

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, October 14, 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, October 14, 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 6:00 p.m. Tuesday, October 14, 2014 at the Sacramento City Hall Council Chamber.

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

Members Absent: Allen Warren

Pledge of Allegiance – Nick Soliz.

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. Introduction of New Youth at City Council Coordinator

Action: Introduction made by CJ Lynch, Youth at City Council Coordinator

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

Action: Moved/Seconded: Member Steve Hansen /Member Darrel Fong

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

Absent: Member Allen Warren.

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

- 1. Croasman/Nigro House Landmark Nomination Time Extension (M14-016)**
(Two-Thirds Vote Required) [Passed for Publication 10/07/2014; Published 10/10/2014]
Report # 2014-00714
Location: 2305 K Street, District 4
Action: Passed **Ordinance No. 2014-0031** extending the initial 45-day protection period for an additional 45-days for a structure at 2305 K Street, which has been deemed nominated for listing on the Sacramento Register of Historic & Cultural Resources as a landmark by the Preservation Director.
Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department
- 2. Artwork for North Natomas Regional Park (L19921000)**
Report # 2014-00762
Location: District 1
Action: Passed **Motion No. 2014-0254** authorizing the City Manager or his designee to enter into an agreement with Mark Grieve and Ilana Spector for the fabrication and installation of artwork at the entrance of North Natomas Regional Park for a not-to-exceed amount of \$138,000.
Contact: Shelly Willis, Executive Director, (916) 808-3971, Sacramento Metropolitan Arts Commission; Jody Ulich, Director, (916) 808-5105, Convention & Cultural Services
- 3. Contract: Hazardous Materials Response Team Mutual Aid with the County of Sacramento**
Report # 2014-00800
Location: County of Sacramento
Action: Passed **Motion No. 2014-0255** authorizing the City Manager, or his designee, to execute a three-year Hazardous Response Team Mutual Aid Agreement with the County of Sacramento.
Contact: Niko King, Assistant Chief, (916) 808-1610, Fire Department
- 4. Budget Adjustment: Solid Waste Education and Outreach Multi-Year Operating Project (I14120200)**
Report # 2014-00694
Location: Citywide
Action: Public comment heard from Mac Worthy; passed **Resolution No. 2014-0339** authorizing the City Manager or the City Manager's designee to increase the revenue and expenditure budgets in the Solid Waste Education and Outreach multi-year operating project (I14120200, Solid Waste Grant Fund, Fund 6207) in the amount of \$123,402 to reflect actual revenue received.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General Services

5. **Change Order No. 3: Ninos Park Improvements (L19156300) (Two-Thirds Vote Required)**

Report # 2014-00739

Location: District 3

Action: Passed **Resolution No. 2014-0340:** 1) appropriating \$64,000 from Park Development Impact Fee (Fund 3204) to Ninos Park Improvements (L19156300); 2) finding that it in the best interest of the City to suspend competitive bidding; 3) authorizing the City Manager, or City Manager's designee, to execute Change Order No. 3 to City Contract No. 2014-0325 in the amount of \$63,958 with Saenz Landscape Construction; and 4) resetting the City Manager's change order authority.

Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation

6. **Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700) (Two-Thirds Vote Required)** (Reviewed 10/07/2014)

Report # 2014-00703

Location: Over the Union Pacific Railroad north of 12th Avenue on the Sacramento City College Campus, District 5

Action: **Continued one week,** a Resolution: 1) approving the Plans and Specifications for the Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700); 2) rejecting bids for the Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700); 3) suspending competitive bidding by a 2/3 vote; 4) awarding the contract to Viking Construction Company, Inc. in the amount of \$5,836,463. Upon failure of Viking to execute the contract, the contract may be awarded to the next lowest bidder; 5) authorizing the City Manager to execute a Professional Services Agreement with Psomas to provide construction management services for an amount not to exceed \$921,079; 6) authorizing the City Manager to execute Supplemental Agreement No. 13 with Drake Haglan and Associates in an amount not to exceed \$141,311; 7) ratifying Supplemental Agreement No. 12 to City Agreement No. 2010-0789 with Drake Haglan and Associates; 8) resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2010-0789; 9) transferring \$109,175 (Fund 2001) to the project from the Pedestrian Improvements Program (T15075200) to the Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700); and 10) transferring \$740,825 (Fund 2025) from the Pedestrian Improvements Program (T15100400) to the Sacramento City College Pedestrian/Bicycle Overcrossing Project (T15065700).

