

## 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, 1<sup>st</sup> Floor  
Published by the Office of the City Clerk  
(916) 808-5163

**Tuesday, September 9, 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](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, September 9, 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 Mayor Kevin Johnson at 6:30 p.m. Tuesday, September 9, 2014 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Pledge of Allegiance** – led by Jorge Oseguera

**Closed Session Report** - None.

## **Special Presentations/General Communications**

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

**A. Recognizing Adult Literacy Awareness Month and the 30<sup>th</sup> Anniversary of CA Library Literacy Program**

**Action:** Resolution presented by Member Angelique Ashby

**B. Recognizing Prostate Cancer Awareness Month**

**Action:** Resolution presented by Member Darrell Fong

## **Consent Calendar Estimated Time: 5 minutes** (Actual Time: 1 minute)

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, 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. Approval of City Council Meeting Minutes**

Report # 2014-00697

**Location:** Citywide

**Action:** Passed **Motion No. 2014-0225** approving the City Council Meeting Minutes dated August 7, August 12, August 19, and August 26, 2014.

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

- 2. Agreement: Lower American River Flow Management Standard Environmental Impact Report (EIR)**  
Report # 2014-00632  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0226** authorizing the City Manager, or his designee, to execute a Professional Services Agreement with CBEC, Inc. to perform analysis and technical services necessary to the continued development of the draft EIR to update the lower American River Flow Management Standard, for an amount not-to-exceed \$346,000.  
**Contact:** Tom Gohring, Executive Director, (916) 808-1998, City-County Office of Metropolitan Water Planning
- 3. Agreement: Workers' Compensation Legal Services (Reviewed 09/02/2014)**  
Report # 2014-00645  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0227:** 1) awarding seven legal services agreements for workers' compensation legal services for contract terms of three years with a total combined not to exceed amount of \$1,975,000, and 2) authorizing the City Attorney or designee to execute the agreements.  
**Contact:** Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources
- 4. Agreement: Workers' Compensation Claims Management Software Program**  
Report # 2014-00670  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0228** authorizing the City Manager to execute an agreement with CSAC Excess Insurance Authority for a workers' compensation claims management system for a term of five years with a cost not to exceed \$550,000.  
**Contact:** Geri Hamby, Director, (916) 808-7173; Patrick Flaherty, Risk Manager, (916) 808-8587, Department of Human Resources
- 5. City Auditor's Quarterly Activity Report**  
Report # 2014-00655  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0229** accepting the Auditor's Quarterly Audit Activities Report for the period April 2014 to June 2014.  
**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor
- 6. City Auditor's Recommendation Follow-up Report for the Six Month Period Ending June 30, 2014**  
Report # 2014-00658  
**Location:** Citywide  
**Action:** Passed **Motion No. 2014-0230** accepting the City Auditor's Recommendation Follow-up Report for the period January 1, 2014 to June 30, 2014.  
**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

**7. Supplemental Agreement: Aircraft Maintenance Services**

Report # 2014-00650

**Location:** Citywide

**Action:** Passed **Motion No. 2014-0231** authorizing the City Manager, or the City Manager's designee, to execute Supplemental Agreement No. 1 to City Agreement 2010-1012 with Mather Aviation for the delivery of aircraft maintenance services to 1) extend the agreement term for the current agreement to April 30, 2015; 2) amend the scope of services to include maintenance and repairs for the Sacramento Police Department's fixed-wing airplane; and 3) increase the contract amount by \$200,000, for a new total not-to-exceed amount of \$890,000.

**Contact:** Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701; Jeff Watson, Police Lieutenant, Metro Division/Air Ops, (916) 808-0706, Police Department

**8. Grant: California Office of Traffic Safety, Pedestrian and Bicycle Safety Program**

Report # 2014-00662

**Location:** Citywide

**Action:** Passed **Resolution No. 2014-0306** authorizing the City Manager or the City Manager's designee to: 1) accept on behalf of the City of Sacramento, \$165,000 in grant funding from the State of California, Office of Traffic Safety (OTS) including any amendments thereof; 2) establish a grant project for the Pedestrian and Bicycle Safety Program (G11012900); 3) adjust the necessary grant expense and revenue budgets by \$165,000; and 4) continue the authorization for one full-time equivalent (FTE) Police Officer position.

**Contact:** Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701, Police Department

**9. Grant: Fiscal Year 2014-15 Office of Traffic Safety AVOID Grant**

Report # 2014-00664

**Location:** Citywide

**Action:** Passed **Resolution No. 2014-0307** authorizing the City Manager, or the City Manager's designee, to: 1) accept a grant award of \$183,655 from the California Office of Traffic Safety; 2) establish an operating grant project (G11012700); and 3) adjust the necessary operating grant expense and revenue budgets in an amount not to exceed \$183,655.

**Contact:** Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701, Police Department

**10. Grant: California Office of Traffic Safety, Selective Traffic Enforcement Program**

Report # 2014-00661

**Location:** Citywide

**Action:** Passed **Resolution No. 2014-0308** authorizing the City Manager or the City Manager's designee to: 1) accept on behalf of the City of Sacramento, \$1,000,000 in grant funding from the State of California, Office of Traffic Safety (OTS); 2) establish a grant project for the Selective Traffic Enforcement Program (G11012800); 3) adjust the necessary grant expense and revenue budgets by \$1,000,000; and 4) continue authorization for three full-time equivalent (FTE) Police Officer positions and one FTE Police Sergeant position.

