

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) 808-7267

Tuesday, June 4, 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, June 4, 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, June 4, 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 and Mayor Kevin Johnson

Pledge of Allegiance - led by Youth at City Council representative Bryan Evans

Closed Session Report – None.

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

- | | |
|---------------------|--------------------------|
| 1. Parking Citation | 4. Arena Traffic |
| a. James Byrd | a. Mike Tavares |
| 2. Oak Park Issues | b. Mike Barnbaum |
| a. Ron Emslie | c. James Battles |
| 3. Contracting | 5. Mental Health Support |
| a. Mac Worthy | a. Eva Nunez |

Consent Calendar Estimated Time: 5 minutes (Actual Time: 6 minutes)

Action: Moved/Seconded: Member Angelique Ashby /Member Darrell Fong

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Steve Hansen, Kevin McCarty, Bonnie Pannell, 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. City Auditor's Whistleblower Hotline Activity Report

Report # 2013-00481

Location: Citywide

Issue: According to City Code Chapter 2.18, the City Council should be kept apprised of the City Auditor's work. This report documents the City Auditor's Whistleblower Hotline related activity for the November 2012 to March 2013 period.

Action: Passed **Motion No. 2013-0131** accepting the City Auditor's Whistleblower Hotline Activity Report for the period ending March 2013.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

2. City Auditor's 2013 Peer Review Results

Report # 2013-00482

Location: Citywide

Issue: According to City Code Chapter 2.18, the City Council should be kept apprised of the City Auditor's work. This report documents the results of the City Auditor's 2013 Peer Review.

Action: Passed **Motion No. 2013-0132** accepting the results of the City Auditor's 2013 Peer Review.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

3. City Auditor's Quarterly Activity Report

Report # 2013-00480

Location: Citywide

Issue: According to City Code Chapter 2.18, the City Council should be kept apprised of the City Auditor's work. This report documents the Auditor's Office activity for the third quarter of Fiscal Year 2012/13.

Action: Passed **Motion No. 2013-0133** accepting the Auditor's Quarterly Audit Activities Report for the January 2013 to March 2013 period.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

4. City Auditor's Audit Plan For Fiscal Year 2013/14

Report # 2013-00479

Location: Citywide

Issue: City Code Section 2.18.030 requires that the City Auditor submit an Annual Audit Plan to the City Council for approval.

Action: Passed **Resolution No. 2013-0174** approving the City Auditor's Annual Audit Plan for Fiscal Year 2013/14.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270, Office of the City Auditor

5. Position Reclassification Request for the Entertainment and Sports Center (ESC) Project

Report # 2013-00504

Location: Citywide

Issue: To facilitate the planned opening of Sacramento's new Entertainment and Sports Center (ESC) by the start of the 2016/2017 National Basketball Association (NBA) season, the City has convened a team of staff resources to successfully manage and deliver this significant community project. One position reclassification is proposed as a result of changing job scope and responsibilities.

Action: Public comment heard from Mac Worthy; passed **Resolution No. 2013-0175** approving proposed reclassification of 1.0 Full Time Equivalent (FTE) Program Specialist to Senior Development Project Manager in the Community Development Department.

Contact: John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager

6. Annual Report for Assessment Districts formed under Sacramento City Code 3.124

Report # 2013-00150

Location: District 2, 4, 7, 8

Issue: Maintenance districts, formed under Sacramento City Code Section 3.124.190, are required to file an annual engineer's report describing the required maintenance work and associated costs in order to levy assessments.

Action: Passed: 1) **Resolution No. 2013-0176** approving the Willowcreek Maintenance Assessment District Engineer's Annual Report and levying assessment for Fiscal Year (FY) 2013-14; 2) **Resolution No. 2013-0177** approving the Northside Subdivision Maintenance District Engineer's Annual Report and levying assessment for FY 2013-14; 3) **Resolution No. 2013-0178** approving the Laguna Creek Maintenance District Engineer's Annual Report and levying assessment for FY 2013-14; and 4) **Resolution No. 2013-0179** approving the Water Quality Maintenance District Engineer's Annual Report and levying assessment for FY 2013-14.

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

7. Purchase/Cooperative Agreement: Food For Recreation Programs and Supplemental Purchases (Two-Thirds Vote Required)

Report # 2013-00464

Location: Citywide

Issue: There is an on-going need to purchase food and related supplies to operate recreation activities and programs. City Council approval is required for purchases that exceed \$100,000. In addition, a two-thirds vote is required to suspend competitive bidding for the purchase of supplement food and related supplies from local retail food providers.

