



Meetings of Sacramento City Council Financing Authority Housing Authority

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Vice-Mayor, District 1
Allen Warren, District 2
Steve Cohn, District 3
Steve Hansen, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, District 8

DRAFT Minutes

Tuesday, February 26, 2013

6:00 P.M.

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

Published by the Office of the City Clerk (916) 808-7200

CHARTER OFFICERS

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

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.

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DRAFT MINUTES

Tuesday, February 26, 2013

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 Angelique Ashby at 6:01 p.m. Tuesday, February 26, 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 and Allen Warren.

Members Absent: Mayor Kevin Johnson arrived at 7:30 p.m.

Pledge of Allegiance - led by Youth at City Council representative Breah Kemp.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognition of Sacramento's Urban Forestry Program Accreditation by the Society of Municipal Arborists, Sacramento 10 Best Cities for Urban Forests, and March 7th as California Arbor Day**

Action: Resolution presented by Member Steve Cohn

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

- | | |
|-------------------------------|-------------------------|
| 1. Homeless/.Housing | 4. Sacramento Kings |
| a. Leon Henderson | a. Mike Barnbaum |
| b. Sandra Strong | |
| 2. Transparency in Government | 5. Economic Development |
| a. Mac Worthy | a. James Battles |
| | 6. City Budget |
| 3. Law Enforcement | a. Mark Brouillet |
| a. Joseph Montoya | 7. Oak Park |
| b. Sandra Strong | a. Ron Emslie |

Consent Calendar **Estimated Time: 5 minutes** (Actual Time: 38 minutes)

Action: Moved/Seconded: Member Steve Hansen /Member Kevin McCarty

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

Absent: Mayor Kevin Johnson.

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

- 1. Weed and Rubbish Abatement**
Report # 2013-00157
Location: Citywide
Action: Passed **Resolution No. 2013-0049**: 1) declaring weeds, rubbish, refuse, and dirt to be a public nuisance pursuant to Government Code § 39561 and City Code Chapter 8.28; 2) declaring that weeds on specified parcels of property are seasonal and recurrent nuisances pursuant to Government Code § 39562.1 and City Code Chapter 8.28, and the description of said parcels are at Exhibit A to the Resolution; 3) authorizing notification be sent to the owners of said real property having any objections to the proposed abatement of said nuisances in the manner prescribed by Government Code §§ 39567 and 39567.1 and Chapter 8.28 of the Sacramento City Code; and 4) setting a public hearing for March 12, 2013, for objections to be heard and given due consideration.
Contact: Dennis Kubo, Code Enforcement Manager, 916-808-8577, Community Development Department
- 2. Sewer Credit Allocation: Northwest Land Park/Setzer Property - Phase 1**
Report # 2013-00187
Location: District 4
Action: Passed **Resolution No. 2013-0050** allocating 150.75 Treatment Capacity Bank Credits to the Northwest Land Park/Setzer Property - Phase 1 Project located at 2570 3rd Street and 2640 5th Street.
Contact: Sabrina Tefft, Project Manager, (916)808-3789, Economic Development Department
- 3. Brownfields Revolving Loan Fund Grant Acceptance**
Report # 2013-00189
Location: Citywide
Action: Passed **Resolution No. 2013-0051**: 1) authorizing the City Manager or his designee to execute the second amendment to the Brownfields Revolving Loan Fund (RLF) grant from the U.S. Environmental Protection Agency to increase the grant amount by \$400,000, and 2) approving an increase in the amount of \$400,000 to the revenue and expenditure budgets for G18334500 (Fund 2702).
Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064, Economic Development Department
- 4. Contract: Purchase of Nitrile Gloves**
Report # 2013-00178
Location: Citywide
Action: Passed **Motion No. 2013-0040** awarding a one-year contract, with the option of two one-year extensions, to Bound Tree Medical, the lowest responsible and responsive bidder as a result of Bid No. B13121441008, for the purchase of nitrile gloves in an amount not to exceed \$470,000 including the first year and all extensions, and 2) authorizing the City Manager or his designee to execute the contract and the extensions(s).
Contact: Ronald Potter, Acting-Assistant Chief, (916) 808-2250, Fire Department.
- 5. Grant/Agreement: California Task Force Seven (“CA TF-7”), Urban Search and Rescue (“US&R”) Team’s Hurricane Sandy Red Incident Support Team (“IST”) Deployment (G12702400)**
Report # 2013-00192
Location: Citywide

