



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

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

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

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

Tuesday, October 22, 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, October 22, 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 Vice Mayor Angelique Ashby at 6:00 p.m.
Tuesday, October 22, 2013 at the Sacramento City Hall Council Chamber

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren

Absent: Mayor Kevin Johnson

Pledge of Allegiance – led by Youth at City Council representative DaMonte Jones

Closed Session Report – None.

Special Presentations/General Communications

a. Recognizing October as ARTober Month

Action: Recognition presented by Vice Mayor Angelique Ashby

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

- | | |
|-------------------|---------------------------------|
| 1. Homelessness | 2. Oak Park |
| a. Sandra Strong | a. Ron Emslie |
| b. Jennifer Rogar | b. Tim Boyd |
| c. Michael Ault | 3. Citizen Auditor |
| d. Tom Wunderkind | a. Bill Grant |
| e. Paula Lomazzi | 4. Lower American River Parkway |
| | a. Mary Tappel |

Consent Calendar **Estimated Time: 5 minutes** (Actual time: 1 minute)

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

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

Absent: Mayor Kevin Johnson

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

1. Contract: Meadowview Liquefied Natural Gas Fuel Station Project (C13000100) (Reviewed 10/15/2013)

Report # 2013-00776

Location: Meadowview Service Center, District 8

Issue: The liquefied natural gas (LNG) fuel infrastructure at the Meadowview City Service Complex (MCSC) is over 10 years old and inadequate to support the current fueling demand. The recommended contract will be used for the partial removal, renovation, and replacement of the existing LNG fuel infrastructure.

Action: Passed **Resolution No. 2013-0338:** 1) transferring existing funding in the amount of \$135,000 from the Solid Waste Facility Repair and Rehabilitation Project (Y14000900, Solid Waste Fund, Fund 6007) to the Meadowview LNG Fuel Station Project (C13000100); and 2) pass a Motion authorizing the City Manager or the City Manager's designee to execute a design-build contract with Aztec Consultants for the partial removal, renovation, and replacement of the LNG fuel infrastructure at the MCSC for the LNG Fuel Station Project (C13000100) in an amount not to exceed \$1.47 million.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, Yadi Kavakebi, Facilities & Real Property Superintendent, (916) 808-8432, James Christensen, Senior Engineer, (916) 808-5863, Department of General Services

2. Contract and Agreements: 5th Street/Railyards Boulevard Roadway Project (Reviewed 10/15/2013)

Report # 2013-00773

Location: 5th Street, North of H Street; and Railyards Boulevard from 7th Street to the extension of Bercut Drive, District 3

Issue: The 5th Street/Railyards Boulevard Roadway Project (T15135800) will construct two primary roadways within the Railyards Development. The project construction documents have been prepared and various Council approvals are required for the project to proceed to construction.

Action: Continued to October 29, 2013 a Resolution appropriating \$29,938,000 (Fund 3702) for 5th Street/Railyards Boulevard Roadway Project (T15135800); and 2) pass a Motion a) approving the Plans and Specifications for 5th Street/Railyards Boulevard Roadway Project (T15135800); b) awarding the contract to O.C. Jones & Sons, Inc. in an amount not to exceed \$19,782,616; c) authorizing the City Manager or his designee to execute a professional services agreement for construction management with Vali Cooper & Associates, Inc. in an amount not to exceed \$1,648,015; d) authorizing the City Manager or his designee to execute a cooperative agreement for design and construction with the Sacramento Municipal Utility District in an amount not to exceed \$472,000; e) authorizing the City Manager or his designee to execute a cooperative agreement for design and construction with the Sacramento Municipal Utility District in an amount not to exceed \$68,000; f) authorizing the City Manager or his designee to execute a distribution service and extension agreement with the Pacific Gas and Electric Company in an amount not to exceed \$14,107; and, g) authorizing the City Manager or his designee to execute a distribution service and extension agreement with the Pacific Gas and Electric Company in an amount not to exceed \$7,373.

Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

3. Approval of City Council Meeting Minutes

Report # 2013-00764 **Location:** Citywide

Issue: The City Clerk delivers the minutes to the legislative body before certifying them for the official record.

Action: Passed **Motion No. 2013-0268** approving the City Council Meeting Minutes dated September 24, 2013.