Action: Passed **Motion No. 2013-0134:** 1) authorizing use of the U.S. Communities' cooperative purchasing agreement through North Carolina State University (NC SU) to access its contract with Provider Select LLC, which is

owned by Premier Inc. (Premier), and US Foodservice from July 1, 2013 through June 30, 2015 for food purchases for The 4th "R" Program, Camp Sacramento, and other City recreational programs; 2) authorizing the City Manager or the City Manager's designee to issue the required purchase orders under the NCSU contract in an amount not to exceed \$181,500 per fiscal year, for a total amount not to exceed \$363,000; 3) suspending competitive bidding finding it is in the City's best interest to make direct supplemental food purchases from July 1, 2013 through June 30, 2015 at local grocery stores including Oro's Marketplace, Country Meats, SYSCO, Safeway, Whole Foods, CVS Pharmacy, Dollar Tree, K-Mart, Rite Aid, Wal Mart Corporate, Costco, Smart and Final, 99 Cent Stores, Target and Raley's Family of Fine Foods in an amount not to exceed \$251,020 per fiscal year for a total amount not to exceed \$502,040; 4) authorizing the Department of Parks and Recreation to make purchases at local grocery stores with a purchase order or with purchase cards from July 1, 2013 through June 30, 2015 for all recreation programs, subject to the foregoing total expenditure amount; and 5) authorizing the City Manager or his designee to accept federal and state grants to subsidize food purchases for the City's child care programs. Purchases are subject to funding availability in the adopted operating budget for the applicable fiscal year.

Contact: Elizabeth Anderson, Operations Manager, (916) 808-6076; Alan Tomiyama, Division Manager, (916) 808-8958; Sylvia Fort, Division Manager, (916) 808-8381, Department of Parks and Recreation

8. Purchase/Cooperative Agreement: BSN Sports/US Games for Recreation Programs and Supplemental Purchases (Two-Thirds Vote Required)

Report # 2013-00461

Location: Citywide

Issue: There is an on-going need to purchase a variety of athletic, physical education and recreation equipment to operate recreation activities and programs. City Council approval is required for purchases that exceed \$100,000. In addition, a two-thirds vote is required to suspend competitive bidding for the purchase of supplement athletic equipment and related supplies from local retail providers.

Action: Passed **Motion No. 2013-0135:** 1) authorizing the use of the U.S. Communities' cooperative purchasing agreement through the Harford County Public Schools (HCPS) to access its contract with BSN/US Games for the purchase of athletic, physical education (P.E.), and recreation equipment for all sports programs and activities for the Department of Parks and Recreation from July 1, 2013 through September 30, 2016; 2) authorizing the City Manager or his designee to issue the required purchase orders under the HCPS contract in an amount not to exceed a total amount of \$218,987; 3) suspending competitive bidding finding it is in the City's best interest to make direct supplemental purchases of athletic, P.E., and recreation equipment for all sports programs and activities from July 1, 2013 through September 30, 2016 from retail vendors including Big 5, Cabela's, Excel Fitness, Momma Kendama, REI, Sportsman's Warehouse, Greater Sacramento Softball Association and Wilderness Archery in an amount not to exceed \$90,000; and 4) authorizing the Department of Parks and Recreation to make purchases from these vendors

with a purchase order or with purchase cards, subject to the foregoing total expenditure amounts. Purchases are subject to funding availability in the adopted operating budget for the applicable fiscal year.

Contact: Sylvia Fort, Division Manager, (916) 808-8381; Alan Tomiyama, Division Manager (916) 808-8958; Elizabeth Anderson, Operations Manager, (916) 808-6076, Department of Parks and Recreation

9. Agreement: Staffing and Management of Stephen J. Wampler Foundation Inc's. Camp Nejedly

Report # 2013-00448

Location: Citywide

Issue: The Parks and Recreation Department desires to contract with the Stephen J. Wampler Foundation, Inc. (Wampler Foundation) to operate Wampler Foundation's Camp Nejedly as part of the Access Leisure program. Council approval of this agreement is required because the City of Sacramento will be the service provider.

