



**Meetings of Sacramento
City Council
Redevelopment Agency
Housing Authority
Financing Authority**

DRAFT Minutes

Tuesday, February 3, 2009

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

Published by the Office of the City Clerk (916) 808-7200

CITY COUNCIL

Kevin Johnson, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Lauren Hammond, Vice-Mayor, District 5
Kevin McCarty, District 6
Robbie Waters, District 7
Bonnie Pannell, District 8

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Ray Kerridge, City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting 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 located in racks inside the chamber and should be completed and submitted to the 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 of 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 Actions; 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 <http://www.cityofsacramento.org/clerk/council-agendas/>. 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.

DRAFT Minutes

Tuesday, February 3, 2009

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 - 2:00 p.m.

Roll Call Regular session called to order by Mayor Kevin Johnson at 2:00 p.m. Tuesday, February 3, 2009 at the Sacramento City Hall Council Chamber.

Members Present: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson

Consent Calendar (Items 1- 12)

Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson

Absent: Members Kevin McCarty and Bonnie Pannell,

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

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for January 20, 2009**

Location: (Citywide)

Action: Approved the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for January 20, 2009.

Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

2. **Open an Application Period for Various Boards and Commissions**

Location: (Citywide)

Action: Opened an application period for: 1) Small Business Development & Employment Advisory Board to open 02/04/09 with applications due 02/27/09; and 2) Sacramento Housing & Redevelopment Commission to open 02/04/09 with applications due 02/27/09.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

3. **Administrative Matter: Brownfield Revolving Loan Fund Grant Program**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-057** amending Resolution 2008-693 to correct a typographical error regarding the identified grant fund from 3702 to 2702.
Contact: Katrina Morgan, Administrative Officer, (916) 808-8646, Economic Development Department.
4. **Agreement: Electronic Healthcare Claim Remittance for Medi-Cal Payments**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-058** 1) approving the Fire Department Emergency Medical Services (EMS) Division's participation in the electronic Healthcare Claim Payment/Advice Receiver agreement with third party clearinghouse Zirmed, Inc. to receive payment remittance information from Medi-Cal; and 2) authorizing City Manager or authorized designee to execute the necessary paperwork for electronic healthcare claims remittance. **CO 2009-0123**
Contact: Joseph A. D. Jackson, Assistant Chief, (916) 264-8100, Fire Department.
5. **Contract/Agreement: Docks Promenade – Phase I Project (B18430000) and Approval of Park Master Plan and Park Name**
Location: Sacramento Riverfront from O Street to R Street (District 1)
Action: Adopted 1) **City Resolution No. 2009-059** a) accepting a guaranteed maximum price (GMP) to build the project from Flintco, Inc. (Flintco) in an amount not to exceed \$4,909,000; b) authorizing the transfer of \$200,000 of Quimby Act fees to the project; c) authorizing the City Manager to execute a loan agreement with the Redevelopment Agency for \$1,500,000 for the purpose of constructing the project; d) approving and authorizing the City Manager to execute an agreement with the Construction Manager/General Contractor, Flintco, Inc., for the construction of the project in an amount not to exceed the GMP; e) naming the park at R Street as "Pioneer Landing;" and f) approving the Pioneer Landing Park Master Plan; and 2) **Redevelopment Agency Resolution No. 2009-006** a) authorizing the Executive Director to enter into a loan agreement to the City for \$1,500,000 of Merged Downtown Tax Increment Funds [\$750,000 from the Docks Area Project (Fund 100) and \$750,000 from the Pioneer Bridge Project (Fund 100)] for the construction of the project. **CO2009-0124**
Contact: Beth Tincher, Senior Project Manager, (916) 808-7730, Leslie Fritzsche, Downtown Development Manager; Economic Development Department, Dennis Day, Landscape Architect, (916) 808-7366, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

6. Contracts: Janitorial Supplies

Location: (Citywide)

Action: Adopted **Resolution No. 2009-060** 1) awarding one-year contracts with four one-year renewal options for the purchase of janitorial supplies to a) Abe Janitorial Supply for general supplies in a total amount not to exceed \$2,025,081; and b) Sac Valley Janitorial Supply for paper products in an amount not to exceed \$1,367,493; and 2) authorizing the City Manager or the City Manager's designee to execute the contracts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s). **CO 2009-0125**

Contact: Craig Lymus, Interim Procurement Services Manager, (916) 808-5524, General Services Department.