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

4. Confirmation of Board/Commission Nomination

Report # 2013-00814

Location: Citywide

Issue: The Mayor's appointments/nominations to boards and commissions require Council confirmation

Action: Passed **Motion No. 2013-0269** confirming board/commission nomination to the Capitol Area Committee – Lynne Freeman.

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7200, Office of the City Clerk

5. Predevelopment Process Agreement for the Entertainment and Sports Center

Report # 2013-00788

Location: Downtown Plaza, District 4

Issue: As set forth in the Term Sheet approved by Council on March 26, 2013, development of the Entertainment and Sports Center project is a public-private partnership with a significant City investment. This agreement is necessary to clearly identify the nature and extent of the City's rights and role in the development of this critical project.

Action: Passed **Motion No. 2013-0270** authorizing the City Manager or his designee to execute the Sacramento Entertainment and Sports Center (ESC) Predevelopment Process Agreement with Sacramento Basketball Holdings LLC.

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

6. Update to Real Estate Procedures: Authority to Accept for Recording Certain Documents Conveying Interest or Easement in Real Property and to Determine Just Compensation

Report # 2013-00679

Location: Citywide

Issue: Certain procedures for processing documentation related to real property, established in prior Resolutions adopted by City Council, need to be updated to reflect the current organizational structure in the City.

Action: Passed **1) Resolution No. 2013-0339:** a) authorizing the Director of General Services or designee to accept for recordation all deeds or grants conveying any interest in or easement upon real property in the City; and b) repealing Resolution No. 84-537; and 2) passed **Resolution No. 2013-0340:** a) authorizing the Director of General Services or designee to determine just compensation for real property to be acquired for City projects; and b) repealing Resolution No. 93-255.

Contact: Ken Hancock, Real Property Agent, 808-5752, Department of General Services

7. Amendment No. 1 to City Agreement No. 2013-0415 for the Purchase of Liquefied Natural Gas (LNG) Fuel

Report # 2013-00742

Location: Citywide

Issue: City Agreement No. 2013-0415 allows the City to reimburse the County of Sacramento (County) for the cost of LNG fuel the City obtains from the County's LNG fuel station, based on the pricing set forth in the County's cooperative purchase agreement (CPA) No. WA00023537 with Clean Energy. Amendment No. 1 updates City Agreement No. 2013-0415 to reflect the fact that the County has executed CPA No. WA00030627 with Clean Energy to replace CPA No. WA00023527.

Action: Passed **Motion No. 2013-0271** authorizing the City Manager or the City Manager's designee to execute Amendment No. 1 to City Agreement No. 2013-0415 with the County authorizing the City to reimburse the County for LNG fuel purchased from the County in accordance with the pricing structure of County CPA No. WA00030627 with Clean Energy, with all other terms and conditions of City Agreement No. 2013-0415 remaining in full force and effect.

Contact: Keith Leech, Fleet Manager, (916)-808-5869, Department of General Services

8. Donation: Surplus Vehicle to Sacramento Unified Education Foundation

Report # 2013-00790

Location: Citywide

Issue: The Department of General Services, Fleet Management Division, has received a request from the Sacramento Unified Education Foundation, a 501(C)(3) non-profit organization, to donate a vehicle that is surplus to the City's needs.

Action: Passed **Resolution No. 2013-0341:** 1) authorizing the donation of a surplus 2008 Ford Crown Victoria (Equipment Number 10977) to the Sacramento Unified Education Foundation, a non-profit organization (Tax Identification Number: 522282810); 2) authorizing the City Manager or the City Manager's designee to execute an agreement to transfer the vehicle identified above to the Sacramento Unified Education Foundation; and 3) authorizing the City Manager or the City Manager's designee, to execute any additional documents and take any additional actions necessary to complete the transfer.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, Department of General Services

9. Capital Improvement Project (CIP): Joseph E. Rooney Police Facility

Report # 2013-00785

Location: Citywide

Issue: City Council Resolution 2013-0198, Section 4.1 and 10.2(1), requires that the City Council approve the establishment of a Capital Improvement Project (CIP) and transfer of funding to repair and reconfigure the Joseph E. Rooney Police Facility located at 5303 Franklin Boulevard, Sacramento, California.