Action: Passed **Resolution No. 2013-0052:** 1) authorizing the City Manager, or Fire Chief and Deputy Fire Chief, as his designees, on behalf of the City of Sacramento, to execute the agreement (EMW-2008-CA-1498, Amendment M016) accepting federal funding in the amount of \$42,000 for the CA TF-7 US&R Team Hurricane Sandy Red IST Deployment; 2) establishing an operating grant for CA TF-7 US&R Hurricane Sandy Red IST Deployment (G12702400); and 3) establishing a \$42,000 revenue and expenditure budget for the CA TF-7 US&R Hurricane Sandy Red IST Deployment (G12702400).

Contact: Chris Costamagna, Assistant Chief, (916) 808-1691; Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department

**6. Contract: Vehicle Wash Bays Maintenance & Repairs
Report # 2013-00117**

Location: Citywide

Action: Passed **Motion No. 2013-0041:** 1) awarding Steam Cleaners, Inc. a one-year contract with four one-year renewal options for vehicle wash bay maintenance and repair services in a total amount not to exceed \$2,519,450 for the potential five-year period; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department

**7. Contract Supplement: Unarmed Security Guard Services (2/3 Vote Required)
Report # 2013-00151**

Location: Citywide

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

Absent: Mayor Kevin Johnson

Removed from Consent Calendar by Vice Mayor Ashby; public comment heard from Matt Carroll, Jason Alexander and Keith Sharward; passed **Resolution No. 2013-0053 as amended:** 1) accepting the unsolicited proposal submitted to the City by National Security Industries & Services (formally National Security Services); 2) rejecting the qualifications statements received in response to Request for Qualifications No. Q13131061002 issued on December 5, 2012; 3) suspending competitive bidding in the best interests of the City; 4) authorizing the City Manager or the City Manager's designee to extend City Contract No. 2008-032 with National Security Industries & Services for one year with four one-year renewal options for the purchase of unarmed security guard services in a total amount not to exceed \$12,753,497 for the potential additional five-year period; and 5) authorizing the City Manager or the City Manager's designee to execute the contract supplements specified above provided that sufficient funds are available in the adopted budget of the applicable fiscal year.

Contact: Rochelle Freyman, Administrative Technician, (916) 808-5748; Craig Lymus, Procurement Manager, (916) 808-5524, General Services Department

8. R Street Streetscape Phase III Project

Report # 2013-00093

Location: R Street, District 4

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Bonnie Pannell, Jay Schenirer and Allen Warren.

Absent: Mayor Kevin Johnson

Abstain: Kevin McCarty (recused for financial considerations)

Passed **Resolution No. 2013-0054:** 1) establishing the R Street Streetscape Phase III Project (T15135900) as a new Capital Improvement Project; 2) authorizing the City Manager to execute a Memorandum of Understanding with the Capitol Area Development Authority (CADA); 3) authorizing the City Manager to execute an Individual Project Agreement with Sacramento Housing and Redevelopment Agency (SHRA); and 4) appropriating funds to the R Street Streetscape Phase III Project (T15135900).

Contact: Jesse Gothan, Associate Engineer, (916) 808-6897; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

9. Agreement: Ramona Avenue Extension Project - SMUD 115KV Pole Relocation (T15018400)

Report # 2013-00136

Location: Ramona Avenue from Brighton Avenue to Folsom Boulevard, Districts 3 and 6

Action: Passed **Resolution No. 2013-0055** authorizing the city manager to execute an agreement in an amount not to exceed \$631,752 with the Sacramento Municipal Utility District (SMUD) for SMUD to relocate a 115kV pole.