Action: Passed **Motion No. 2013-0136:** 1) authorizing the City Manager, or his designee, to execute an agreement and any amendments thereto with the Stephen J. Wampler Foundation, Inc. (Wampler Foundation) not to exceed \$78,817 for the City to provide staffing and camp management services at the Wampler Foundation's wilderness camp at Contra Costa Youth Council's (CCYC) Camp Nejedly during the summer of 2013; and 2) authorizing the City Manager or his designee to enter into the same form of future agreements with the Wampler Foundation to provide services for summer camps for disabled participants as long as the total consideration does not exceed \$100,000.

Contact: Alan Tomiyama, Division Manager, (916) 808-8958; Elizabeth Anderson, Operations Manager, (916) 808-6076, Department of Parks and Recreation

10. Agreement: Consent to Groundwater Substitution Transfer with Sacramento Suburban Water District

Report # 2013-00442

Location: Citywide

Issue: City staff have negotiated an agreement to allow Sacramento Suburban Water District (SSWD) to sell water that SSWD is authorized to purchase under a wholesale water supply agreement with the City, as part of the 2013 Water Transfer program.

Action: Passed **Motion No. 2013-0137** authorizing the City Manager or the City Manager's designee to execute an Agreement between the City of Sacramento and Sacramento Suburban Water District for Consent to Groundwater Substitution Transfer; 2) **Motion No. 2013-0138** ratifying the petition previously filed with the State Water Resources Control Board for the temporary transfer of surface water as described in the Agreement, and authorizing the City Manager and the City Manager's designees to take such other administrative actions as may be necessary to effectuate the transfer and sale of this water; and 3) **Resolution No. 2013-0180** authorizing the City Manager or the City Manager's designee to accept the revenue from the sale of

the water into the water fund (6005) and to amend the revenue and expenditure budgets for the water fund (6005).

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

11. Contract Award: Parkway Meter Retrofit and Water Main Replacement Project

Report # 2013-00443

Location: District 8

Issue: This project meets the objective of Assembly Bill 2572 to install water meters on all water service connections by 2025, and replaces aging water mains and associated appurtenances.

Action: Public comment heard from Mac Worthy; passed **Motion No. 2013-0139** approving the contract plans and specifications for the Parkway Meter Retrofit and Water Main Replacement Project, and awarding the contract to Florez Paving, for an amount not-to-exceed \$1,759,272.

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

12. Agreements: Cost Sharing City-County Office of Metropolitan Water Planning

Report # 2013-00395

Location: Citywide

Issue: Approval of these agreements will provide funding to support the cost of the ongoing Sacramento Region Water Forum programs and projects. Council authority is needed for the City Manager or his designee to execute interagency agreements.

Action: Passed **Motion No. 2013-0140** authorizing the City Manager or the City Manager's designee to execute three interagency agreements to fund Water Forum programs: 1) FY 2013-14 cost-sharing agreement for the Water Forum Successor Effort (WFSE) with County of Sacramento, City of Roseville, City of Folsom, Placer County Water Agency, and San Juan Water District; 2) Five year cost-sharing agreement for WFSE with Sacramento Municipal Utility District; and 3) FY 2013-14 cost-sharing agreement for the Habitat Management Element with the County of Sacramento.

Contact: Tom Gohring, Executive Director, (916) 808-1998, City-County Office of Metropolitan Water Planning

Discussion Calendar

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

13. Supplemental Budget Information for the FY2013/14 Proposed Budget Report # 2013-00053 **Estimated Time: 45 minutes** (Actual Time: 90 minutes)

Location: Citywide

Issue: This report provides information to City Council as requested at prior budget hearings.

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

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

Abstain: Councilmember Steve Hansen

Public comment heard from Mac Worthy, Dustin Smith; passed **Motion No. 2013-0141** directing City Manager to return next week with options for:

1) Member Fong's request to add 15 police officers; **2)** Member Cohn's request to accelerate restoring Stations 1 and 17; **3)** Member Pannell's request for Option 5 (as referenced in the staff report) restoring cell tower funds to Council; **4)** Member Warren's request to review next fiscal year the distribution of cell tower money based on where the cell towers are located and transferring one vacant Staff Analyst to the Mayor's office for a two year period; **5)** Member Schenirer's request for \$150,000 for youth program funding, creation of an economic development fund, and inclusion of senior program (ARMS Hart Center) funding; **6)** Member Warren's request to add youth employment programs; **7)** Member Schenirer's request to include a timeline calendar with decision points; and **8)** Member Cohn's request for a discussion regarding Measure U fund balance principles.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information Requests – None.

2. Board/Commission Appointments – None.

Adjourned - 8:59 p.m. in memory of Jonny Reed