

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, September 23, 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.

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DRAFT MINUTES

Tuesday, September 23, 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 6:08 p.m. Tuesday, September 23, 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 Joyce Thompson Pierce

Closed Session Report - None.

Consent Calendar Estimated Time: 5 minutes (15 minutes)

Action: Moved/Seconded: Member Steve Hansen / 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. (Pass for Publication) King Lewis House Landmark Nomination (M14-008)

Report # 2014-00594

Location: 1209 T Street, District 4

Action: 1) Reviewed an Ordinance listing the King Lewis House, located at 1209 T Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on September 30, 2014.

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department

- 2. (Pass for Publication) Joseph Mamie Lewis House Landmark Nomination (M14-009)**
Report # 2014-00595
Location: 1215 T Street, District 4
Action: 1) Reviewed an Ordinance listing the Joseph Mamie Lewis House, located at 1215 T Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on September 30, 2014.
Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department
- 3. (Pass for Publication) Meyer/Jacques-Wilcox House Landmark Nomination (M14-010)**
Report # 2014-00596
Location: 1414 26th Street, District 4
Action: 1) Reviewed an Ordinance listing the Meyer/Jacques-Wilcox House, located at 1414 26th Street, in the Sacramento Register of Historic & Cultural Resources (Register) as a Landmark and specifying the property's significant features and characteristics; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on September 30, 2014.
Contact: Susanne Cook, Associate Planner, (916) 808-5375; Roberta Deering, Preservation Director, (916) 808-8259, Community Development Department
- 4. Loan Amendment: Curtis Park Village Brownfield Revolving Loan Fund Loan**
Report # 2014-00698
Location: District 5
Action: Passed **Motion No. 2014-0243** authorizing the City Manager or the City Manager's designee to execute 1) First Amendment to Installment Promissory Note and to Brownfields Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation; and 2) First Amendment to Short Form Deed of Trust and Assignment of Rent.
Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064, Economic Development Department
- 5. Authorizing the Use of a Request-for- Proposals Process for Facility Maintenance Parts and Supplies (Two-Thirds Vote Required)**
Report # 2014-00669
Location: Citywide
Action: Passed **Resolution No. 2014-0318:** 1) suspending competitive bidding, in the best interests of the City; and 2) authorizing the use of a Request-for-Proposals (RFP) process to identify the most qualified vendor to provide facility maintenance parts and supplies.
Contact: Don Tucker, Facilities Manager, (916) 808-8335, Department of General Services

- 6. Capital Improvement Program: University Park Dog Park Project (L19170100)**
Report # 2014-00613
Location: District 6
Action: Withdrawn a Resolution: 1) establishing a new Capital Improvement Program (CIP) for the University Park Dog Park (L19170100); and 2) appropriating \$80,000 of Park Impact Fees (Fund 3204) and \$20,000 of Reimbursement Funds (Fund 3702) to the University Park Dog Park (L19170100).
Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
- 7. Change Order: Wild Rose Park Park Development (L19187000)**
Report # 2014-00696
Location: District 1
Action: Passed **Resolution No. 2014-0319 as amended:** 1) appropriating \$340,000 from Park Development Impact Fee (Fund 3204) to L19187000; 2) authorizing the City Manager, or City Manager's designee, to execute Change Order #5 in the amount of \$292,752 for City Contract No. B14190021009 between the City of Sacramento and Peterson Developments; and 3) resetting the City Manager's authority.
Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, Department of Parks and Recreation
- 8. Grant Acceptance: Gang Violence Suppression Program**
Report # 2014-00651
Location: Citywide
Action: Passed **Resolution No. 2014-0320** authorizing the City Manager, or the City Manager's designee, to: 1) accept on behalf of the City of Sacramento \$362,000 in additional Gang Violence Suppression (GVS) grant funding from the California Governor's Office of Emergency Services (Cal OES); 2) adjust the necessary grant revenue and expense budgets in project G11010900 by \$362,000; 3) adjust the necessary grant revenue and expense budgets in project G11010900 for the required GVS partner matches by \$36,200; 4) transfer \$17,865 from the Sacramento Police Department's Fiscal Year 2014/15 General Fund operating budget to project G11010900 for required match; 5) continue position authority for one Police Officer position to support the GVS grant; 5) execute Agreement Supplement No. 1 to Agreement No. 2013-0935 with the Sacramento County District Attorney's Office in a revised agreement amount not to exceed \$130,000; and 6) execute Agreement Supplement No. 1 to Agreement No. 2013-1031 with the Sacramento City Unified School District in a revised agreement amount not to exceed \$136,000.
Contact: Neil Schneider, Police Captain, Investigations, (916) 808-0551, Police Department