Contact: Ofelia Avalos, Associate Civil Engineer, (916) 808-5515; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

7. Contract: 12th Street Corridor Safety Improvement Project (T15115000)

Report # 2014-00704

Location: Districts 3 and 4

Action: Passed **Resolution No. 2014-0341:** 1) approving the Plans and Specifications for the 12th Street Corridor Safety Improvement Project (T15115000); 2) transferring \$450,000 (Fund 2001) from the State and Federal Grant Match Project (T15007200) to the 12th Street Corridor Safety Improvement Project (T15115000); 3) transferring \$250,000 (Fund 2007) from the Major Street Improvements Project (T15128000) to the 12th Street Corridor Safety Improvement Project (T15115000); 4) appropriating \$810,000 from Federal Highway Safety Improvement Fund (Fund 3703) to the 12th Street Corridor Safety Improvement Project (T15115000); 5) awarding the construction contract to M&M Electric for an amount not to exceed \$979,940; and 6) authorizing the City Manager to execute a contract with M&M Electric in the amount of \$979,940 for the 12th Street Corridor Safety Improvement Project (T15115000).

Contact: Sompol Chatusripitak, Senior Engineer, (916) 808-5961; Nicholas Theocharides, Engineering Manager, (916) 808-5065, Department of Public Works

8. Contract: Arden Connector Streetscapes Maintenance

Report # 2014-00755

Location: Districts 2 and 3

Action: Passed **Motion No. 2014-0256:** 1) rejecting all non-responsive bids; and 2) awarding a one-year non-professional services agreement for the maintenance of the Arden Connector Streetscapes with Roush Landscape Services for an amount not to exceed \$70,156 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 \$210,468.

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

9. Contract: Howe Avenue Streetscapes Maintenance

Report # 2014-00757

Location: District 6

Action: Passed **Motion No. 2014-0257:** 1) rejecting all non-responsive bids; and 2) awarding a one-year non-professional services agreement for the maintenance of the Howe Avenue Streetscapes with Roush Landscape Services for an amount not to exceed \$75,280 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 \$225,840.

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

- 10. Contract: Mid-Central Streetscapes Maintenance**
Report # 2014-00758
Location: Districts 4, 5, and 6
Action: Passed **Motion No. 2014-0258:** 1) rejecting all non-responsive bids; and 2) awarding a one-year non-professional services agreement for the maintenance of the Mid-Central Streetscapes with New Image Landscape Company for an amount not to exceed \$49,030 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 \$150,990.
Contact: Juan Montanez, Streets Manager, (916) 808-2254; Jim Horton, Program Specialist, (916) 808-5567, Department of Public Works
- 11. Contract: Franklin-Arlington Streetscapes Maintenance**
Report # 2014-00759
Location: Districts 7 and 8
Action: Passed **Motion No. 2014-0259:** 1) rejecting all non-responsive bids; and 2) awarding a one-year non-professional services agreement for the maintenance of the Franklin - Arlington Streetscapes with Parker Landscape Development for an amount not to exceed \$93,474 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 \$280,422.
Contact: Juan Montanez, Streets Manager, (916) 808-2254; Jim Horton, Program Specialist, (916) 808-5567, Department of Public Works
- 12. Agreement: Regional Water Authority Application for Drought Relief Funding**
Report # 2014-00683
Location: Citywide
Action: Passed **Motion No. 2014-0260** authorizing the City Manager or the City Manager's designee to execute a Project Agreement with the Regional Water Authority (RWA) to prepare an application for Proposition 84 grant funds.
Contact: Bill Busath, Interim Director, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
- 13. Supplemental Agreement: Construction Management Services for 7th Street Sewer Replacement P to K Street Project**
Report # 2014-00722
Location: District 4
Action: Passed **Motion No. 2014-0261** authorizing the City Manager or his designee to execute Supplemental Agreement No. 1 to City Agreement No. 2014-0906 with Hatch Mott MacDonal, LLC., to perform Phase 2 construction management services, for an amount not-to-exceed \$456,202, bringing the agreement's total not-to-exceed amount to \$536,004.
Contact: Bill Busath, Interim Director, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

Discussion Calendar

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

14. Discussion on Proposition 47, the Reduced Penalties for Some Crimes Initiative

Report # 2014-00808 **Estimated Time: 10 minutes** (Actual Time: 0 minutes)

Location: Citywide

Action: Public comment heard from Mac Worthy; **continued one week.**

Contact: Randi L. Knott, Director of Government Affairs, (916) 808-5771, Office of the City Manager

15. Consideration of City Position on Proposition 1, Water Quality, Supply and Infrastructure Improvement Act of 2014

Report # 2014-00733 **Estimated Time: 10 minutes** (Actual Time: 12 minutes)

Location: Citywide

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

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

Absent: Member Allen Warren.

