairbairn Water Treatment Plant facilities (constructed in 1964), and evaluate a possible new Sacramento River intake for the City's future water needs.

Action: Passed **Motion No. 2013-0178** authorizing the City Manager or the City Manager's designee to sign a professional services agreement with Carollo Engineering, Inc., to conduct phase 1 of the water treatment capacity evaluation, for an amount not-to-exceed \$299,080.

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

20. Ordinances Amending City Code Chapters 13.04, 13.08 and 13.12, relating to Water, Sewer and Storm Drainage Service and Billing for Utility Service

(Passed for Publication on 06/18/2013; Published on 06/21/2013)

Report # 2013-00326

Location: Citywide

Issue: A review of City Code governing water, sewer, and storm drainage service, and utility service billing identified a need to revise and in some cases add to City Code to reflect current policies and practices, simplify and clarify some provisions, and provide for more effective administration and enforcement.

Action: Passed **Ordinance No. 2013-0014** amending various sections of Chapters 13.04, 13.08, and 13.12 of the Sacramento City Code; repealing Section 13.04.780 of the Sacramento City Code; and adding Sections 13.04.305, 13.04.845, 13.08.145, 13.12.025, and 13.12.045 to the Sacramento City Code, relating to water, sewer, and storm drainage service and billing for utility services; and 2) **Ordinance No. 2013-0015** amending definitions in section 13.12.010 of the Sacramento City Code, effective January 1, 2014, relating to billing for utility services.

Contact: Jammie Moens, Business Services Manager, (916) 808-5988;
Jenny Simpson, Program Specialist, (916) 808-1463, Department of Utilities

21. Supplemental Agreement: Shasta Park Reservoir Groundwater Well and Booster Pump Station

Report # 2013-00477

Location: District 8

Issue: The initial scope of work to design the groundwater well facilities at the Shasta Park Reservoir site only included the design of the underground well. To fully design the groundwater facilities, the well pumping and treatment equipment also need to be designed. This increase requires City Council approval.

Action: Passed **Motion No. 2013-0179** authorizing the City Manager or the City Manager's designee to approve Supplemental Agreement #1 to City Agreement 2012-0654, with Wood Rodgers, for additional design services for an amount not to exceed \$329,400, bringing the total agreement amount to \$630,400.

Contact: Bill Busath, Engineering Division Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1319, Department of Utilities

22. Agreement: Sacramento Regional County Sanitation District for Wastewater Operations

Report # 2013-00467

Location: Citywide

Issue: The Wastewater Operating Agreement between the City of Sacramento and the Sacramento Regional County Sanitation District (SRCSD) establishes ownership, operations, and maintenance responsibilities for facilities that convey the City's combined sewer flows to the SRCSD sewage treatment plant.

Action: Passed **Motion No. 2013-0180** 1) authorizing the City Manager or the City Manager's designee to sign the Wastewater Operating Agreement between the Sacramento Regional County Sanitation District (SRCSD) and the City, and 2) authorizing the City Manager or the City Manager's designee to approve termination of the Agreement Regarding the Operation and Maintenance of the Combined Wastewater Control System and Natomas Area Pump Stations and Ownership Transfer of Certain Facilities, between SRCSD, Sacramento County, and the City, dated November 25, 1980 (City Agreement No. 80160).

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

23. Agreements: Root Control Program Pilot Study (Two-Thirds Vote Required)

Report # 2013-00475

Location: Citywide

Issue: Staff desires to conduct a pilot study to determine which of two herbicide applications in sewer mains will better control tree root intrusion and help reduce sanitary sewer overflows.

Action: Passed **Resolution No. 2013-0231** a) suspending competitive bidding for the Root Control Program Pilot Study, in the best interests of the City, and b) transferring Wastewater Funds (Fund 6006) of \$99,000 from the SSMP project (I14110100) to the Root Control project(X14120100); and 2) a Motion awarding nonprofessional service agreements for root control services to Duke's Root Control, Inc., in an amount not-to-exceed \$89,682.10, and to Root Tamers, in an amount not-to-exceed \$70,656.20.

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Brett Grant, Supervising Engineering, (916) 808-1413, Department of Utilities

Discussion Calendar

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

24. Issuance of Special Tax Refunding Revenue Bonds for North Natomas Community Facilities District No. 4 (Series A, B, C, and D)

Report # 2013-00009 **Estimated Time: 5 minutes** (Actual Time: 3 minutes)

Location: District 1

Issue: Council authorization is required for the issuance of the North Natomas CFD 4, Special Tax Refunding Bonds, Series E (2013), and the execution of related documents and other activities to complete the financing.

Action: Moved/Seconded: Member Angelique Ashby /Member Allen Warren

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

Passed **Resolution No. 2013-0232** 1) authorizing the issuance, sale, and delivery of City of Sacramento 2013 Special Tax Refunding Revenue Bonds, Series E (CFD No. 4 Series A, B, C, and D); 2) authorizing the execution and delivery of a Trust Agreement, a Preliminary Official Statement, and a Final Official Statement; and 3) approving certain other actions necessary for the issuance, sale, and delivery of these bonds.