Contact: Jesse Gothan, Associate Engineer, (916) 808-6897; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

10. Contract: Willow Creek Streetscapes

Report # 2013-00183

Location: District 4

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

Absent: Mayor Kevin Johnson

Removed from Consent Calendar by Vice Mayor Angelique Ashby; passed **Motion No. 2013-0042** awarding a one-year non-professional services agreement for the maintenance of the Willow Creek Streetscapes with Valley Landscapes for an amount not to exceed \$38,400.00 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement, including the optional two one-year extensions, not to exceed \$115,200.

Contact: James Horton, Program Specialist, (916) 808-5567; Juan Montanez, Streets Manager, (916) 808-2254, Department of Public Works

11. **5th Street and Railyards Boulevard Project Delivery Agreement Approval (To Be Delivered)**
Report # 2013-00215
Location: Downtown Railyards near Sacramento Valley Station, between I Street Bridge and 7th Street, District 3
Action: Passed **Resolution No. 2013-0056** 1) authorizing the City Manager or his designee to execute the 5th Street and Railyards Boulevard Project Delivery Agreement; 2) authorizing the City Manager or his designee to execute all City Lien Waivers, Utility Agreements, and other documents necessary to implement the 5th Street and Railyards Boulevard Project Delivery Agreement; 3) establishing the 5th Street and Railyards Boulevard (T15135800) as a new Capital Improvement Project; and 4) authorizing the City Manager to appropriate \$225,000 to the 5th Street and Railyards Boulevard (T15135800).
Contact: Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
12. **Supplemental Agreement: Cosumnes River Boulevard/I-5 Interchange and Extension Project (T15018000)**
Report # 2013-00127
Location: Interstate 5, one mile south of Pocket Road/Meadowview Road, from Franklin Boulevard west to Freeport Boulevard, Districts 7 and 8
Action: Passed **Motion No. 2013-0043:** 1) authorizing the City Manager or his designee to execute Supplemental Agreement No. 14 to City Agreement No. 2007-0406 with Mark Thomas & Company, Inc. in an amount not to exceed \$166,697 to provide design of the Freeport Regional Water Agency's (FRWA) back-up radio system and towers that are required per City Agreement No. 2012-0727 between FRWA and City; and 2) resetting the City Manager's authority to issue supplemental agreements for City Agreement No. 2007-0406.
Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Public Works Department
13. **Contract: Brookfield Streetscapes**
Report # 2013-00131
Location: Districts 7 and 8
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer and Allen Warren.
Absent: Mayor Kevin Johnson
- Removed from Consent Calendar by Vice Mayor Angelique Ashby; passed **Motion No. 2013-0044** awarding a one-year non-professional services agreement for the maintenance of the Brookfield Streetscape with JM Slover, Inc. for an amount not to exceed \$37,932 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement, including the optional two one-year extensions, not to exceed \$113,796.
Contact: James Horton, Program Specialist, (916) 808-5567; Juan Montanez, Streets Manager (916) 808-2254, Department of Public Works

14. Contract: 43rd Avenue Streetscapes

Report # 2013-00132

Location: Districts 4 and 7

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

Absent: Mayor Kevin Johnson

Passed **Motion No. 2013-0045** awarding a one-year non-professional services agreement for the maintenance of the 43rd Avenue Streetscapes with JM Slover, Inc. for an amount not to exceed \$42,636 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement, including the optional two one-year extensions, not to exceed \$127,908.

Contact: James Horton, Program Specialist (916)808-5567; Juan Montanez, Streets Manager (916) 808-2254, Department of Public Works

15. Contract: East Commerce Streetscapes

Report # 2013-00133

Location: District 1

Action: Passed **Motion No. 2013-0046** awarding a one-year non-professional services agreement for the maintenance of the East Commerce Streetscapes with Valley Landscapes, for an amount not to exceed \$56,400 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement, including the optional two one-year extensions, not to exceed \$169,200.