7. Grant Agreement: California Integrated Waste Management Board

Location: (Citywide)

Action: Adopted **Resolution No. 2009-061** 1) authorizing the City Manager or the City Manager's designee to execute all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds for a 2008/2009 California Integrated Waste Management Board (CIWMB) grant agreement with the City of Sacramento in

the amount of \$4,000 for the proper disposal of abandoned tires within the City of Sacramento; and 2) approving the establishment of a grant project and related expenditure and revenue budgets, contingent upon receipt of the grant.

Contact: Patrick Flaherty, Risk Manager, (916) 808-5823, Human Resources Department.

8. Supplemental Agreement: On-Call Testing and Inspection Services

Location: (Citywide)

Action: Adopted **Resolution No. 2009-062** authorizing the City Manager to execute Supplemental Agreement No. 3 to City Agreement No. 2008-0037 to retain continuing on-call testing and inspection services with Wallace-Kuhl & Associates, Inc. in an amount not to exceed \$50,000.

Contact: Tim Hopper, Administrative Officer, (916) 808-8173, J. P. Tindell, Park Planning and Development Manager, (916) 808-7955, Parks and Recreation Department.

9. Contract: Hagginwood and Johnston Parks Safety Improvements Project (L19807100 and L19807300)

Location: 3271 Marysville Blvd. and 231 Eleanor Avenue (District 2)

Action: Adopted **Resolution No. 2009-063** 1) approving the contract specifications; 2) awarding the contract to Parker Landscape Development to perform the safety improvement to the two parks for an amount not to exceed \$250,091; and 2) authorizing the City Manager to execute the contract for the project. **CO 2009-0126**

Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

10. **Supplemental Agreement: Sacramento Railyards Project and Design of Old Sacramento-Central Shops Multi-Use Trail**
Location: Extends north from area near 2nd and I Streets to west side of the Railyards Central Shops area (District 1)
Action: Adopted **amended Resolution No. 2009-064** 1) approving Supplemental No. 1 to City Agreement 2008-0409 for the Sacramento Railyards project with S. Thomas Enterprises of Sacramento, LLC to authorize use of the Market Plaza Park funding commitment for the design of the west pedestrian tunnel portion of the Old Sacramento-Central Shops Multi-Use Trail that serves the Museum Plaza; 2) authorizing \$300,000 for design of the west pedestrian tunnel portion of the Old Sacramento-Central Shops Multi-Use Trail; and 3) appropriating \$300,000 from the Park Development Impact Fees, Fund 3204, for the West Pedestrian Tunnel project T15029030 (CF41).
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
11. **Folsom Boulevard Development - Ramona Avenue Extension Project**
Location: (District 3)
Action: Adopt a **Resolution No. 2009-065** directing staff to seek Federal FY10 Transportation Appropriations Funding of \$6 million for the project.
Contact: Azadeh Doherty, Principal Planner, 808-3137, Transportation Department.
12. **Agreement: Del Paso Boulevard Streetscape Enhancement Project (T15098400)**
(Continued from 1-13-09)
Location: Del Paso Boulevard from Arden Way to Acoma Street (District 2)
Action: Adopted **Resolution No. 2009-066** 1) approving the professional services agreement with Bennett Engineering Services, Inc., to provide consultant services for preliminary engineering, environmental documents, and final design of the project in an amount not to exceed \$425,480; and 2) authorizing the City Manager to execute the agreement. **CO 2009-0127**
Contact: Matthew Johns, Assistant Engineer (916) 808-5760, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

Staff Reports (Items 13 and 14)

Staff reports include an oral presentation including those recommending receive and file.

