

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

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

DRAFT Minutes City Council Financing Authority Housing Authority

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

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

**Tuesday, July 23, 2013
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, July 23, 2013

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 6:02 p.m. Tuesday, July 23, 2013 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn (left at 6:52 p.m.), Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Allen Warren, and Mayor Kevin Johnson

Absent: Member Jay Schenirer

Pledge of Allegiance – led by Lial Jones

Closed Session Report – None.

Special Presentations/General Communications

- a. **Recognizing City of Sacramento for Winning City Cup in Eppie's Great Race**

Action: Recognition given by Member Steve Hansen

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

- | | |
|-----------------------|---------------------------|
| 1. Homeless | 4. Speaker Time Limits |
| a. Paula Lomazzi | a. Mac Worthy |
| b. Tracie Rice-Bailey | 5. Sacramento Railyards |
| c. Tom Armstrong | a. John Fairbanks |
| 2. Oak Park | 6. American River Parkway |
| a. Ron Emslie | a. Mary Tappel |
| 3. Miscellaneous | |
| a. Lorraine Brown | |

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

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

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

1. Agreement: Crocker Art Museum Loan Forgiveness and Deferred Repayment Agreement (Reviewed 07/16/2013)

Report # 2013-00593

Location: 216 O Street, District 1

Issue: On May 7, 2013, City Council adopted Resolution No. 2013-144 directing the City Manager to renegotiate various City Agreements with the Crocker Art Museum Association (CAMA) to afford CAMA debt relief of \$7.5 million on a \$10 million City loan (City Agreement 2009-0708) in exchange for CAMA's relinquishment of any and all claims related to parking Lots X and Y. This report outlines the proposed agreement and requests Council authorize the City Manager or his designee to execute the agreement.

Action: Public comment heard from Lorraine Brown, George Raya and Mac Worthy; passed 1) **Motion No. 2013-0191:** a) authorizing the City Manager, or his designee, to execute the Loan Forgiveness and Deferred Repayment Agreement between the City and the Crocker Art Museum Association (CAMA) to forgive a total of \$7.5 million in debt owed to the City; b) approving and authorizing the City Manager, or his designee, to terminate City Agreement No. 86125 between the City and CAMA; and, c) approving the recommended project parameters of the Arts and Cultural Facilities Grant Program and authorizing the City Manager or his designee to implement the program; and, 2) passed **Resolution No. 2013-0247:** a) approving and authorizing the City Manager, or his designee, to establish \$210,000 revenue budget and establish an expenditure budget in the multi-year operating project I17000200 to implement the Arts and Cultural Facilities Grant Program; b) clarifying that Resolution 2013-144 adopted on May 7, 2013, intended to direct the proceeds from repayment by CAMA of \$2.5 million Non-Interest Bearing Principal B, into the capital improvement project B13000400 (Studios for the Performing Arts) for the second phase of the Studios project; and c) direct the City Manager to return to Council with an amendment MOU that reflects the changes in the Studios project scope and any other agreements necessary for the furtherance of the project prior to any release of City funding for the project.

Contact: Rebecca Bitter, Program Manager, (916) 808-5047;
Barbara E. Bonebrake, Director, (916) 808-8225, Convention, Culture & Leisure
Department

2. Contract: On-Call Master Contractor Services List

Report # 2013-00378

Location: Citywide

Issue: Approving a list of on-call contractors to provide various maintenance services at City facilities will allow the City to respond to facility maintenance needs in a timely and cost-effective manner.

Action: Passed **Motion No. 2013-0192:** 1) approving an On-Call Master Contractor Services List (Exhibit A) for a period of five years; 2) authorizing the City Manager or the City Manager's designee to execute 58 contractor services agreements in amounts ranging from \$50,000 to \$200,000 per contractor, per service, per year as identified in Exhibit A; and 3) authorizing other City departments to use the On-Call Master Contractor Services List for competitive bidding purposes provided that each department obtains appropriate approvals and executes its own agreements and purchase orders.

