



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

DRAFT Minutes

Tuesday, November 24, 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 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 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 the City's official website at <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, November 24, 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 - 6:00 p.m.

Roll Call - Regular session called to order by Mayor Kevin Johnson at 6:02 p.m. Tuesday, November 24, 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.

Pledge of Allegiance – led by Steve Cohn.

Closed Session Report– the Council, by a vote of 9-0, authorized the City Attorney to initiate litigation against the Dellar Trust to recover the City's costs of remediation of the 28th Street landfill.

Special Presentations/General Communications

a. **Downtown Holiday Celebration**

Action: Presented by Michael Ault.

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

(Actual time is 20 minutes)

1. Safe Ground
 - a. Thomas DeOlles
 - b. Tracie Rice-Bailey
2. 8th and K Hotel Project
 - a. Bob Leach
 - b. Tino Barajas
 - c. Zak Ford
3. Food For Homeless-Public Gardens
 - a. Gregory Glavinovich
4. Miscellaneous
 - a. Mike Barnbaum
 - b. Bill Grant
5. Performing Arts Invitation
 - a. Laurie Gorham

Consent Calendar (Items 1- 5) Estimated Time: 5 minutes
[Actual Total Time: 2 minutes]

Action: Moved/Seconded: Member Waters /Member Pannell

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

A 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 November 10, 2009.

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 10, 2009.

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

2. Open and Application Period for Various Boards and Commissions

Location: (Citywide)

Action: Opened an application period for the City Planning Commission to open 11/25/09 with applications due 12/11/09.

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

3. 2010 Regular Meeting Schedule for Sacramento City Council, Financing Authority, Housing Authority, and Redevelopment Agency

Location:

Action: Adopted **Resolution No. 2009-730 as amended** approving the 2010 regular meeting schedule for the City Council, Financing Authority, Housing Authority, and Redevelopment Agency.

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

4. Contract: Design-Build Services for the North Natomas Fire Station 43 Project (F13000700)

Location: 4201 El Centro Road, Council District 1

Action: Adopted 1) **Resolution No. 2009-731** authorizing the City Manager or the City Manager's designee to execute a design-build contract with Unger Construction, Inc. for design-build services for the North Natomas Fire Station 43 Project in an amount not to exceed \$5,300,000; and 2) **Resolution No. 2009-732** adopting a mitigated negative declaration addendum and a mitigation monitoring plan for the North Natomas Fire Station 43 Project.

Contact: Yadi Kavakebi, Facilities and Real Property Superintendent, (916) 808-8432, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

5. **Agreements: Fleet Management Work Order and Asset Management Software and Related Maintenance Support Services [2/3 Vote Required]**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-733** 1) suspending competitive bidding in the best interests of the City; 2) authorizing the City Manager or the City Manager's designee to execute a Professional Services Agreement with AssetWorks, Inc. for the implementation of FleetFocus M5 software in an amount not to exceed \$201,189; 3) authorizing the City Manager or the City Manager's designee to enter into a software license agreement with AssetWorks, Inc. for the upgraded M5 software application in an amount not to exceed \$26,569; and 4) authorizing the City Manager or the City Manager's designee to execute a five-year agreement with AssetWorks, Inc. for FleetFocus M5 maintenance support services in an amount not to exceed \$143,348 for the five-year term, provided that sufficient funds are available in the budget adopted for the applicable fiscal years.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department, Sandra Haslin, Information Technology Manager, (916) 808-7990, Information Technology.

Discussion Calendar/Staff Reports (Items 6 - 10)

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

6. **Estimated Time: 5 minutes**

[Actual Time: Presentation- 2 minutes/Discussion- 2 minutes/Total- 4 minutes]

Agreements/Supplemental Agreement: Track Relocation Project (Continued from 11-17-09)

Location: Downtown near Sacramento Valley Station (District 1)

Action: Moved/Seconded: Member Tretheway /Member Cohn

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

Public comment given by Mike Barnbaum after which a motion **passed** to adopt 1) **Resolution No. 2009-735** approving the Private Utilities Service Agreement with S. Thomas Enterprises of Sacramento, LLC.

Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

7. **Estimated Time: 20 minutes**

[Actual Time: Presentation-5 minutes/Discussion-10 minutes/Total- 15 minutes]

Reprogram: Federal Energy Efficiency and Conservation Block Grant Funding

Location: (Citywide)

Action: Moved/Seconded: Member Cohn /Member McCarty

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

A motion **passed** to adopt **Resolution No. 2009-736** 1) amending the spending plan for the Energy Efficiency and Conservation Block Grant funding; 2) establishing the

Federal Energy Efficiency capital improvement project (C13001600) with a \$1.91 million revenue and expenditure budget; 3) establishing the Federal Energy Efficiency Grant Project (G13000050) with a \$2.798 million revenue and expenditure budget; 4) adding a 1.0 limited term full-time equivalent (FTE) Associate Mechanical Engineer to the Department of General Services to manage the energy efficiency retrofits for City facilities; and 5) establishing reimbursements from C13001600 to the Department of General Services for the costs associated with the 1.0 limited term FTE for the term of the project.

Contact: Yvette Rincon, Sustainability Program Manager, (916) 808-5827, General Services Department.

8. Estimated Time: 10 minutes

[Actual Time: Presentation- 5 minutes/Discussion-20 minutes/Total- 25 minutes]

Ordinance Amendment Allowing Bicycles on a Portion of K Street Pedestrian Mall (Passed for Publication on 11-17-09, Published on 11-20-09)

Location: K Street Pedestrian Mall (District 1)

Action: Moved/Seconded: Member Tretheway/Member Hammond

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

Public comment given by Ryan Tom, Pati Brown, Jeff Thom, William Lowell, John Deeter, Mellissa Meng, John Burton, Walt Seifert, Alicia Dienst, Jeffery Rosenhall after which a motion **passed** to adopt **Ordinance No. 2009-051** amending Title 12, Section 44 of the City Code relating to Bicycles on K Street.

Contact: Chris Dougherty, Associate Planner, (916) 808-5680, Transportation Department.

9. Estimated Time: 30 minutes

[Actual Time: Discussion- 2 minutes/Total- 4 minutes]

Green Waste Ballot Initiative (Continued from 11-10-09)

Location: (Citywide)

Action: Public comment given by Steve Vincent. Withdrawn.

10. Estimated Time: 15 minutes

[Actual Time: Presentation- 6 minutes/Discussion- 10 minutes/Total- 16 minutes]

Report Back: Building Services Investigation [Oral Report]

Location: (Citywide)

Action: Member Waters **recused**. Received and filed.

Contact: Eileen Teichert, City Attorney, (916) 808-5347, Office of the City Attorney, John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager.

SUPPLEMENTAL AGENDA

11. Councilmember and Mayoral Nominations to the Planning Commission and Parks and Recreation Commission [Oral Report]

Location: (Citywide)

[Actual Time: Presentation- 2 minutes/Discussion- 7 minutes/Total- 9 minutes]

Action: Nominations were made by district to the Planning Commission and to the Parks and Recreation Commission to be appointed by the Mayor at a later date.

Contacts: Shirley Concolino, City Clerk, (916) 808-5442, Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member McCarty – report to council for amicus discussion re gun regulations
- b. Member Fong – continued consideration of negotiation possibilities for Bob Leech and K Street Development
- c. Mayor – fire recovery report first meeting in January

2. Board and Commission Appointments

- a. Stockton Boulevard Redevelopment Advisory Committee
 1. Joannie Ornelas (D5)
- b. Community Racial Profiling
 1. Hugo Vera (D6)
 2. Sean Coletta (D7)
 3. Lisa M. Gunderson (at large)
- c. Natomas Basin Conservancy Board of Directors
 1. Janelle Gray
- d. Sacramento Sports Commission
 1. Rhonda Smira
- e. Sacramento Environmental Commission
 1. Saul Acosta Gomez
- f. Sacramento Metropolitan Arts Commission
 1. Laura Garcia Heberger
- g. Utilities Rate Advisory Commission
 1. Carolyn Veal-Hunter (category A)
- h. Development Oversight Commission
 1. Roger Valine (category C)

Adjourned at 8:03 p.m. in memory of Mel Raption, Dolores Underwood, Madeline Cole and Art Savage.