

## 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, 1<sup>st</sup> Floor**

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

**Tuesday, February 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](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, February 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, February 3, 2015 at the Sacramento City Hall Council Chamber.

**Members Present:** Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, and Jay Schenirer.

**Members Absent:** Allen Warren and Mayor Kevin Johnson.

**Pledge of Allegiance**– led by People Reaching Out Civic Engagement Program representative Esperanza Taglies

### **Special Presentations/General Communications**

**a. Recognizing February as Heart Health Month**

**Action:** Resolution presented by Member Steve Hansen.

**Closed Session Report - None.**

### **Consent Calendar Estimated Time: 5 minutes** (Actual Time: 15 minutes)

**Action:** Moved/Seconded: Member Jay Schenirer /Member Larry Carr

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, Jay Schenirer

**Absent:** Member Allen Warren and Mayor Kevin Johnson

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

**1. Approval of City Council Meeting Minutes**

Report # 2015-00114

**Location:** Citywide

**Action:** Passed **Motion No. 2015-0019** approving the City Council Meeting Minutes dated January 20, 2015.

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

**2. Confirmation of Board and Commission Appointments**

Report # 2015-00134

**Location:** Citywide

**Action:** Public comment given by Laura Rubalcaba; passed **Motion No. 2015-0020** confirming board/commission appointment(s): 1) Community Racial Profiling Commission - Kimberly Williams (Seat 7); 2) Parks and Recreation Commission - Lynn Lenzi (Seat 1), Kelly Conroy (Seat 3), Terri Shettle (Seat 5), and Shane Singh (Seat 7); and 3) Planning and Design Commission - Darrell Teat (Seat 1), Jose Bodipo-Memba (Seat 5) and Douglas Covill (Seat 7).

**Contact:** Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

**3. December 2014 Monthly Investment Transactions Report**

Report # 2015-00062

**Location:** Citywide

**Action:** Received and filed.

**Contact:** John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

**4. (Pass for Publication) Parkebridge Maintenance Community Facilities District No. 2014-07; Mailed Ballot Election Results and Ordinance to Levy Tax**

Report # 2015-00028

**Location:** District 3

**Action:** Passed **Resolution No. 2015-0022** determining the results of the special mailed-ballot election; 2) reviewed an Ordinance levying a special tax solely within and relating to the Parkebridge Maintenance Community Facilities District No. 2014-07; and 3) passed for publication the ordinance title as required by City Charter Section 32(c), with the ordinance to be adopted on February 10, 2015.

**Contact:** Sheri Smith, Program Specialist, (916) 808-7204; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

**5. (Pass for Publication) The Creamery Community Facilities District No. 2014-08; Mailed Ballot Election Results and Ordinance to Levy Tax**

Report # 2015-00002

**Location:** District 4

**Action:** Moved/Seconded: Member Jay Schenirer / Member Larry Carr

**Yes:** Members Angelique Ashby, Larry Carr, Jeff Harris, Rick Jennings, and Jay Schenirer

**Absent:** Member Allen Warren and Mayor Kevin Johnson

**Abstain:** Member Steve Hansen (recused)

Passed **Resolution No. 2015-0023** determining the results of the special mailed-ballot election; 2) review an Ordinance levying a special tax solely within and relating to The Creamery Community Facilities District No. 2014-08; and 3) pass for publication the ordinance title as required by City Charter Section 32(c), with the ordinance to be adopted on February 10, 2015.

**Contact:** Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

**6. Contract Amendments: On-Call General Contractor Services List for Public Facilities**

Report # 2015-00056

**Location:** Citywide

**Action:** Public comment given by Claire White; passed **Motion No. 2015-0021:** 1) extending the On-Call General Contractor Services List for Public Facilities by one year, to February 15, 2016, and increasing the annual not-to-exceed amount on each contract by \$150,000 for a revised final year total not-to-exceed amount of \$400,000 for each contract (as specified in Exhibit A); and 2) authorizing the City Manager or the City Manager's designee to execute the contract amendments specified above.