9. **Contract: Well Rehabilitation Phase 2A** (Reviewed 09/16/2014)
Report # 2014-00480
Location: Citywide
Action: Passed **Resolution No. 2014-0321:** 1) approving the contract plans and specifications for the Well Rehabilitation Phase 2A project, and awarding the contract to McGuire and Hester, Inc., in an amount not-to-exceed \$3,462,095; and 2) authorizing the City Manager or his designee to transfer \$250,000 from the Groundwater Well Fluoride Systems Project.
Contact: Bill Busath, Interim Director, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities
10. **Ordinance Amending Sections 13.02.050 and 13.02.060 of the Sacramento City Code, Relating to the Membership Composition of the Utilities Rate Advisory Commission**
(Passed for Publication 09/16/14; Published 9/19/2014)
Report # 2014-00649
Location: Citywide
Action: Public comment heard from Larry Bell, Craig Powell, Kevin Greene; **Withdrawn** an Ordinance amending sections 13.02.050 and 13.02.060 of the Sacramento City Code, relating to the membership composition of the Utilities Rate Advisory Commission.
Contact: Jammie Moens, Business Services Manager, (916) 808-5988, Department of Utilities; Steve Harriman, Integrated Waste Manager, (916) 808-4949, Department of General Services
11. **Agreements: District Metered Areas Pilot Study for Water Loss Control**
Report # 2014-00654
Location: Citywide
Action: Public comment heard from Reverend Paul Sr., passed **Resolution No. 2014-0322** authorizing the City Manager or the City Manager's designee to 1) enter into a grant agreement with Sacramento Municipal Utility District; 2) authorize budgetary amendments for the Water Conservation Program (14120400); and 3) enter into a Professional Services Agreement with Water Systems Optimization, Inc. to provide professional services for a District Metered Areas Pilot Study for Water Loss Control.
Contact: Michael Malone, Operations Manager, (916) 808-6226; Julie Friedman, Program Specialist, (916) 808-7898, Department of Utilities

12. Proposition 84 Stormwater Grant for Implementation of Low Impact Development (LID) Standards at California State University, Sacramento (CSUS)

Report # 2014-00681

Location: Citywide

Action: Passed **Resolution No. 2014-0323** authorizing 1) the City Manager or the City Manager's designee to execute a grant agreement with the State of California in the amount of \$2,760,020; 2) the Director of Utilities or the Director's designees to act as the City's agent to conduct all negotiations and submit all documents required in connection with the grant agreement; 3) the City Manager or the City Manager's designee to execute an agreement with University Enterprises, Inc.; 4) amend revenue and expenditure budgets for the FY10-14 NPDES Stormwater Program I14010200 in the amount of \$3,366,510 (Fund 6211); and 5) transfer \$87,272 from the operating budget (Fund 6011) to I14010200.

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.

13. SMUD Substation E Transmission Facilities Permit Located at 151 20th Street
(Noticed 09/05/2014; Continued from 09/16/2014)

Report # 2014-00666 **Estimated Time: 5 minutes** (Actual Time: 12 minutes)

Location: District 3

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

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

Conducted a public hearing and upon conclusion passed 1) **Resolution No. 2014-0324** adopting the SMUD Substation E Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and 2) **Resolution No. 2014-0325 as amended** approving the Transmission Facilities Permit and the Site Plan and Design Review for a new electrical substation.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Stacia Cosgrove, Principal Planner, (916) 808-7110, Community Development Department

Discussion Calendar

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

14. Presentation of the Sacramento Regional Family Justice Center (Oral Report)

Report # 2014-00688 **Estimated Time: 20 minutes** (Actual Time: 30 minutes)

Location: Citywide

Action: Received and filed.

Contact: Samuel D. Somers Jr., Chief of Police, (916) 808-0800, Police Department

15. Recycling and Solid Waste Collection Customer Survey Results

Report # 2014-00667 **Estimated Time: 15 minutes** (Actual Time: 18 minutes)

Location: Citywide

Action: Received and filed.

Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of General 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.

16. (Agreement/Contract for Review and Information) Change Order No. 2: Citywide LED Streetlight Conversion Project