Action: Passed **Resolution No. 2013-0342:** 1) authorizing the City Manager, or the City Manager's designee, to establish a CIP project (C13000740) to repair and reconfigure the Joseph E. Rooney Police Facility (JERPF), located at 5303 Franklin Boulevard, Sacramento, California; and 2) authorizing the City Manager, or the City Manager's designee, to transfer \$135,749 in budgetary resources from the Sacramento Police Department's (SPD) Fiscal Year (FY) 2013/14 General Fund operating budget to the JERPF project (C13000740).

Contact: Neil Schneider, Police Captain, Field Services, (916) 277-6001, Police Department

10. Agreement: Sacramento County Sheriff's Department, Fiscal Year 2013 Sacramento Urban Area Security Initiative (UASI) Training Services

Report # 2013-00786

Location: Citywide

Issue: City Council approval is required to enter into agreements equal to or greater than \$100,000. The Sacramento Police Department wishes to enter into a Professional Services Agreement with the Sacramento County Sheriff's Department for the purposes of implementing the Fiscal Year 2013 UASI training objectives.

Action: Passed **Motion No. 2013-0272** authorizing the City Manager, or the City Manager's designee, to enter into an agreement with the Sacramento County Sheriff's Department to support law enforcement training and exercise coordination for the FY2013 UASI grant (G11011600) through June 30, 2015, in an amount not to exceed \$180,000.

Contact: James Hendrickson, Police Lieutenant, Homeland Security, (916) 808-0306, Police Department

11. Purchase/Cooperative Agreement: Traffic Paint and Thermo-Plastic Materials

Report # 2013-00779

Location: Citywide

Issue: The Department of Public Works, Traffic Signs and Markings Section has an ongoing need to purchase traffic paint and thermo-plastic materials.

Action: Passed **Motion No. 2013-0273:** 1) approving the purchase of traffic-marking materials through a Cooperative Agreement with the State of California for a one-year period in an amount not to exceed \$150,000; and 2) authorizing the City Manager to execute additional one-year terms for a total not to exceed three years (including the initial term and all extensions) for an amount limited to \$150,000 for each extension provided that sufficient funds are available in the budget adopted for the applicable fiscal year and continuing through March 2015.

Contact: Tom Webber, Operations General Supervisor, (916) 808-4038; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

12. Award Contract: Hadronex SmartCover - Sewer Monitoring System (Two-Thirds Vote Required)

Report # 2013-00714

Location: Citywide

Issue: Staff recommends suspending competitive bidding to purchase up to 50 Hadronex Smartcovers over five years to prevent sanitary sewer and combined system overflows.

Action: Passed **Resolution No. 2013-0343:** 1) suspending competitive bidding, in the best interest of the City, for the purchase of a continuous monitoring system for sewer and combined sewer system manholes; and awarding a contract for the purchase of the Hadronex SmartCover® Real Time Continuous Monitoring System for Manholes to 3T Equipment Company, Inc., for an initial term through December 31, 2016, with the option to extend for up to two additional one-year terms, for a total amount not to exceed \$261,271 for the initial and extended terms; and 2) authorizing the City Manager or the City Manager's designee to approve the one year extensions provided that funding is available for this purpose in the approved budget for the applicable year.

Contact: Michael Malone, Operations & Maintenance Manager, (916) 808-6226; Ken Swartz, Stores Administrator, (916) 808-6276, Department of Utilities

13. Agreement: Parsons Brinckerhoff for Supplemental Contract Administration and Labor Compliance Services

Report # 2013-00768

Location: Citywide

Issue: The professional services agreement is recommended to facilitate staff's effort in meeting regulatory requirements relating to labor compliance on City construction projects.

Action: Passed **Motion No. 2013-0274** authorizing the City Manager or City Manager's designee to sign a professional services agreement with Parsons Brinckerhoff, Inc., to provide supplemental contract administration and labor compliance services for the Department of Utilities' construction projects, for an amount not to exceed \$271,379 for the initial one-year term.

Contact: Bill Busath, Engineering and Water Resources Manager, (916) 808-1434; Dan Sherry, Supervising Engineer, (916) 808-1419, Department of Utilities

Public Hearings

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

14. Formation of Natomas Crossing Youth Services Community Facilities

District No. 2013-01 (Published 10/11/2013)

Report # 2013-00648 **Estimated Time: 5 minutes** (Actual time: 1 minute)

Location: District 1

Issue: Pursuant to Mello-Roos Communities Facilities Law of 1982, a public hearing is a required component of the process for establishing the Natomas Crossing Youth Services Community Facilities District No. 2013-01 (District).

