

CITY COUNCIL

Kevin Johnson, Mayor

Angelique Ashby, Mayor Pro Tem, District 1

Allen Warren, Vice Mayor, District 2

Jeff Harris, District 3

Steve Hansen, District 4

Jay Schenirer, District 5

Vacant, District 6

Rick Jennings, II, District 7

Larry Carr, 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
Redevelopment Agency
Successor Agency**

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

**Published by the Office of the City Clerk
(916) 808-5163**

**Tuesday, March 3, 2015
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, March 3, 2015

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 6:03 p.m. Tuesday, March 3, 2015 at the Sacramento City Hall Council Chamber.

Members Present: Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Member Absent: Angelique Ashby

Pledge of Allegiance– led by People Reaching Out representative Esperanza Taglies.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognizing Gayle Pitman for her Contribution to LGBT History and Children’s Literature**

Action: Resolution presented by Member Schenirer

- b. **Recognizing Sacramento’s Urban Forestry Program and California Arbor Day**

Action: Resolution presented by Member Harris

Consent Calendar Estimated Time: 5 minutes (Actual time: 23 minutes)

Action: Moved/Seconded: Member Allen Warren / Member Jay Schenirer

Yes: Members Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Absent: Member Angelique Ashby

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 # 2015-00181

Location: Citywide

Action: Passed **Motion No. 2015-0046** approving the City Council Meeting Minutes dated February 17, 2015.

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

2. Declaring the City of Sacramento as a Honey Bee Haven

Report # 2015-00182

Location: Citywide

Action: Public comment heard from James Clark, Paul Towers, Kim Glazzard, Delphine Brody, Debra Desrosiers, Nathan Sween, Christina Arechiga, Bill Bird and Joshua Foster, passed **Resolution No. 2015-0057:** 1) declaring the City of Sacramento as a Honey Bee Haven and map its location on honeybeehaven.org; 2) officially recognizing the critical important of pollinators to our food supply and to our environment; and 3) directing the transmittal of this Resolution to local agencies, the United States Environmental Protection Agency, and the United States Department of Agriculture.

Contact: Councilmember Jay Schenirer, District 5, (916) 808-7005

3. Additional Legal Expenses Associated with the Entertainment and Sports Center Term Sheet Litigation (Reviewed 02/24/2015)

Report # 2015-00195

Location: Downtown Plaza, District 4

Action: Public comment heard from Mac Worthy, Laura Rubalcaba, passed **Resolution No. 2015-0058:** 1) authorizing the City Manager or his designee to transfer \$700,000 from the FY2013/14 year-end results to the Entertainment and Sports Center project budget (102000500) for expenses associated with the ESC term sheet litigation; and 2) authorizing the City Attorney or his designee to increase the contract with the City's outside legal counsel (Meyers Nave Riback Silver and Wilson) by an additional \$700,000.

Contact: Desmond Parrington, ESC Project Manager, (916) 808-5044, Office of the City Manager

4. Agreement with Holland and Knight for Federal Legislative Advocacy Services with the Exception of Water and Flood Policy

Report # 2015-00203

Location: Citywide

Action: Passed **Motion No. 2015-0047** authorizing the City Manager or City Manager's designee to enter into a contract with Holland and Knight for Federal Legislative Advocacy Services, with the exception of flood and water policy matters, in an amount not to exceed \$96,000 annually and a total of \$384,000 for the maximum potential four year term, plus reimbursement for additional contract-related expenditures if approved in advance not to exceed the total amount of \$5,000.

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

- 5. Agreement for Federal Legislative Advocacy Services for Flood and Water Policy**
Report # 2015-00222
Location: Citywide
Action: Passed **Motion No. 2015-0048** authorizing the City Manager or his designee to sign an agreement for Federal Advocacy Services for flood and water policy with ENS Resources, for an amount not to exceed \$60,000 annually and a total of \$300,000 for the maximum potential five year term, plus reimbursement for additional contract-related expenditures if approved in advance not to exceed the total amount of \$5,000.
Contact: Randi L. Knott, Director of Government Affairs, (916) 808-5771, Office of the City Manager
- 6. January 2015 Monthly Investment Transactions Report**
Report # 2015-00145
Location: Citywide
Action: Received and filed.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer
- 7. Purchase and Sale Agreement: I-5 / Cosumnes River Blvd. Extension & Interchange Project (T15018000)**
Report # 2015-00075
Location: Citywide
Action: Passed **Motion No. 2015-0049** authorizing the City Manager or the City Manager's designee to execute a Purchase and Sale Agreement with the Sacramento Regional County Sanitation District for the acquisition of right-of-way for the I-5 / Cosumnes River Blvd. Extension and Interchange Project in an amount not to exceed \$240,000.
Contact: Richard Sanders, Real Property Agent III, (916) 808-7034, Department of General Services
- 8. Agreement: Laboratory Services for Drinking Water and Groundwater Analysis**
Report # 2015-00108
Location: Citywide
Action: Passed **Motion No. 2015-0050** authorizing the City Manager, or the City Manager's designee, to: a) sign a Professional Services Agreement with BSK Associates, Inc., for laboratory services to test drinking water and analyze groundwater for an initial term of one-year with up to two one-year renewals, in an amount not-to-exceed \$141,754 for the maximum three-year term; and b) approve the annual renewals provided that sufficient funds are available for this purpose in the budget adopted for the applicable fiscal year(s).
Contact: Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Pravani Vandeyar, (916) 808-3765, Operations & Maintenance Superintendent, Department of Utilities