Contact: Janelle Gray, Debt Manager, (916) 808-8296; Damien Charléty, Debt Analyst, (916) 808-5517, Office of the City Treasurer

25. Issuance and Sale of the City of Sacramento 2013 Tax and Revenue Anticipation Notes

Report # 2013-00460 **Estimated Time: 5 minutes** (Actual Time: 3 minutes)

Location: Citywide

Issue: Council authorization is required for the issuance of the 2013 Tax and Revenue Anticipation Notes, and the execution of related documents and other activities to complete the financing.

Action: Moved/Seconded: Member Jay Schenirer/Member Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

Passed 1) **Resolution No. 2013-0233** authorizing the issuance and sale of the City of Sacramento 2013 Tax and Revenue Anticipation Notes ("TRAN") in an amount not to exceed \$40 million, approving the official statement relating to such notes, and authorizing other actions, including the execution of a note purchase agreement and an agreement for bond counsel services; and 2) **Resolution No. 2013-0234** authorizing the City Treasurer and the Finance Director to make temporary cash transfers between unrestricted City funds during fiscal year 2013-14 and to establish and implement the necessary financial transactions, budgets, and appropriations after final pricing and sale of the TRAN as needed to carry out the terms and intent of the financing in accordance with the law and City policy.

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

26. **Utility Service Discontinuance Program**

Report # 2013-00236 **Estimated Time: 15 minutes** (Actual Time: 40 minutes)

Location: Citywide

Issue: An audit of the utility billing process recommended discontinuance of utility service for nonpayment to improve revenue.

Action: Moved/Seconded: Member Allen Warren/Member Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

Passed **Motion 2013-0181 to continue** 1) a Motion approving implementation of the Department of Utilities' proposed utility service discontinuance program for nonpayment; and 2) a Resolution requiring that utility service termination appeals be heard by a hearing examiner, **with direction to return with a detailed plan to ascertain the impact on communities.**

Contact: Jammie Moens, Business Services Manager, (916) 808-5988; Jenny Simpson, Program Specialist, (916) 808-1463, Department of Utilities

27. Entertainment Sports Complex (ESC) Project Assistance Services

Report # 2013-00545 **Estimated Time: 15 minutes** (Actual Time: 30 minutes)

Location: Downtown Plaza/District 4

Issue: Specialized consultant services are needed to represent the City's interests in the preparation of definitive agreements with Sacramento Basketball Holdings LLC and to prepare for the potential financing and construction of a new arena located in Downtown Plaza. Administrative actions are required to establish a project and operating budget.

Action: Moved/Seconded: Member Allen Warren /Member Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

No: Members Darrell Fong and Kevin McCarty

Public comment heard from Adam Wong, Mike Barnbaum, James Battles and Ron Kling; passed **Resolution No. 2013-0236** 1) authorizing the City Manager or his designee to execute the first amendment to the Master Owner Participation Agreement (MOPA); 2) establishing a multi-year operating project (MYOP) for the Downtown ESC Project (I0200500); 3) establishing an expenditure budget in the amount of \$6.5 million in the Downtown ESC Project (I0200500) MYOP: \$1,500,000 from the Parking Fund (Fund 6004) and \$5,000,000 from the MOPA Funds (Fund 2030); 4) establishing a capital improvement project (CIP) for the Downtown ESC Project (B0200100); 5) authorizing the City Manager or his designee to move appropriations and expenditures between the MYOP (I0200500) and CIP (B0200100) when appropriate based on City budget and accounting policies; 6) authorizing the City Manager or his designee execute professional services agreements for technical and financial advisory services for assistance with the Downtown ESC Project for a total amount not to exceed \$250,000; 7) authorizing the City Attorney or his designee to execute legal services agreements for assistance with the Downtown ESC project for a total amount not to exceed \$550,000; 8) authorizing the City Treasurer or his designee to execute professional services agreements for assistance with the Downtown ESC Project for a total amount not to exceed \$505,000; 9) authorizing the City Manager to execute a professional services agreement with Weston Sports and Entertainment for sports facility design and construction advisory services for the Downtown ESC Project for an amount not to exceed \$250,000; and 10) authorizing the City Manager or his designee to execute a professional services agreement with Barrett Sports Group, LLC, for negotiation, advisory, and other services for the Downtown ESC project, in an amount not to exceed \$200,000.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5704, Office of the City Manager

Council Comments-Ideas, Questions and Meeting/Conference Reports

- 1. Information Requests – None.**
- 2. Board/Commission Appointments**
 - a. Ann Land/Bertha Henschel Memorial Fund Commission
 1. Natalie J. Butcher
 - b. Natomas Basin Conservancy Board of Directors
 1. Kay Backer
 - c. AD HOC – Water Resources for purposes of water rights, flood control, water management, supply and conservation (dissolved former Water Resources Ad hoc created on 6/7/2011)
 1. Angelique Ashby, Chair
 2. Steve Cohn
 3. Darrell Fong
 4. Mayor Johnson
 - d. AD HOC – Downtown Arena for purposes of term sheet, predevelopment design and construction (dissolved former Arena Ad hoc created on 1/15/2013)
 1. Allen Warren, Chair
 2. Steve Cohn
 3. Jay Schenirer
 4. Mayor Johnson

Adjourned – 7:56 p.m.