Action: Moved/Seconded: Member Kevin McCarty/Member Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren

Absent: Mayor Kevin Johnson

Continued to November 5, 2013, a public hearing and Resolution establishing the Natomas Crossing Youth Services Community Facilities District No. 2013-01 (District), providing for Levy of Special Tax, and calling for a Special Election on November 4, 2013.

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

Discussion Calendar

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

15. Proposed Parking2Parklets, Bike Corrals and Bike Sharing Programs

Report # 2013-00759 **Estimated Time: 45 minutes** (Actual time: 60minutes)

Location: Citywide

Issue: The City Manager requested an update on three programs: Parklets, Bike Corrals, and Bike Share. Public Works staff is providing the requested update along with recommendations for creating pilot programs for both Parklets and Bike Corrals with City Council approval.

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren.

Absent: Mayor Kevin Johnson

Public comment heard from Ron Emslie, Wendy Saunders, Caliph Assagai, Shani Alford, Jim Brown and Terri Duarte; passed **Motion No. 2013-0275** directing the City Manager to return in mid-December with recommendations for a 2-year pilot program for Parklets, using a public (non-exclusive) business model with a notice and appeal process, using an RFP process, starting with 6-10 sites, all non-smoking; Bike Corrals are not necessarily part of or limited to the pilot project; Bike Share Program to be reviewed as part of the regional programs already in existence.

Contact: Matthew Winkler, Operations General Supervisor (916) 808-5579; Edward Cox, Program Analyst, (916) 808-8434; Jerry Way, Director of Public Works (916) 808-7100, Department of Public Works

16. Adoption of the 2014 One-Year Action Plan for the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for persons with AIDS (HOPWA) Funded Projects and Programs; Amendment of Various Years' Action Plans; Amendment to the Sacramento Housing and Redevelopment Agency (SHRA) Budget; Authorization to Amend the Neighborhood Stabilization Program (NSP) Target Area Boundary; and authorization to Execute Documents for the Administration of Federal Programs and make related environmental findings (Reviewed 10/15/2013)

Report # 2013-00799 **Estimated Time: 15 minutes** (Actual time: 8 minutes)

Location: Citywide

Issue: City Council approval is needed for the proposed 2014 expenditures under the HUD funded community development, housing and shelter programs managed by the Sacramento Housing and Redevelopment Agency.

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Allen Warren

Absent: Mayor Kevin Johnson

Passed **Resolution No. 2013-0344:** 1) adopting the 2014 One-Year Action Plan (Action Plan), which allocates anticipated CDBG, HOME, HOPWA and ESG funds to various programs and projects; 2) adopting amendments to the Action Plan to defund the activities set forth in Exhibit B and to add the projects set out in Exhibit C; 3) authorizing SHRA to amend its budget to allocate the CDBG, HOPWA and ESG funding for programs and projects in accordance with the amended 2013 Action Plan and the 2014 Action Plan; and amend the 2014 CDBG Capital Reserve, HOME, HOPWA and ESG budgets as necessary; 4) authorizing SHRA to submit the 2013 Action Plan amendment and the 2014 Action Plan to the United States Department of Housing and Urban Development (HUD) and to execute the subsequent grant agreements and contracts with HUD and other appropriate entities to carry out projects in accordance with the Action Plans; 5) authorizing the City Manager to execute agreements with SHRA to carry out the activities contained in the 2014 Action Plan and the amended 2013 Action Plan; 6) authorizing SHRA to amend the Neighborhood Stabilization Program (NSP) target area boundary to include the Twin Rivers public housing project and surrounding area; 7) authorizing SHRA to execute any and all related documents and agreements as necessary to carry out the federal programs as described in the Action Plans; and 8) approving National Environmental Policy Act (NEPA) and

California Environmental Quality Act (CEQA) environmental exemptions for ESG and NSP funded projects and acknowledging that CDBG, HOME and HOPWA funded projects will require further review. Complete environmental determination is found in Exhibit D.

Contact: LaShelle Dozier, Executive Director, (916) 440-1319; Geoffrey M. Ross, Program Manager, (916) 440-1357, Sacramento Housing and Redevelopment Agency

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests

a. Member Hansen

1. Review and creation of commercial corridor policy

2. Board/Commission Appointments

None

Adjourned – 7:45 p.m. in memory of former Councilmember Ralph Scurfield