Contact: Gary Holm, Facilities & Real Property Superintendent, (916) 808-6321;
Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432,
Department of General Services

3. Supplemental Agreement Number 5 for RCW Services Inc. for the City's Enterprise Performance Management (EPM) System

Report # 2013-00579

Location: Citywide

Issue: The City does not have the required expertise and knowledge to complete the implementation of the Hyperion EPM system necessary to develop the City's annual budget.

Action: Passed **Motion No. 2013-0194:** 1) authorizing the City Manager or his designee to execute Supplemental Agreement #5 in the amount of \$179,320 with RCW Services Inc., to assist in the implementation, development, and training of the City's new EPM system, for a total not-to-exceed amount of \$402,920 and a term limit through December 31, 2015; and 2) resetting the City Manager's authority to issue additional supplemental agreements to City Agreement 2009-0987.

Contact: Leyne Milstein, Director, (916) 808-8491; Dawn Holm, Budget Manager, (916) 808-5574, Department of Finance

4. Grant: U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant

Report # 2013-00581

Location: Citywide

Issue: The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows state and local government to support a broad range of activities to prevent and control crime and improve the criminal justice system, and requires a governing body resolution before funding is awarded.

Action: Public comment heard from Jim Brown, Ron Emslie and Terry Preston; passed **Resolution No. 2013-0249:** 1) authorizing the City Manager, or the City Manager's designee, to apply for the Edward Byrne Memorial JAG Program FY 2013 Local Solicitation, in the amount of \$295,141, including any future extensions or amendments thereof; 2) authorizing the City Manager, or the City Manager's designee, to accept the JAG award, in the amount of \$295,141, on behalf of the City of Sacramento Police Department (SPD), including any extensions, agreements, modifications, or amendments thereof, if the SPD is awarded the grant; 3) authorizing the City Manager, or the City Manager's designee, to establish a project (#G11011400) for the award; and 4) authorizing the City Manager, or the City Manager's designee, to adjust and appropriate grant revenue and expense budgets, in the amount of \$295,141, to implement the grant award.

Contact: Steve Quinn, Police Captain, Metro Division, (916) 808-0700, Police Department

5. Grant Acceptance: Alcohol Beverage Control (ABC) Liaison Officer

Report # 2013-00569

Location: Citywide

Issue: Continuation of the grant funded ABC Liaison Officer will allow the Police Department to enhance education, prevention and enforcement of alcohol-related compliance laws.

Action: Public comment heard from Jim Brown and Terry Preston; passed **Resolution No. 2013-0250:** 1) authorizing the City Manager or his designee, to accept a grant award of \$99,906 from the California State Department of Alcoholic Beverage Control (ABC); 2) authorizing the City Manager or his designee, to establish a grant project for the Fiscal Year (FY) 2013/14 ABC Liaison Officer program (G11001100); 3) authorizing the City Manager or his designee, to continue the authorization of one Full Time Equivalent (FTE) Police Officer as an ABC Liaison Officer; and, 4) authorizing the City Manager or his designee, to increase the necessary Police Department grant expense and revenue budgets by \$99,906 to implement the ABC Liaison Officer program.

Contact: Steve Quinn, Police Captain, Metro Division, (916) 808-0700, Police Department

6. Cycle 6 Highway Safety Improvement Program Grant Applications

Report # 2013-00541

Location: Citywide

Issue: Caltrans has issued a call for projects for the Cycle 6 Highway Safety Improvement Program (HSIP). Applications are due July 26, 2013. City Council approval is required to submit the applications.

Action: Passed **Resolution No. 2013-0251 as amended** authorizing the City Manager or his designee to apply for grant funding from Caltrans for three transportation safety projects.

Contact: David Edrosolan, Senior Engineer, (916) 808-5974; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

7. Agreement: Water, Wastewater, and Storm Drainage Rate Structure Study

Report # 2013-00412

Location: Citywide

Issue: The Department of Utilities requests approval of a professional services agreement to study the City's rate structures for water, wastewater, and storm drainage services.

Action: Passed **Motion No. 2013-0193** authorizing the City Manager, or City Manager's designee, to execute an agreement with Raftelis Financial Consultants for financial evaluation services in an amount not to exceed \$169,514.

Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Robert Armijo, Senior Engineer, (916) 808-1411, Department of Utilities

8. Supplemental Agreement: Sewer System Regulatory Assistance (I14110100)

Report # 2013-00535

Location: Citywide

Issue: This supplemental agreement is needed for continued services to maintain compliance with regulatory requirements and the California Sportfishing Protection Alliance consent decree governing the City's separated sewer system.

Action: **Continued a Motion** authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 1 to City Agreement No. 2013-0031 with HDR Engineering, Inc., for FY 2013-14 regulatory compliance services, in an amount not to exceed \$827,337, bringing the agreement's total not-to-exceed amount to \$1,260,395.

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities

9. Agreement: Water Treatment Plants Proposition 50 Security Grant

Report # 2013-00536

Location: Districts 3 and 6

Issue: Security at critical facilities is a high priority for the City and as part of that effort the Department of Utilities (DOU) will be installing new perimeter fencing and security surveillance systems at both of the E.A. Fairbairn and Sacramento River Water Treatment Plants with funding from Proposition 50 grant monies provided by the State of California Department of Public Health.

Action: Public comment heard from Mac Worthy; passed **Resolution No.**

2013-0252: 1) authorizing execution of a Funding Agreement with the California Department of Public Health (CDPH) to provide \$560,000 in grant funding for the Water Treatment Plants Security Improvements; 2) authorizing the necessary budget actions; and 3) providing other authorizations required by the CDPH.

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434;
Dan Sherry, Supervising Engineer, (916) 808-1416, Department of Utilities

10. (Agreement/Contract Information and Review) Supplemental Agreement: Sacramento Regional Transit Police Services

Report # 2013-00580

Location: Citywide

Issue: Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000. This supplemental agreement for \$7,061,225 extends the public transit safety services provided by the Sacramento Police Department since 1993.

Action: Public comment heard from Mac Worthy; reviewed a report 1) authorizing the City Manager, or the City Manager's designee to execute a third supplemental agreement between the Sacramento Police Department (SPD) and the Sacramento Regional Transit District (SRT) to: a) increase transit safety patrol services by one (1.00) Police Sergeant position and three (3.00) Police Officer Full-Time-Equivalent (FTE) positions; b) include an option to increase transit safety patrol services by an additional 12.00 Police Officer FTE positions upon mutual agreement; c) increase the agreement not-to-exceed amount by \$7,061,225, from \$14,275,041 to \$21,336,266; 2) authorizing the City Manager, or the City Manager's designee to increase SPD staffing levels by one (1.00) Police Sergeant FTE position and three (3.00) Police Officer FTE positions; 3) authorizing the City Manager, or the City Manager's designee to adjust the appropriate SPD operating and revenue budgets to reflect the supplemental agreement with SRT; 4) authorizing the City Manager, or the City Manager's designee to adjust the Fiscal Year (FY) 2011/12 Regional Transit project (#E11006012) expense and revenue budgets by \$309,512, to reconcile and close; and 5) continued to August 8, 2013 for adoption.

Contact: Jacqueline Dowden, Police Captain, Contract Services, (916) 808-0616, Police Department

11. (Agreement/Contract Review and Information) Contract Award: State Route 99/Elkhorn Boulevard Improvements Project (T15116400)

Report # 2013-00570

Location: Elkhorn Boulevard from the State Route 99 northbound off-ramp to approximately 1,100 feet east of East Commerce Way, District 1

Issue: Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000. This project will construct a traffic signal at the SR-99 northbound off-ramp to Elkhorn Boulevard to reduce vehicle queues.

Action: Public comment heard from Mac Worthy; reviewed a report 1) approving the Plans and Specifications for the State Route 99/Elkhorn Boulevard Improvements Project (T15116400); 2) appropriating \$1.5 million in State funds (Fund 3704) allocated by the California Transportation Commission to the project; 3) transferring \$152,700 (Fund 3702) from the Private Development Fund contingency (Fund 2018) for the JMA Village 4 Project's fair share contribution to the project; 4) reviewed the contract to Teichert Construction in an amount not to exceed \$1,193,823; 5) authorizing amendments to the project budget in the event that the State funds received differ from the \$1.5 million allocated; and 6) continued to July 30, 2013 for adoption.