Public comment heard from Larry Bell and Mac Worthy; passed **Resolution No. 2014-0342** supporting Proposition 1, the Water Quality, Supply and Infrastructure Improvement Act of 2014.

Contact: Bill Busath, Interim Director, (916) 808-1434; Jim Peifer, Supervising Engineer, (916) 808-1416, Department of Utilities

16. Studios for the Performing Arts Status

Report # 2014-00811 **Estimated Time: 5 minutes** (Actual Time: 12 minutes)

Location: District 4

Action: Public comment heard from Mac Worthy; received and filed.

Contact: Leslie Wisniewski, Administrative Officer, (916) 808-8920, Convention & Cultural Services

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.

- 17. **(Agreement/Contract for Review and Information) Labor Agreement: Sacramento City Exempt Employees Association (SCXEA) Memorandum of Understanding and Salary Schedule**
Report # 2014-00768
Location: Citywide
Action: 1) Reviewed the Memorandum of Understanding and salary schedule between SCXEA and the City of Sacramento; and 2) continued to October 21, 2014, for approval.
Contact: Geri Hamby, Director, (916) 808-7173; Shelley Banks-Robinson, Human Resources Manager, (916) 808-5541, Department of Human Resources

- 18. **(Agreement/Contract for Review and Information) Change Order: Sacramento Valley Station – Phase 2 Intermodal (T15029041)**
Report # 2014-00761
Location: 401 I Street, District 3
Action: Reviewed a report 1) authorizing the City Manager or City Manager’s designee to approve Change Order No. 1 to City Agreement No. 2013-0571 with Rudolph & Sletten, Inc. in an amount not to exceed \$30,191,847 and Extend Time of Completion by 751 calendar days for Sacramento Valley Station – Phase 2 Intermodal (T15029041); 2) increasing Change Order Authority for the Construction Phase of the Sacramento Valley Station; 3) transferring \$2,000,000 (Fund 2001) from the State and Federal Grant Match Project (T15007200) to the Sacramento Intermodal Transportation Facility Project (T15029000); 4) transferring \$2,500,000 (Fund 2001) from the Major Street Improvement Project (T15148000) to the Sacramento Intermodal Transportation Facility Project (T15029000); 5) resetting the City Manager's authority to issue change orders for City Agreement No. 2013-0571; and 6) continued to October 21, 2014 for approval.
Contact: Gregory Taylor, AIA, LEED AP, Project Manager, (916) 808-5268; Jerry Way, Director of Public Works, (916) 808-7100, Department of Public Works

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

- | | | |
|----------------------------------|--------------------------------|---------------------------|
| 1. Human Trafficking | 6. Front Street Animal Shelter | 9. Housing Discrimination |
| a. Korina Katsaros | a. Marianne Gammon | a. Kevin Cole |
| 2. Sacramento and Govt. of China | 7. Oak Park | b. Lauren Mozee |
| a. Marc Brandes | a. Ron Emslie | c. Claudia Grayson |
| 3. Water Conservation | 8. Misc | d. Amanda Craaig |
| a. Ron Yokley | a. Mac Worthy | 10. Public Records Act |
| 4. Police Misconduct | b. Daniel Davidson | a. DeAun Tollefson |
| a. Hecter P. | c. Thomas Alvarez | |
| 5. NL Properties | d. Lorraine Brown | |
| a. Patrick Fitzgerald | | |

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Steve Hansen
 - 1. AB1234 Report – Traveled to Nashville TN last week on a study mission.

2. Board/Commission Appointments

- a. Sacramento Metropolitan Arts Commission
 - 1. Louis Vismara
- b. Sacramento Youth Commission
 - 1. Matthew Signorotti (Mayor)

Adjourned – 7:12 p.m. in memory of Mayor Pro Tem Ashby’s grandmother Violet Jocelyn Worth (Bobby Ashby).