**Contact:** Jacqueline Dowden, Police Captain, Metro Division, (916) 808-0701, Police Department

**11. Memorandum of Understanding- FY2014/15 New Measure A Ongoing Annual Programs and Amendment to Agreement on Operating Protocols for Measure A Development Impact Fees**

Report # 2014-00637

**Location:** Citywide

**Action:** Passed 1) **Resolution No. 2014-0309** authorizing the City Manager to execute the Memorandum of Understanding with the Sacramento Transportation Authority (STA) for the FY2014/15 New Measure A Ongoing Annual Programs; and 2) passed **Resolution No. 2014-0310** approving an amendment to the Agreement on Operating Protocols for the Measure A Sacramento Countywide Transportation Mitigation Development Impact Fee Program.

**Contact:** Lucinda Willcox, Program Manager, (916) 808-5052; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

**12. Sacramento Valley Station – Phase 2 Intermodal (T15029041) – Change Order #1 to Execute Construction Phase Contract (Reviewed 09/02/2014)**

Report # 2014-00643

**Location:** 401 I Street, District 3

**Action:** **Withdrawn** a Motion: 1) authorizing the City Manager or City Manager's designee to execute Change Order No. 1 to City Agreement No. 2013-0571 with Rudolph & Sletten, Inc. in an amount not to exceed \$5,033,037 and Extend Time of Completion by 64 calendar days for Sacramento Valley Station – Phase 2 Intermodal (T15029041); and 2) resetting the City Manager's authority to issue change orders for City Agreement No. 2013-0571.

**Contact:** Gregory Taylor, AIA, LEED AP, Project Manager, (916) 808-5268; Jerry Way, Director of Public Works, (916) 808-7100, Department of Public Works

**13. Cost Sharing Agreement and Fencing Contract for the Florin Creek Project**

Report # 2014-00602

**Location:** District 8

**Action:** Passed **Resolution No. 2014-0311:** 1) considering the Florin Creek Project's environmental effects as shown in the mitigated negative declaration adopted by the Sacramento Area Flood Control Agency (SAFCA); 2) authorizing the City Manager or the City Manager's designee to sign an agreement between the City and the SAFCA for cost sharing the installation of fencing for the project; 3) approving the contract plans and specifications for the fencing installation, and awarding the contract to FenceCorp, Inc. in an amount not-to-exceed \$190,478; and 4) amending the revenue and expense budgets for the Drainage Channel Improvement Program (W14130400) in the amount of \$99,999 to reflect the (Fund 6211) reimbursement from SAFCA.

**Contact:** Bill Busath, Interim Director, (916) 808-1434; Tony Bertrand, Supervising Engineer, Engineering and Water Resources, (916) 808-1461, Department of Utilities

**14. Supplemental Agreement: HDR Engineering for FY2014/15 Sewer System Regulatory Assistance Program (I14110100)**

Report # 2014-00623

**Location:** Citywide

**Action:** Passed **Motion No. 2014-0232** authorizing the City Manager or his designee to execute Supplemental Agreement No. 2 to City Agreement number 2013-0031 with HDR Engineering, for FY2014-15 regulatory compliance services, in an amount not-to-exceed \$127,750, bringing the agreement's total not-to-exceed amount to \$1,385,145.

**Contact:** Bill Busath, Interim Director, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities

**Public Hearings**

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

**15. Housing and Dangerous Buildings Case Fees - Finding of Fact for Special Assessment**

(Noticed 06/17/2014 and 07/11/2014)

Report # 2014-00638 **Estimated Time: 10 minutes** (Actual Time: 1 minute)

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Absent:** Member Kevin McCarty

Conducted a public hearing and upon conclusion passed **Resolution No. 2014-0312 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Ron O'Connor, Operations Manager (916) 808-8183, Community Development Department

**16. Unpaid Community Development Department Administrative Penalties and Neighborhood Code Compliance Fees** (Noticed 06/27/2014 & 07/31/2014)

Report # 2014-00648 **Estimated Time: 10 minutes** (Actual Time: 1 minute)

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

**Absent:** Member Kevin McCarty

Conducted a public hearing and upon conclusion passed **Resolution No. 2014-0313 as amended** making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Ron O'Connor, Operations Manager, (916) 808-8183, Community Development Department

### **Discussion Calendar**

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

#### **17. City Auditor's Whistleblower Hotline Activity Report**

Report # 2014-00652      **Estimated Time: 10 minutes** (Actual Time: 4 minutes)

**Location:** Citywide

**Action:** Moved/Seconded: Member Jay Schenirer /Member Darrell Fong

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

Passed **Motion No. 2014-0233** accepting the Auditor's Whistleblower Hotline Activity Report.

**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

#### **18. City Auditor's Audit of the Fire Department Inventory System and Narcotics**

Report # 2014-00653      **Estimated Time: 15 minutes** (Actual Time: 19 minutes)

**Location:** Citywide

**Action:** Moved/Seconded: Member Steve Hansen /Member Allen Warren

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

Public comment heard from Brian Rice; passed **Motion No. 2014-0234** approving the City Auditor's Audit of the Fire Department Inventory System and Narcotics.

**Contact:** Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

#### **19. Downtown Riverfront Streetcar Project Update (Oral Report)**

Report # 2014-00540      **Estimated Time: 10 minutes** (Actual Time: 4 minutes)

**Location:** Districts 3 and 4

**Action:** Received and filed.

**Contact:** Fedolia "Sparky" Harris, Principal Planner, (916) 808-2996; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

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

1. Homelessness
  - a. Robert Lee Jones
  - b. Sandra Strong
2. Alley Project Status
  - a. David Wheat
3. Police Harassment
  - a. Rev. Paul Senior
  - b. Clarence Cousan

**Council Comments-Ideas, Questions and Meeting/Conference Reports**

**1. Information Requests**

None.

**2. Board/Commission Appointments**

None.

**Adjourned** – 7:28 p.m.