



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

DRAFT Minutes

Tuesday, August 31, 2010

6:00 P.M.

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, District 5
Kevin McCarty, District 6
Robbie Waters, Vice Mayor, District 7
Bonnie Pannell, District 8

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Gus Vina, Interim 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.

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DRAFT Minutes

Tuesday, August 31, 2010

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, August 31, 2010 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 Ally Ignont, student participant in Youth @ City Council Program.

Closed Session Report – None.

Consent Calendar (Items 1- 17) Estimated Time: 5 minutes (Actual Time: 2 minutes)

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

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

A motion **passed** adopting 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 August 17, 2010.**

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for August 17, 2010.

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 on 09/01/10 for: 1) Sacramento Army Depot Redevelopment Advisory Committee with applications due 10/01/10 and 2) Utilities Rate Advisory Commission with applications due 10/01/10.

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

- 3. Amendment: Sacramento Area Flood Control Agency (SAFCA) Joint Exercise of Powers Agreement**
Location: (Citywide)

Action: Adopted **Resolution No. 2010-515** authorizing the City Manager to execute an amendment to the SAFCA Joint Exercise of Powers Agreement to fulfill Central Valley Flood Protection Board requirements relating to satisfaction of flood control project commitments upon termination of the SAFCA agreement or withdrawal of a member.

Contact: Joe Robinson, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney.
- 4. Ordinance Amendment: Redding Avenue Landscaping Community Facilities District (CFD) No. 2010-04 – Ordinance to Levy a Special Tax** (Passed for Publication on 8-24-10, Published on 8-27-10)
Location: Redding Avenue (Districts 3 and 6)

Action: Adopted an **Ordinance No. 2010-024** levying a Special Tax for properties in the Redding Avenue Landscaping Community Facilities District (CFD) No. 2010-04.

Contact: Mark Griffin, Fiscal Manager, Finance (916) 808-8788, Finance Department.
- 5. Cooperative Purchase Agreements: Electrical and Hardware Supplies**
Location: (Citywide)

Action: Adopted **Resolution No. 2010-516** 1) approving the use of National Joint Power Alliance (NJPA) cooperative purchase agreement (Contract No. 102109-WWG) with Grainger Industrial Supply for the purchase of electrical and hardware supplies in an amount not to exceed \$2.5 million through December 31, 2015, or until the contract is no longer available for use; 2) approving the use of US Communities cooperative purchase agreement (Contract No. MA-IS-43272) with Graybar Electric Company for the purchase of electrical supplies in an amount not to exceed \$1 million through December 31, 2015, or until the contract is no longer available for use; and 3) authorizing the City Manager or the City Manager's designee to execute the purchases specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Sonny Eboigbe, Procurement Analyst, (916) 808-7432, Craig B. Lymus, Acting Procurement Manager, (916) 808-5524, General Services Department.
- 6. Agreement: People Reaching Out, Inc.**
Location: (District 7)

Action: Adopted **Resolution No. 2010-517** authorizing the City Manager, or a designated representative, to execute an agreement between the City and People Reaching Out, Inc. in an amount not to exceed \$5,890 for the Department of Parks and Recreation to deliver teen services to the Valley Hi Community.

Contact: Sylvia Fort, Recreation Manager, (916) 808-8381, Kim Mohler, Recreation Superintendent, (916) 808-8378, Parks and Recreation Department.

7. Change Order: Martin Luther King, Jr. Park Improvements Project (L19809300)
Location: 2705 Gardendale Road (District 8)

Action: Adopted **Resolution No. 2010-518** 1) appropriating \$58,000 of Park Development Impact Fees (PIF), Fund 3204, to the project; and 2) authorizing the City Manager, or City Manager's designee, to execute Change Order No. 1 to Contract 2010-0547 between the City of Sacramento and JM Slover for the completion of the project in the amount of \$36,970.

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

8. Agreement: Evidence Impound Towing and Storage Services

Location: (Citywide)

Action: Adopted **Resolution No. 2010-519** 1) authorizing the City Manager, or his designee, to execute an agreement with Shanahan's Towing for evidence impound vehicle storage services for one year with up to four (4) one-year renewal options not to exceed \$57,760 each year for the first two years and not to exceed a total of \$295,825 for the maximum agreement term of five years, and authorize the City Manager, or his designee, to authorize the renewals, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).