Contact: Marc Lee, Associate Engineer, (916) 808-7481; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

12. (Agreement/Contract Information and Review) Contract Award: 2013 Street Seal Coat Project

Report # 2013-00582

Location: Districts 1, 3, 4, 5, and 8

Issue: Resolution No. 2013-0367 (Council Rules of Procedure) requires additional posting time for labor agreements and agreements greater than \$1,000,000. The Street Seal Coat Program is an annual preventative maintenance strategy applied to street surfaces approximately once every ten years to extend the useful life of the existing pavement.

Action: Public comment heard from Mac Worthy; reviewed a report 1) approving the Plans and Specifications for the 2013 Street Seal Coat Project (R15132020); 2) reviewing the construction contract with California Pavement Maintenance for an amount not to exceed \$1,510,725 for the 2013 Street Seal Coat Project which includes resurfacing and striping for the J Street and Folsom Boulevard Lane Conversion Project (T15125400) and the Median/Turn Lane Program (S15071600); and 3) continued to July 30, 2013 for adoption.

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

Public Hearings

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

13. Community Development Department Operational Fees and Charges

Update (Published on 07/09/2013)

Report # 2013-00556 **Estimated Time: 30 minutes** (Actual Time: 12 minutes)

Location: Citywide

Issue: Pursuant to the Citywide Fees and Charges policy, Council approval is required to add, modify, or delete any fees and charges.

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Allen Warren, and Mayor Kevin Johnson

Absent: Member Jay Schenirer

Public comment heard from Ron Emslie, Bruce Monighan, and Josh Wood; received and filed report from Management Partners; conducted a public hearing and upon conclusion passed **Resolution No. 2013-0253** approving the proposed fee and charge adjustments.

Contact: Scot Mende, Principal Planner, (916) 808-4756, Community Development Department

14. Delinquent Utility Service Charges - Special Assessment

(Published on 07/08/2013 and 07/15/2013)

Report # 2013-00330 **Estimated Time: 10 minutes** (Actual Time: 56 minutes)

Location: Citywide

Issue: Sacramento City Code Section 13.12.100 requires a public hearing before the City Council for delinquent utility service charges recommended for special assessments.

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

Yes: Members Angelique Ashby, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Allen Warren, and Mayor Kevin Johnson

Absent: Members Jay Schenirer and Steve Cohn

Conducted a public hearing with public comment heard from Anthony Furr, Emmett Hill, Patrick O’Kane, Michelle Tenny and Lawrence Manning; and upon conclusion, passed **Resolution No. 2013-0254 as amended** adopting the report and imposing special assessments against the properties to which the services were rendered.

Contact: Jamille Moens, Business Services Manager, (916) 808-5988; Shellette Smallwood, Program Manager, (916) 808-4928, Department of Utilities

Discussion Calendar

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

15. Update on Copper Wire Thefts Impact and Prevention

Report # 2013-00555 **Estimated Time: 15 minutes** (Actual Time: 15 minutes)

Location: Citywide

Issue: This report provides a comprehensive update on the City's copper wire theft mitigation activities.

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

Contact: Linda Tucker, Media and Communication Specialist, (916) 808-7523, Office of the City Manager; Hector Barron, City Traffic Engineer (916) 808-2669, Department of Public Works

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member McCarty

1. Review of life vest purchase or rental for next year for Kids Don’t Float program

b. Member Hansen

1. Review options for traffic light controls by emergency vehicles

c. Mayor Johnson

1. Request City Manager post RFQ within 30 days to solicit a public private partnership to retrofit city streetlights, buildings, pools to accelerate energy savings in the city

2. Board/Commission Appointments

a. Sacramento City/County Bicycle Advisory Committee

1. Christian Farland
2. Kevin Boll

Adjourned – 8:13 p.m.