9. Agreement: Drinking Water Quality Regulatory Consultation Services

Report # 2015-00109

Location: Citywide

Action: Passed **Motion No. 2015-0051** authorizing the City Manager, or the City Manager's designee, to: a) sign a Professional Services Agreement with Water Quality & Treatment Solutions, Inc., for Drinking Water Quality Regulatory Consultation Services for an initial term of one-year with up to two one-year renewals, in an amount not-to-exceed \$149,835 for the maximum three-year term; and b) approve the annual renewals provided that sufficient funds are available for this purpose in the budget adopted for the applicable fiscal year(s).

Contact: Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Pravani Vandeyar, Operations & Maintenance Superintendent, (916) 808-3765, Department of Utilities

10. Supplemental Agreements: Shasta Park Reservoir, Groundwater Well, and Booster Pump Station

Report # 2015-00133

Location: District 8

Action: Passed **Motion No. 2015-0052** authorizing the City Manager or the City Manager's designee to sign: 1) Supplemental Agreement #2 to City Agreement Number 2012-0654, with Wood Rodgers, for additional design services for an amount not to exceed \$124,982, bringing the total agreement amount to \$755,382; and 2) Supplemental Agreement #3 to City Agreement Number 2012-0790, with West Yost Associates, for additional design services for an amount not to exceed \$76,000, bringing the total agreement amount to \$506,388.

Contact: Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Brett Ewart, Senior Engineer (916) 808-1725, Department of Utilities

11. Supplemental Agreement: On-Call Flow Monitoring Services (PN: X14120202)

Report # 2015-00136

Location: Citywide

Action: Passed **Motion No. 2015-0053** authorizing the City Manager, or the City Manager's designee, to execute Supplemental Agreement No. 1 to City Agreement No. C2014-0202 with SFE Global for On-Call Flow Monitoring Services in an amount not-to-exceed \$60,000, bringing the agreement's total not-to-exceed amount to \$250,000.

Contact: Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

12. Application for the U.S. Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant for FY2015

Report # 2015-00143

Location: Citywide

Action: Passed **Resolution No. 2015-0059:** 1) authorizing the City Manager or the City Manager's designee to: a) apply for a U.S. Bureau of Reclamation 2015 WaterSMART Water and Energy Efficiency Grant for the District Metered Areas for Water Loss Control Project, up to a grant amount of \$300,000; and b) execute the grant agreement if awarded; and 2) authorizing the Director of Utilities and designees to act as the City's agent in connection with the grant application and agreement.

Contact: Michael Malone, Operations Manager, (916) 808-6226; Julie Friedman, Program Specialist, (916) 808-7898, Department of Utilities

Public Hearings

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

13. 2035 General Plan Adoption (Noticed 01/30/2015; Continued from 02/10/2015)

Report # 2015-00088 **Estimated Time: 30 minutes** (Actual time: 52 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jeff Harris / Member Steve Hansen

Yes: Members Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Absent: Member Angelique Ashby

Conducted a public hearing with public comment heard from Adelita Espinoza, Ellen Cochran, Melinda Johnson, Luree Stetson, Dan Pskowski, Judith Lamare, Cat Xia, Fatima Malik, Richard Lyman, Laura Rubalcaba, Kevin Eslinger; and upon conclusion 1) passed **Resolution No. 2015-0060** certifying the Master Environmental Impact Report and adopting the mitigation monitoring program for the Sacramento 2035 General Plan; and 2) passed **Resolution No. 2015-0061** as amended adopting and implementing the Sacramento 2035 General Plan to: a) incorporate the Climate Action Plan, b) include the supplemental changes (Exhibit C), and c) repeal the 2030 General Plan; and 3) provided direction to staff to conduct a public workshop to address traffic mitigation measures.

Contact: Remi Mendoza, Associate Planner, (916) 808-5003; Jim McDonald, AICP, CFM, Senior Planner, (916) 808-5723; Thomas S. Pace, Long Range Planning Manager, (916) 808-6848, Community Development Department

Discussion Calendar

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

14. **June 2, 2015 Special Municipal Election – Sacramento City Measure Pertaining to a Special Tax for Sacramento Streetcar Community Facilities District; Select Argument Authors**

Report # 2015-00244 **Estimated Time: 10 minutes** (Actual time: 22 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Allen Warren

Yes: Members Larry Carr, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Absent: Member Angelique Ashby

Abstain: Member Steve Hansen (recused)

Public comment heard from James Cathcart, Dennis Neufeld, Mac Worthy, and Laura Rubalcaba; passed **Resolution No. 2015-0062 as amended** authorizing Mayor Kevin Johnson to author arguments for a measure pertaining to a special tax for Sacramento Street Car Communities Facilities District, that will be presented to the voters in the June 2, 2015 Primary Municipal Election sample ballot.