Contact: James Horton, Program Specialist, (916) 808-5567; Juan Montanez, Streets Manager, (916) 808-2254, Department of Public Works

16. Sacramento City College Bicycle/Pedestrian Improvements Project

Report # 2013-00154

Location: Sacramento City College at 12th Avenue between 23rd Street and Panther Parkway, Districts 4 and 5

Action: Passed **Motion No. 2013-0047:** 1) authorizing the City Manager to approve Change Order No. 2 in an amount not to exceed \$10,287 for the Sacramento City College Bicycle/Pedestrian Improvements Project; and 2) resetting the City Manager's administrative authority for the contract with Navajo Pipelines for the Sacramento City College Bicycle/Pedestrian Improvements Project.

Contact: Greg Smith, Associate Civil Engineer, (916) 808-8364; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

17. Parking Enforcement Citation and Arrest Authority

Report # 2013-00177

Location: Citywide

Action: Public comment heard from Mac Worthy; passed **Resolution No. 2013-0057** granting citation and arrest authority to new parking enforcement officers in the Parking Services Division, Department of Public Works.

Contact: Matt Winkler, Operations General Supervisor, (916) 808-5579; Howard Chan, Parking Services Manager, (916) 808-7488; Department of Public Works

18. **Supplemental Agreement: Combined Sewer Improvement Plan Update Phase 2 (X14010000)**
Report # 2013-00066
Location: Districts 3, 4, 5 and 6
Action: Passed **Resolution No. 2013-0058** authorizing budget transfers to the Combined Sewer Improvement Plan Update Project (X14010000), in the amount of \$129,036, and 2) **Motion No. 2013-0048** authorizing the City Manager or City Manager's designee to execute Supplemental Agreement No. 2 to City Agreement No. 2010-0738 with AECOM Technical Services Inc., to provide additional services for an amount not to exceed \$129,036.
Contact: Bill Busath, Engineering Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities
19. **Appointments: Sacramento Groundwater Authority (SGA)**
Report # 2013-00166
Location: Citywide
Action: Passed **Resolution No. 2013-0059** appointing the following Sacramento Suburban Water District representatives to the Sacramento Groundwater Authority Board of Directors: Tom Fellenz and Todd Robison (alternate).
Contact: Dave Brent, Director, (916) 808-1420; Jim Peifer, Supervising Engineer, (916) 808-1416 - Department of Utilities
20. **Supplemental Agreement: Construction Management Services for the Water Treatment Plants Rehabilitation Project**
Report # 2013-00111
Location: District 3
Action: Passed **Motion No. 2013-0049** authorizing the City Manager or the City Manager's designee to sign Supplemental Agreement No. 1 to City Agreement No. 2012-0831 with MWH Americas, to perform early Phase 2 construction management services, for an amount not-to-exceed \$97,191, bringing the total agreement amount to \$189,841.
Contact: Bill Busath, Engineering Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

Public Hearings

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

21. **Zoning Code Ordinance Amendment - Location of Medical Marijuana Dispensaries in Relation to Parks and K-12 Schools (M12-006)** (Passed for Publication 1-22-13, Published 2-7-13) (Noticed 1-10-13, 2-7-13) (Continued from 1-29-13 and 2-19-13)
Report # 2013-00182 **Estimated Time: 60 minutes** (Actual Time: 43 minutes)
Location: Citywide
- Action:** Moved/Seconded: Member Cohn /Member Darrell Fong
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Shelby Lucero, Kimberly Cargile, Stacy Turner, Sherry Martinez, Heather Herman, Rich Miller, Ryan Landers, Ron

Mullins, Sioux Colombe, Pam Martini, Mark Brouillet and Michael Francis; and upon conclusion: 1) passed **Ordinance No. 2013-0004** amending Section 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) relating to location requirements for medical marijuana dispensaries; and 2) provide direction to the city Manager on additional changes to the Zoning Code relating to location requirement for medical marijuana dispensaries.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

Discussion Calendar

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

22. Department of Utilities Accountability Plan Update

Report # 2013-00077 **Estimated Time: 30 minutes** (Actual Time: 15 minutes)

Location: Citywide

Action: Public comment heard from Mac Worthy; received and filed the Department of Utilities first annual update of its Accountability Plan, its progress in securing funding for its capital improvement program, the status of its current capital improvements, and the implementation of the Utilities Rate Assistance Program.