**Contact:** Don Tucker, Facilities Manager, (916) 808-8335; Yvette Rincon, Program Manager, (916) 808-5827, Department of General Services

**7. Contract: Replacement Tractor and New, Additional Flail Mower and Trailer**

**(Two-Thirds Vote Required)**

Report # 2015-00061

**Location:** Citywide

**Action:** Passed **Resolution No. 2015-0024:** 1) suspending competitive bidding in the best interests of the City for the purchase of a replacement tractor with a new, additional flail mower and trailer; and 2) authorizing the City Manager or the City Manager's designee to execute a contract with Contour Sierra Aebi LLC in an amount not to exceed \$202,668 for the purchase specified above.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Reina Schwartz, Director, (916) 808-7195, Department of General Services

**8. Donation: Surplus Refuse Truck to Los Rios Community College District**

Report # 2015-00065

**Location:** Citywide

**Action:** Passed **Resolution No. 2015-0025:** 1) authorizing the donation of a surplus refuse truck (equipment number 11183) to the Los Rios Community College District (LRCCD) on behalf of American River College (ARC); 2) authorizing the City Manager, or the City Manager's designee, to execute an agreement to transfer the surplus refuse truck to LRCCD; and 3) authorizing the City Manager, or the City Manager's designee, to execute such additional documents and take additional actions necessary to complete the transfer of the surplus refuse truck to LRCCD.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Reina Schwartz, Director, (916) 808-7195, Department of General Services

- 9. Agreement: Classification and Compensation Services**  
Report # 2015-00110  
**Location:** Citywide  
**Action:** Public comment given by Claire White; passed **Motion No. 2015-0022** authorizing the City Manager or designee to execute agreements with CPS HR Consulting, Koff & Associates, and Ralph Andersen & Associates for classification and compensation services for the total not to exceed amount of \$150,000.  
**Contact:** Geri Hamby, Director, (916) 808-7173; Kenneth Cosgrove, Human Resources Manager, (916) 808-7473, Department of Human Resources
- 10. Approving Application for Proposition 1C Housing-Related Parks Grant Program**  
Report # 2015-00095  
**Location:** District 8  
**Action:** Passed **Resolution No. 2015-0026** authorizing the Department of Parks and Recreation to apply for a Housing Related Parks Program grant up to \$200,000 for improvements at Cabrillo Pool; and 2) passed **Resolution No. 2015-0027** required by the grantor acknowledging the approval to apply for a Housing-Related Parks Program grant.  
**Contact:** Camille Wise, Program Specialist, (916) 808-8830, Department of Parks and Recreation
- 11. Fiscal Year 2014 State Homeland Security Grant Program - Emergency Operations Plan**  
Report # 2015-00103  
**Location:** Citywide  
**Action:** Public comment given by Mac Worthy; passed **Resolution No. 2015-0028** authorizing the City Manager, or the City Manager's designee to: 1) accept \$30,000 in State Homeland Security Grant Program (SHSGP) funding from the Federal Emergency Management Agency (FEMA) via the County of Sacramento Office of Emergency Services (SacOES); 2) establish an operating grant (G11013300); and 3) establish the necessary operating grant expense and revenue budgets in an amount not to exceed \$30,000.  
**Contact:** Steve Winton, Police Lieutenant, Office of Emergency Services, (916) 808-1833, Police Department
- 12. Change Order: 3rd Avenue and Broadway Urban Plaza Project (T15036102)**  
Report # 2015-00053  
**Location:** District 5  
**Action:** Public comment given by Claire White; passed **Motion No. 2015-0023:** 1) authorizing the City Manager to execute Change Order No. 3 with Abide Builders in an amount not to exceed \$18,952; 2) ratifying Change Orders No. 1 and No. 2 to City Agreement No. 2014-0386; and 3) resetting the City Manager's authority to issue change orders for City Agreement No. 2014-0386.  
**Contact:** Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