Contact: Mike McCarthy, Captain, 808-0701, Gina Haynes, Lieutenant, (916) 808-0714, Police Department.

9. Contract: College/Howe Streetscapes Maintenance

Location: (District 3)

Action: Adopted **Resolution No. 2010-520** awarding a one-year non-professional services agreement for the maintenance of the College/Howe Streetscapes with Dominguez Landscape for an amount not to exceed \$75,500 with options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement including the optional two one-year extensions not to exceed \$232,000.

Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Erick Talavera, Program Specialist, (916) 808-2272, Transportation Department.

10. Contract: East Commerce Streetscapes Maintenance

Location: (District 1)

Action: Adopted **Resolution No. 2010-521** awarding a one-year non-professional services agreement for the maintenance of the East Commerce Streetscapes with Golden Oaks Landscape for an amount not to exceed \$44,100 and options to extend the agreement for up to two additional one-year periods, with the total amount of the agreement including the optional two one-year extensions not to exceed \$135,800.

Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Erick Talavera, Program Specialist, (916) 808-2272, Transportation Department.

- 11. Supplemental Agreement: R Street Market Plaza Project (T15068300)**
Location: R Street between 16th Street and 18th Street (Districts 3 and 4)
Action: Adopted **Resolution No. 2010-522** 1) approving the amended Memorandum of Understanding (MOU) with the Capitol Area Development Authority (CADA); 2) approving the appropriation of funds in the amount of \$400,000 from CADA; and 3) approving Supplemental Agreement No. 2 to City Agreement No. 2008-0871 with Mark Thomas and Company in the amount not to exceed \$306,001.
Contact: Ricky Chuck, Senior Engineer (916) 808-5050; Tim Mar, Supervising Engineer (916) 808-7531, Transportation Department.
- 12. Cooperative Purchase of Asphalt and Aggregate Materials**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-523** 1) approving the continued use of the Cooperative Purchasing Agreement (WA00025184) between the County of Sacramento and Teichert Aggregates for the purchase of asphalt and aggregate materials for a not-to-exceed amount of \$2.5 million, and 2) approving the use of the Cooperative Purchasing Agreement (WA00025183) between the County of Sacramento and Granite Construction Company for the use of asphalt and aggregate materials for a not-to-exceed amount of \$1.94 million.
Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Ramon Gibbons, Operations General Supervisor, (916) 808-5871, Transportation Department.
- 13. Supplemental Agreement: Sacramento Track Relocation Project (PN: T15029000/T15029005)**
Location: In the Railyards Specific Plan area between I Street Bridge and Seventh Street (District 1)
Action: Adopted **Resolution No. 2010-524** 1) approving Supplemental Agreement No. 15 to City Agreement 2008-0034 with TranSystems in the amount of \$290,000 for redesign of the project; and 2) resetting the City Manager's authority.
Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Hinda Chandler, Senior Architect, (916) 808-8422, Transportation Department.
- 14. La Mancha Way Bridge Rehabilitation Project (T15116000)**
Location: La Mancha Way Bridge over Elder Creek (District 8)
Action: Adopted **Resolution No. 2010-525** 1) authorizing staff to submit a funding application to Caltrans for a bridge rehabilitation project; 2) establishing a new Capital Improvement Project for the project; and 3) transferring and appropriating funds.
Contact: Cecilyn Foote, Associate Civil Engineer (916) 808-6843, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

