



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

DRAFT Minutes

Tuesday, November 17, 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.

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DRAFT Minutes

Tuesday, November 17, 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 6:01 p.m. Tuesday, November 17, 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 Vice-Mayor Lauren Hammond.

Closed Session Report– None.

Special Presentations/General Communications

[Total Time- 6 minutes]

- a. **Introduction of the new Chief Probation Officer-Chief Don Meyer**
Action: Introduced Chief Don Meyer
- b. **Honoring Suzanne Brooks for Lifetime Achievement as an Arts Advocate**
Action: Presented by Rhyena Halpern
- c. **Honoring Bruce Dancis for Lifetime Achievement as an Arts Advocate**
Action: Presented by Rhyena Halpern

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

[Total Time for speakers-5 minutes]

1. Oak Park Development
 - a. Ron Emslie
2. Citizen Auditor
 - a. Bill Grant

Consent Calendar (Items 1 - 13) **Estimated Time: 5 minutes**

[Actual Total Time: 8 minutes]

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie 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 3, 2009**
Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 3, 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 the Compensation Commission to open 11/18/09 with applications due 12/18/09.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
- 3. Building Trades Unit, Automotive/Equipment Mechanics Unit, Engineering Unit and Fire Department Unit**
Location: (Citywide)

Action: Ratified the July 28, 2009 City Council action by adopting 1) **Resolution No. 2009-714** authorizing an agreement covering the Building Trades Unit; 2) **Resolution No. 2009-715** authorizing an agreement covering the Automotive/Equipment Mechanics Unit; 3) **Resolution No. 2009-716** authorizing an agreement covering the Engineering Unit and 4) **Resolution No. 2009-717** authorizing an agreement covering the Fire Department Unit.

Contact: Dee Contreras, Director of Labor Relations, (916) 808-5424, Labor Relations Department.
- 4. Contract: Jefferson Park Project (L19125100)**
Location: 1990 Roma Court (District 1)

Action: Adopted **Resolution No. 2009-718** 1) approving the contract specifications and awarding the contract to PBM Construction to develop the park for an amount not to exceed \$473,178; 2) appropriating an additional \$200,000 of Park Development Impact Fees (PIF), Fund 3204, to the project; and 3) authorizing the City Manager to execute the contract.

Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
- 5. Redding Avenue Park Master Plan**
Location: 3212 Redding Avenue (District 6)

Action: Adopted **Resolution No. 2009-719** approving the Redding Avenue Park Master Plan.

Contact: Roy Tatman, Associate Landscape Architect, (916) 808-5326, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Park and Recreation Department.

6. **Agreement: After-School Education and Safety Program**

Location: (Districts 3, 4, 8 and Sacramento County)

Action: Moved/Seconded: Member Bonnie Pannell/Member Kevin McCarty

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

Removed from Consent Calendar for public comment heard from Darlene Anderson and Rev Ashiya Odeye; and a motion **passed** to adopt **Resolution No. 2009-720** 1) authorizing the City Manager, or designee, to execute a subcontract agreement and any extensions, amendments, or other related documents with the Sacramento City Unified School District as necessary for the City to continue to operate the After-School Education and Safety Program on Middle School campuses during fiscal years 2009/10, 2010/11 and 2011/12, with an option to renew for fiscal year 2012/13; and, 2) authorizing the City Manager or designee to adjust the necessary operating revenue and expenditure budgets to receive reimbursement of up to \$303,750 per fiscal year with annual cost of living adjustments during the term of the Agreement.

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

7. **Supplemental Agreement: Driving Under the Influence (DUI) Intervention Program Provider**

Location: (City and County of Sacramento)

Action: Adopted **Resolution No. 2009-721** 1) authorizing the City Manager or designee to execute a Supplemental No. 4 City Agreement No. 2007-0464, with the Regents of the University of California, for DUI Interventions at the Sacramento County Jail, for an amount not to exceed \$37,354, for a total amount not to exceed \$354,834 under this agreement (including the original agreement and all amendments); 2) ratifying the Supplemental No. 2 to City Agreement No. 2007-0464-2 and the Supplemental No. 3 to City Agreement No. 2007-0464-3 issued pursuant to the authority of the City Manager, and restoring the City Manager's supplemental agreement authority; and 3) increasing the Department's Grant Operating and Expense Budget in the amount of \$50,000.

Contact: Lt. Gina Haynes, (916) 808-0714, Police Department.

8. **(Pass for Publication) Ordinance Amendment: Bicycles on Portions of the K Street Pedestrian Mall**

Location: K Street Pedestrian Mall (District 1)

Action: 1) Reviewed an Ordinance amendment to Title 12, section 44 of the City Code relating to Bicycles on K Street; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted November 24, 2009.