13. **Fairytale Town Annual Update**
Location: (District 4)
Action: Received and filed.
Contact: Barbara E. Bonebrake, Convention Culture and Leisure Director, (916) 808-7733, Convention, Culture and Leisure Department.

14. Kaiser Permanente Funding to Support Street Outreach Teams

Location: (Citywide)

Action: Received with public comment by Max Villalobos and Dr. Richard Isaccs and filed.

Contact: Lyn Corbett, Office of Youth Development, (916) 808-8849, Office of the City Manager.

Information Reports (Item 15)

These items are for information only and are not eligible for action at this time.

15. Report Back: Department of General Services Emergency Contracts

Location: (Citywide)

Action: Received and filed.

Contact: Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Public Comments-Matters Not on the Agenda - None

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Report Back

Member Bonnie Pannell, Robbie Waters: Regarding Freeport Regional Water Project Intake Site Construction work after normal hours as soon as possible

Closed Session

City Council

- a. Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Lehr, et al. v. City of Sacramento, United States District Court for the Eastern District of California Case No. 2:07-CV-01565-MCE-GGH. (Continued from 1-27-09)
- b. Pursuant to Government Code section 54957.6 to discuss matters pertaining to negotiations with recognized employee organizations: Stationary Engineers, Local 39; Sacramento Area Fire Fighters, Local 522; Sacramento Police Officers Association; International Association of Machinists, & Aerospace Workers (IAMAW); Auto, Marine & Specialty Painters, Local 1176; Sacramento-Sierra Building and Construction Trades Council; Plumbers & Pipefitters, Local 447; Western Council of Engineers. The purpose is to confer with the city's chief negotiator, Dee Contreras.

Recessed to Closed Session – 2:40 p.m.

Reconvene – 6:00 p.m.

A regular meeting of the Sacramento City Council was reconvened by Mayor Johnson at 6:00 p.m. Tuesday, February 3, 2009 at the Sacramento City Hall Council Chamber.

Members Present: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Seedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Pledge of Allegiance-led by Member Sandy Sheedy

Closed Session Report- None

Staff Reports (Item 16)

Staff reports include an oral presentation including those recommending receive and file.

16. **Workshop: Report Back on Charter Reform and City Governance Structures (To Be Delivered)**

Location: (Citywide)

Action: Public comment by Chester Newland, JoAnn Fuller, Anne Rudin, Rosanna Torretto, Brooks Truitt, Rick Bettis, Al Jojas, Karen Gunby, Alex Barrios, Mel Billingsley, Tom Hiltachk, Barbara Steinberg, and Bill Grant.

Directed the City Attorney to report back in 2 weeks with options and models to form a Charter Commission (Blue Ribbon committee), the process for selection of committee members and suggested timelines.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney; Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

17. **Amicus Support of Challenge to Proposition 8 (To Be Delivered)**

Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Member Steve Cohn

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Mayor Kevin Johnson.

No: Member Robbie Waters

Public comment by Yarix Repko, Luke Otterstad, Matthew McReynolds, and Reverend Daryl Heath. A motion **passed** to adopt **Resolution No. 2009-067** authorizing the City Attorney's Office to take the necessary steps for the City of Sacramento to join as amicus curiae with seven California cities and two California counties in support of the position of the City and County of San Francisco and others that Proposition 8, which amended Section 7.5 of Article I of the California Constitution, is unconstitutional under the California Constitution. As amended, Section 7.5 currently reads: "Only marriage between a man and a woman is valid or recognized in California."

Contact: Richard Archibald, Assistant City Attorney; Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney.

Public Comments-Matters Not on the Agenda-

- a. Bill Grant- Auditor and Senior Centers

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. **Board and Commission Appointments-** None
- b. **Report Backs-** None

Adjourned at 8:26 p.m.