Contact: Dave Brent, Director, (916) 808-1420; Jessica Hess, Media and Communications Specialist, (916) 808-8260 - Department of Utilities

23. Authorize Issuance and Sale of 2013 Water Revenue Bonds in an Amount Not to Exceed \$275 Million

Report # 2013-00190 **Estimated Time: 30 minutes** (Actual Time: 20 minutes)

Location: Citywide

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

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. 2013-0060** authorizing the issuance and sale of City of Sacramento Water Revenue Bonds, Series 2013, to finance the acquisition, construction, and installation of certain water-related capital improvement projects, with the aggregate principal amount not to exceed \$275 million; approving the official statement relating to the bonds; and authorizing the City Treasurer or his designee to approve, execute, and deliver related financing documents on the City's behalf, including a Bond Purchase Agreement and 2) **Resolution No. 2013-0061** approving the revenue and expenditure budgets for the bonds.

Contact: Russell T. Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer; Janelle Gray, Debt Manager, (916) 808-8296, Office of the City Treasurer; and Brian Wong, Senior Debt Analyst, (916) 808-5811, Office of the City Treasurer

Supplemental Agenda
Additional Discussion Item:

24. **Principles, Professional Services Budget, Contract Amendment and Council Direction to Complete Due Diligence and Negotiate Preliminary Terms for the Potential Development of a Downtown Entertainment and Sports Center (To Be Delivered)** **Estimated Time: 60 minutes** (Actual Time: 86 minutes)

Location: Citywide

Action: Moved/Seconded: Member Angelique Ashby /Member Allen Warren
Yes: Members Angelique Ashby, Steve Cohn, Steve Hansen, Bonnie Pannell, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson
Noes: Members Darrell Fong and Kevin McCarty

Public comment heard from Johnnise Downs, Lowell Landows, Larry Bell, Thomas Huddle, Ron Loutzenhiser, Jeff Bradway, Hunter Whitten, Raymond Kemp, James Battles, Aaron DelBono, Mike Tavares, Mike Barnbaum, Alida DeAmilis, Bob Anderson, Isaac Gonzalez, Jean Fleury, Mac Worthy, Conny Anderson and John Bloomer; passed **Motion No. 2013-0050:** 1) adopting principles **as amended** for due diligence and the negotiation of preliminary terms for the potential development of a downtown entertainment and sports center; 2) authorizing the City Manager or his designee to complete due diligence and negotiate preliminary terms for the development of a downtown entertainment and sports center consistent with the adopted principles; and 3) authorize the City Manager or his designee to increase City agreement #2013-0108 with Barrett Sports Group by an amount not to exceed \$90,000 and subject to approval as to form by the City Attorney; 3) Passed **Resolution No. 2013-0063** authorizing the City Manager to transfer \$150,000 from the General Fund administrative contingency to the City Manager's Office budget to fund professional and legal services for due diligence and negotiation of preliminary terms for the potential development of a downtown entertainment and sports center.

Contact: John Dangberg, Assistant City Manager (916) 808-1222, Office of the City Manager

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Jay Schenirer

1. Request for analysis of apprenticeship and local hire programs for citywide projects
2. Reestablishing summer food programs in summer recreation programs

2. Board/Commission Appointments

a. Planning Commission

1. Kim Mack (D2)
2. Todd Kaufman (D4)

Adjourned – 9:59 p.m.