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

- 9. Contract: J Street Two-Way Conversion Project (T15008005)**
Location: J Street between 30th Street and Alhambra Boulevard (District 3)
Action: Adopted **Resolution No. 2009-722** 1) approving plans and specifications for the project; and 2) awarding the construction contract to M & M Electric to convert J Street between 30th Street and Alhambra Boulevard from one-way to two-way operations for an amount not to exceed \$127,735,
Contact: Kaleb Haile, Senior Engineer, (916) 808-7020, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 10. Agreements/Supplemental Agreement: Track Relocation Project**
Location: Downtown near Sacramento Valley Station (District 1)
Action: **Continued to November 24, 2009** to adopt 1) a **Resolution** approving the Supplemental No. 1 to City Agreement 2006-1406 with S. Thomas Enterprises of Sacramento, LLC; to clarify each party's obligations in implementing and funding this project; and 2) a **Resolution** approving the Private Utilities Service Agreement with S. Thomas Enterprises of Sacramento, LLC.
Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.
- 11. 2004 Master Lease/Purchase Agreement**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-725** ratifying the 2004 Master Lease / Purchase Agreement between the City of Sacramento and Banc of America Leasing Capital, LLC.
Contact: Chris Tjie, Treasury Analyst, (916) 808-5517, Janelle Gray, Treasury Manager, (916) 808-8296, Office of the City Treasurer.
- 12. Agreement: Water Supply Master Plan (Z14009100)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-726** 1) authorizing the City Manager to execute a professional services agreement with West Yost Associates to update the Water Supply Master Plan for an amount not to exceed \$420,348; and 2) amending the project budget for a transfer of \$170,000 water funds (6005) from the project.
Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.
- 13. Agreement: Lower American River Flow Management Standard Environmental Impact Report (EIR)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-727** authorizing the City Manager to execute a professional services agreement with cbec, inc. for an amount not to exceed \$215,576, to assist with the development of the Environmental Impact Report necessary for the Water Forum Successor Effort's ongoing effort to update the lower American River Flow Management Standard.

Contact: Kathy Howard, Administrative Analyst (916) 808-1995, Sarah Foley, Program Manager (916) 808-1997, Utilities Department.

Discussion Calendar/Staff Reports (Items 14 -17)

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

14. Estimated Time: 45 minutes

[Actual Time: Presentation- 21 minutes/Discussion- 50 minutes

Total- 1 hour 11 minutes]

Contract: Fleet Parts and Inventory Program Services [2/3 Votes Required]

Location: (Citywide)

Action: Moved/Seconded: Member Ray Tretheway/Member Robert King Fong

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Bonnie Pannell, Ray Tretheway, and Robbie Waters.

No: Members Kevin McCarty, Sandy Sheedy, and Mayor Johnson

Public comment heard from Steve Montgomery, Richard Johnson, Scott White, Aaron Wainscott, Norman Gentry, and Jim Stommel; and a motion **passed** to adopt **Resolution No. 2009-728** 1) suspending competitive bidding in the best interests of the City; 2) awarding a five-year contract to Genuine Parts Company / National Auto Parts Association (NAPA) for program services in an amount not to exceed \$21,050,000 for the five year period; and 3) authorizing the City Manager or the City Manager’s designee to execute the contract specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

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

15. Estimated Time: 15 minutes

[Actual Time: Presentation-5 minutes/Discussion-1 minute/**Total- 6 minutes]**

City of Sacramento Direct Purchase (Private Placement) of State of California General Obligation Bonds [To Be Delivered]

Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/Member Lauren Hammond

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. 2009-729** authorizing the City Treasurer to execute a direct purchase (private placement) of State of California General Obligation Bonds with the State Treasurer in an amount not to exceed \$43 million.

Contact: Russell T. Fehr, City Treasurer (916) 808-5168, Office of the City Treasurer.

16. **Estimated Time: 45 minutes**
 [Actual Time: Presentation-8 minutes/Discussion-11 minutes/Total- 19 minutes]
Update on the Sacramento Sport and Entertainment Facility Effort (Arena) [Oral Report]
Location: (Citywide)
Action: Received and filed.
Contact: John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager.
17. **Estimated Time: 1 hour**
 [Actual Time: Presentation- 8 minutes/Discussion- 56 minutes/Total- 1 hour 4 minutes]
(Redevelopment Agency) Broadway/Martin Luther King Jr. Boulevard (MLK) Development Site Exclusive Right to Negotiate Agreement (ERN)
Location: Broadway and Martin Luther King Jr. Boulevard, Oak Park Redevelopment Area (District 5)
Action: Moved/Seconded: Member Lauren Hammond/Member Bonnie Pannell
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Robbie Waters
Recused: Mayor Kevin Johnson.
- Public comment heard from Joan Barden, Nathaniel Turner, Barbara Guidry, Robert Tran, Dr. Dana Kivel, Ron Emslie, Clara McKeithern, Joany Titherington, Diane Gunning, Itasker Hollins, Dora Allins, Shirley Elmore, Tron Shephard, Isabel Martins, Lawanda Stovall, James Saetern, LaTonia Wardell, Charles Mason, Christian Green, Chester Powell, Howard Anderson, Betty Brown, John Nixon, and Cynthia Roland; motion **passed** to adopt **Redevelopment Agency Resolution No. 2009-063** authorizing the Executive Director or her designee to execute an ERN agreement with The Related Companies of California LLC for potential development on Sacramento Housing and Redevelopment Agency (Agency) owned property at Broadway and Martin Luther King Jr. Boulevard.
- Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1316, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Council Comments-Ideas, Questions and Meeting/Conference Reports

[Total- 9 minutes]

1. **Report Back**
None
2. **Board and Commission Appointments**
None

Adjourned - at 9:14 p.m.