13. **Supplemental Agreement to Master Services Agreement for On-Call Material Sampling and Testing Services**  
Report # 2015-00070  
**Location:** Citywide  
**Action:** Passed **Motion No. 2015-0024** approving Supplemental Agreements for On-Call Material Sampling and Testing Services in the amount of \$120,000 each with Twining, Inc, Kleinfelder, and Geocon Consultants, Inc.  
**Contact:** Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works
14. **Agreement: Groundwater Well Fluoride Feed System Purchase (Two-Thirds Vote Required)**  
Report # 2015-00046  
**Location:** Citywide  
**Action:** Public comment given by Delphine Brody and Joshua Foster; passed **Resolution No. 2015-0029:** 1) suspending competitive bidding, in the best interests of the City; and 2) authorizing the City Manager or the City Manager's designee to execute an agreement with Integrity Municipal Services, to purchase fifteen fluoride feed systems for the Well Rehabilitation Program (Z14110100), Phase 2A and Phase 3, in an amount not-to-exceed \$325,000.  
**Contact:** Dan Sherry, Interim Engineering & Water Resources Manager, (916) 808-1419; Mark Elliott, Associate Engineer, (916) 808-8894; Megan Thomas, Associate Engineer, (916) 808-1729, Department of Utilities

### Public Hearings

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

15. **Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment**  
(Noticed 10/24/2014, 11/14/2014, and 12/11/2014)  
Report # 2015-00063 **Estimated Time: 5 minutes** (Actual Time: 3 minutes)  
**Location:** Citywide
- Action:** Moved/Seconded: Member Steve Hansen / Member Larry Carr  
**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, and Jay Schenirer  
**Absent:** Member Allen Warren and Mayor Kevin Johnson

Conducted a public hearing with public comment given by Ron Emslie and Mac Worthy and upon conclusion passed **Resolution No. 2015-0030 as amended** making the unpaid expenses incurred by the City in abating nuisances, in the amounts listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** John Leno, Principal Building Inspector, (916) 808-4266, Community Development Department

**16. Unpaid Community Development Department Administrative Penalties and Neighborhood Code Compliance Fees** (Noticed 12/04/2014)

Report # 2015-00073      **Estimated Time: 5 minutes** (Actual Time: 3 minutes)

**Location:** Citywide

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

**Yes:** Members Angelique Ashby, Larry Carr, Steve Hansen, Jeff Harris, Rick Jennings, and Jay Schenirer

**Absent:** Member Allen Warren and Mayor Kevin Johnson

Conducted a public hearing public comment given by Ron Emslie, Mac Worthy and Larry Bell, and upon conclusion passed **Resolution No. 2015-0031 as amended** making the unpaid expenses incurred by the City in abating nuisances, in the amounts listed in Exhibit A and Exhibit B, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Robert Rose, Code Enforcement Manager (916) 808-5947, Community Development Department

**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) Cooperative Purchase Agreements: Replacement Vehicles and Equipment**

Report # 2015-00064

**Location:** Citywide

**Action:** Public comment given by James Clark, Delphine Brody, and Claire White; reviewed a report 1) approving the use of various cooperative purchase agreements of the State of California, the National Joint Powers Alliance, and BuyBoard with various vendors for the purchase of sedans, vans, sport utility vehicles, trucks, flail mowers, and sweepers in a total amount not to exceed \$2,586,174 (as shown in Attachment 1) during the terms of each respective contract or until the contracts are no longer available for use; 2) authorizing the City Manager or the City Manager's designee to execute the purchases specified above; and 3) continued to February 10, 2015 for approval.

**Contact:** Iseña Garcia, Program Specialist, (916) 808-1163; Reina Schwartz, Director, (916) 808-7195, Department of General Services

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

1. Homelessness
  - a. Delphine Brody
  - b. Cory Coburg
  - c. Nathan Sween
  - d. James Clark
  - e. Armanda Flores
  - f. Claire White
  - g. Rev Paul Sr.
  - h. Laura Rubalcaba
2. State of the City Address
  - a. Nissim Lanyadoo
  - b. Adam Sartain
3. Nestle Water Usage
  - a. Andy Conn
4. Campbell's Soup Company and Macys
  - a. Barry Broad
5. Jobs
  - a. Mac Worthy
6. Regulating the TNC's (Uber and Lyft)
  - a. David Rivera
7. Lower American River Parkway
  - a. Mary Tappel
8. Volunteers
  - a. Sir Ronald Yokley
9. Oak Park
  - a. Ron Emslie

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

1. **Information Requests**

None.
2. **Board/Commission Appointments**
  - a. Community Racial Profiling Commission
    1. Clifton Roberts (District 4)

**Adjourned** – 7:18 p.m.