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

15. **Proposed State Legislative Platform for 2015-2016**

Report # 2015-00187 **Estimated Time: 15 minutes** (Actual time: 4 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Rick Jennings

Yes: Members Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Absent: Member Angelique Ashby

Passed **Motion No. 2015-0054** approving the proposed 2015-2016 State Legislative Platform as recommended by the Law and Legislation Committee **with direction to staff to add child poverty and other social services to include mental health.**

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

16. **Annual Capital Improvement Adjustments to Department of Utilities Project Budgets**

Report # 2015-00052 **Estimated Time: 15 minutes** (Actual time: 4 minutes)

Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer / Member Jeff Harris

Yes: Members Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer, Allen Warren, and Mayor Kevin Johnson.

Absent: Member Angelique Ashby

Received and filed the Annual Capital Improvement Program Update; and passed **Resolution No. 2015-0063**: a) amending the FY2014/15 Utilities Capital Improvement Program (CIP) to create and cancel existing projects; and b) authorizing the City Manager to make budget adjustments to the Utilities CIP and Multi Year Operating Program (MYOP) Budgets.

Contact: Susan Goodison, Business Services Manager, (916) 808-8995; Bill Busath, Interim Director, (916) 808-1434, Department of Utilities

Agreement/Contract Review Only – No Action Required

Agreements and/or Contracts are provided for review and will be presented for approval as noted in the recommendation.

17. **(Agreements/Contracts for Review and Information) Entertainment and Sports Center Art in Public Places Program**

Report # 2015-00192

Location: Downtown Plaza, District 4

Action: Public comment heard from Mac Worthy, Karissa Mchurd, Armando Flores, James Clark, Debra Desrosiers, Rena Lowry, Bo Ambrozovitz, Christine Arechiga, Brian Meiss, Andre Gayet, John Krempel, Merle Exelrad, Marco Fuoco, Lintan Barden, Patrick Mooney, Steven Wiget, 1) Reviewed a report recommending passage of a Resolution A) authorizing the City Manager or his designee to execute the following agreements: 1) Agreement to Purchase Artwork for the Sacramento Entertainment and Sports Center Project (“ESC”) with the Gagosian Gallery and Vivek Ranadive, Kevin Nagle, and Phil Oates (“Donors”) for the purchase of the sculpture “Coloring Book” for \$7.5 million (Exhibit A); 2) Contribution and Co-Ownership Agreement for Artwork for the ESC with the Donors (Exhibit B); 3) Lease of Artwork for the ESC with the Donors (Exhibit C); 4) Pledge to Gift Artwork for the ESC with the Donors (Exhibit D); 5) Pledge to Gift Funds for Artwork for the ESC with Marcy Friedman to accept her pledge of \$1,000,000 (Exhibit E); 6) an agreement, in a form approved by the City Attorney, with SG Downtown, LLC, concerning the placement, access, and maintenance of the sculpture; and 7) other agreements or other instruments necessary, in a form approved by the City Attorney, to implement the agreements described above; and B) authorizing the City Manager or his designee to establish projects and revenue and expenditure budgets for the acquisition, installation and ongoing maintenance of the public art for the ESC and accept the donations outlined above, to be used consistent with the governing agreements; and 2) continued to March 10, 2015 for approval.

Contact: Shelly Willis, Executive Director, 808-3971, Sacramento Metropolitan Arts Commission

18. (Agreement/Contract for Review and Information) (City Council/Redevelopment Agency Successor Agency) 14th Avenue Extension and Lowell Street Sidewalk Projects

Report # 2015-00227

Location: District 6

Action: Reviewed a report with: 1) a City Council Resolution authorizing the City Manager or City Manager's designee to a) accept the transfer of \$1,566,856 in Army Depot Redevelopment bond funds for the 14th Avenue Extension Project (T15098600) and \$220,000 in Army Depot Redevelopment bond funds for the Lowell Street Sidewalk Project (T15036300); b) execute the Excess Bond Expenditure Agreements for the projects; 2) a Redevelopment Agency Successor Agency Resolution authorizing the City Manager or City Manager's designee to execute the Excess Bond Expenditure Agreements for the projects; and 3) continued for March 10, 2015.

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

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

- | | |
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| <ul style="list-style-type: none">1. Homeless<ul style="list-style-type: none">a. Jonathan Gainsbrughb. Sirgeec. David Andred. Eric Hoovere. Independencef. Dane Palmerg. Delphine Brodyh. Armando Floresi. James Clark2. Police<ul style="list-style-type: none">a. Christina Arechigab. John Easter | <ul style="list-style-type: none">3. Jobs<ul style="list-style-type: none">a. Mac Worthy4. Streetcar<ul style="list-style-type: none">a. Dennis Bylo5. Medical Marijuana<ul style="list-style-type: none">a. Stephen Foug6. Council Rules<ul style="list-style-type: none">a. Laura Rubalcaba7. Drug Addiction<ul style="list-style-type: none">a. David Baumgartner |
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Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

None.

2. Board/Commission Appointments

None.

Adjourned – 9:20 p.m.