15. **Contract: Landscape Maintenance Services I-5 Buffer**
Location: (District 1)
Action: Adopted **Resolution No. 2010-526** 1) awarding a one-year contract to perform landscape maintenance services for the Interstate 5 Buffer Landscape Corridor, with two one-year renewal options, to Empire Landscaping, in an amount not to exceed \$139,650 for the maximum three-year term; and 2) authorize the City Manager, or the City Manager's designee, to execute the annual renewals provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).
Contact: Michael Malone, Field Services Division Manager, (916) 808-6226, Ken Swartz, Stores Administrator, (916) 808-6276, Utilities Department.
16. **Agreement: Joint Use, Maintenance and Operation of Sojourner Truth Park, Robbie Waters Pocket-Greenhaven Library and School of Engineering and Sciences**
Location: 7335/7345/7360 Gloria Drive (District 7)
Action: Adopted **Resolution No. 2010-527** authorizing the City Manager to execute a memorandum of understanding and any extensions, amendments, or other related documents with the Sacramento City Unified School District and the Sacramento Public Library Authority for the joint use, maintenance and operation of Sojourner Truth Park, Robbie Waters Pocket-Greenhaven Library, the School of Engineering and Sciences and related improvements.
Contact: David Mitchell, Operations Manager, (916) 808-6076, Parks and Recreation Department.
17. **Administrative Matter: Ratification of Resolution for Agreements with Stationary Engineers, Local 39 Bargaining Units [To Be Delivered]**
Location: (Citywide)
Action: **Continued to September 7, 2010** to adopt a Resolution 1) approving the collective bargaining agreements covering employees in the: General Supervisory; Miscellaneous (Operations and Maintenance; Office and Technical and Professional units); and Plant Operator units represented by the International Union of Operating Engineers, Stationary Engineers Local 39, AFL-CIO including the salary schedules for FY2010/11 and FY2011/12; and 2) authorizing the transfer of \$1.2 million in unrestricted resources in the Parking Fund (Fund 6004) from the sale of the Sheraton Hotel, to the General Fund (1001).
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173, Mark Gregersen, (916) 808-5080, Human Resources Department.

Public Hearings (Item 18)

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

18. **Estimated Time: 20 minutes** (Actual Time: 2 minutes)
Asian Community Center (ACC) Assisted Living Facility (P09-041) (Passed for Publication on 8-24-10, Published on 8-27-10)
Location: Southeastern side of the Maple Tree Way (District 7)
Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Bonnie Pannell, Kevin McCarty, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Conducted a public hearing with no public comment and upon conclusion, a motion **passed** adopting 1) **Resolution No. 2010-529** determining the project Exempt from review under the California Environmental Quality Act (CEQA); 2) **Ordinance No. 2010-025** rezoning the site from Agricultural (A) to Standard Single Family Residential (R-1); and 3) **Resolution No. 2010-530** approving the ACC Assisted Living project entitlements including a Special Permit and two Variances.

Contact: Heather Forest, Associate Planner, (916) 808-5508, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

Discussion Calendar (Item 19)

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

19. **Estimated Time: 15 minutes** (Actual Time: 7 minutes)
City Position: Proposition 23, the California Jobs Initiative, which qualified for the November 2010 Statewide Ballot
Location: (Citywide)
Action: Moved/Seconded: Member Steve Cohn/Member Robert King Fong
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Bonnie Pannell, Kevin McCarty, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Public comment heard from Bonnie Holmes-Gen and Graham Brownstein; and a motion **passed** adopting **Resolution No. 2010-531** opposing Proposition 23, the California Jobs Initiative, which qualified for the November 2010 state ballot.

Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

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

(Actual Time: minutes)

1. Public Comment Placement on Agenda
 - a. Tracie Rice-Bailey
 - b. Mike Barnbaum
2. Politics in America
 - a. Eugene Carlise
3. Sacramento Arts Commission
 - a. Marco Fuocox
4. Senior Issues
 - a. Bill Grant
5. Alleyway Restrictions
 - a. Dan Waligora
6. Complimenting Police Department
 - a. Robin Ware

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Bonnie Pannell
 1. Agendize Neighborhood Recycling Facilities issue soon
- b. Member Steve Cohn
 1. Law and Legislation Committee agendize a support position for the Uniting Families Act (HR Bill 1024 and SB 424)
- c. Mayor Kevin Johnson
 1. City Manager facility quarterly meetings with Sacramento School Districts to discuss ways to address issues.

2. Board/Commission Appointments

- a. Animal Care Services Advisory Committee
 1. Rick Johnson
- b. Small Business Development and Employment Advisory Board
 1. Brett Hopkins
- c. Ann Land and Berth Henschel Memorial Fund
 1. Wanda Yanez
- d. Sacramento Metropolitan Arts Council
 1. Lauren Garcia Heberger

Adjourned – 6:42 p.m. in memory of Leo Fong, Mae Fong and Bernice Steward.