Report # 2014-00679

Location: Citywide

Action: Public comment heard from Lorraine Brown; reviewed a staff report recommending the City Council: 1) Pass a Motion A) authorizing the City Manager or the City Manager's designee to execute Change Order No. 2 to City Contract 2014-0559 with Siemens Industry, Inc. in the amount of \$4.85 million to authorize Phase III of the Light Emitting Diode (LED) Streetlight Conversion project, bringing the total not-to-exceed amount of the contract to \$4.92 million; B) ratifying Change Order No. 1 to City Contract 2014-0559; and C) resetting the City Manager's authority to issue change orders for this Agreement; 2) Pass a Resolution A) authorizing the City Manager or the City Manager's designee to transfer the following amounts to the Energy Reinvestment Program capital improvement project (CIP) (C13001900) for the LED Streetlight Conversion Project: (1) Citywide Landscaping & Lighting (L&L) Fund (Fund 2232) appropriations from: (a) the Neighborhood Streetlight Replacement Program CIP (T15103200) in the amount of \$1,371,000; and (b) the Neighborhood Streetlight Replacement CIP (T15073200) in the amount of \$562,000; (2) L&L Fund (Fund 2232) fund reserves in the amount of \$1,067,000; (3) Major Street Construction Fund (Fund 2007) appropriations from: (a) the Safety Lighting Replacement CIP (T15073300) in the amount of \$566,000; and (b) the Neighborhood Streetlight Replacement CIP (T15073200) in the amount of \$199,000; (4) Gas Tax Fund (Fund 2002) appropriations from the Major Streetlight Replacement Program CIP (T15103300) in the amount of \$235,000; (5) Capital Improvement Revenue Bond Funds (Funds 3001-3006) fund reserves in an amount up to \$750,000; (6) General Fund (Fund 1001) administrative contingency in an amount up to \$350,000; General Fund administrative contingency will be replenished as available resources are identified; (7) the use of Capital Improvement Revenue Bond Funds and General Fund administrative contingency shall not exceed \$850,000 in total; B) directing the energy-cost savings from this project to be used first to refund the L&L Fund balance, secondly to refund L&L projects that were unfunded in order to redirect funds to this project, and third to fund future components of Phase III that are eligible for L&L expenditures or other L&L purposes; C) finding that circumstances are such that a variance to the City Manager's authority to issue change orders for Contract No.

2014-0559 is appropriate; and D) declaring for purposes of Chapter 3.60 of the Sacramento City Code, the amount stated in Change Order No. 2 of the Contract for the Phase III construction of the improvements (\$4,850,000) shall be considered the 'original contract award amount' and the issuance of all change orders shall be based on that amount; and 3) continued to September 30, 2014 for approval.

Contact: Yvette Rincon, Program Manager, (916) 808-5827, Department of General Services

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

- | | |
|-----------------------|--------------------------|
| 1. Police Harrassment | 4. Due Process |
| a. Clarence Muhammad | a. Darrin Lee Miller |
| b. Rev. Paul Sr. | 5. FCC/ATT/Apple |
| 2. New Business | a. DeAndre Burleson |
| a. Rev. Paul Sr | 6. Front Street Shelter |
| 3. Misc. | a. Joyce Thompson Pierce |
| a. Lorraine Brown | b. Janet Fricke |
| b. Nissim Lanyadoo | |

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

- a. Member Jay Schenirer
 - 1. Ordinance review re Bike Safety and Bikes on Sidewalks
 - 2. Look at County's program, for possible City use, in South Oak Park, titled "October 18 Day Clean Up", as a model for providing code compliance resources including animal control
 - 3. Report on city dollars spent on youth programs and how services are organized

2. Board/Commission Appointments

None.

Adjourned – 7:54 p.m.

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Special Meeting DRAFT Minutes

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Redevelopment Agency
Successor Agency

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1. (City Council/Redevelopment Agency Successor Agency) Implementation of the 700 Block of K Street Project Settlement Agreement

Report # 2014-00674 **Estimated Time: 5 minutes**

Location: District 4

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

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

1) Passed **City Council Resolution No. 2014-0326 as amended:** a) approving the assignment of the 700 Block of K Street Project Disposition and Development Agreement with 700 Block, LLC and Funding Commitment Letter with the Downtown Sacramento Revitalization Corporation from the Redevelopment Agency Successor Agency (RASA) to the City of Sacramento (City); b) authorizing the transfer of \$1,026,485 in Merged Downtown Tax Increment Bonds funds (Fund 8303) from RASA to the City and allocating the funds to Economic Development Fund (Fund 2301) for the 700 Block of K Street Project; c) authorizing the transfer of the 700-730 K Street, 1111 and 1113 7th Street, 1110 and 1114 8th Street parcels from RASA to the City for the 700 Block of K Street Project; d) approving the amendment to the Settlement Agreement in the matter of Successor Agency to the Redevelopment Agency of the City of Sacramento, et al. v. Matosantos, et al., (Superior Court Case No. 34-2013-80001637); and e) approving an Excess Bond Expenditure Agreement; and 2) passed **Redevelopment Agency Successor Agency Resolution No. 2014-0004** a) approving the assignment of the

700 Block of K Street Project Disposition and Development Agreement with 700 Block, LLC and Funding Commitment Letter with the Downtown Sacramento Revitalization Corporation from the Redevelopment Agency Successor Agency (RASA) to the City of Sacramento (City); b) authorizing the transfer of \$1,026,485 in Merged Downtown Tax Increment Bonds funds (Fund 8303) from RASA to the City and allocating the funds to Economic Development Fund (Fund 2301) for the 700 Block of K Street Project; c) authorizing the transfer of the 700-730 K Street, 1111 and 1113 7th Street, 1110 and 1114 8th Street parcels from RASA to the City for the 700 Block of K Street Project; d) approving the amendment to the Settlement Agreement in the matter of Successor Agency to the Redevelopment Agency of the City of Sacramento, et al. v. Matosantos, et al., (Superior Court Case No. 34-2013-80001637); and e) approving an Excess Bond Expenditure Agreement.

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

Adjourned - 7:54 p.m.