



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

Agenda

Tuesday, August 19, 2008

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

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

CITY COUNCIL

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Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, Vice-Mayor, District 3
Robert King Fong, District 4
Lauren Hammond, 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 recommendations; 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.

AGENDA

Tuesday, August 19, 2008

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

Special Presentations/General Communications

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Consent Calendar (Items 1 - 13)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for July 29, 2008**
Location: (Citywide)
Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for July 29, 2008.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

2. **Confirmation of Board and Commission Appointments**
Location: (Citywide)
Recommendation: Confirmation of board/commission appointments: 1) Sacramento Youth Commission – James Johnson (Category A-2); 2) North Sacramento Redevelopment Advisory Committee – Tom Armstrong (Category A); 3) 65th Street Redevelopment Advisory Committee – Ruth E. McElhinney (Category A-2) and 4) Ethel MacLeod Hart Advisory Committee – Eva M. Williams (Category A)
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

3. **Review and Approval of the Municipal Legislation Log**
Location: (Citywide)
Recommendation: Receive and file.
Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

Consent Calendar (Continued)

4. Amicus Curiae Participation in Support of State of California in State of California v. U.S. Environmental Protection Agency

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Attorney to pursue amicus curiae participation in support of State of California's Petition for Review in State of California et al. v. U.S. Environmental Protection Agency (United States Court of Appeals for the District of Columbia Circuit, Case No. 08-1178) regarding denial of California's request for a waiver of federal preemption for California's regulations to control greenhouse gas emissions from new motor vehicles.

Contact: Eileen Teichert, City Attorney, (916) 808-5346; Matthew Ruyak, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney.

5. Agreement: Jibboom Street Powerhouse Station Site

Location: River District (District 1)

Recommendation: Adopt a **Resolution** authorizing the City Manager to approve and execute an agreement with the Sacramento Museum of History, Science and Technology for the Exclusive Right to Negotiate ("ERN") for the redevelopment and reuse of the Jibboom Street Power Station Site.

Contact: Jennifer Witz, Junior Analyst, (916) 808-2796; Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department.

6. Taxi Rate Adjustment

Location: (Citywide)

Recommendation: Adopt a **Resolution** repealing Resolution No. 2008-504 and approving an adjustment to the maximum rates, fares and charges for taxicabs and taxicab service.

Contact: Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department.

7. Takeover Agreement: North Laguna Bike Trail Rehabilitation (K19005100)

Location: Between Franklin Boulevard and Jacinto Avenue (District 8)

Recommendation: Adopt a **Resolution** 1) approving the Takeover Agreement in the amount of \$263,772 to Indemnity Company of California in reference to terminated City Contract No. 2007-252; and 2) authorizing the City Manager to execute the Takeover Agreement for the project.

Contact: J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

Consent Calendar (Continued)

8. Grant: Driving Under the Influence (DUI) Enforcement and Traffic Safety Program

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designated representative, to accept on behalf of the City \$171,000 in grant funding from the California Office of Traffic Safety (OTS) for the program; 2) increasing the Police Department's Grant Operating and Grant Revenue budgets in the amount of \$171,000; and 3) setting the program's expiration date for September 30, 2009, unless extended or augmented by the California OTS.

Contact: Eric Poerio, Lieutenant, (916) 808-0868, Police Department.

9. Contract: National Electrical Manufacturers Associations Traffic Signal Controller Cabinets, Type R (Bid B081181064)

Location: (Citywide)

Recommendation: Adopt a **Resolution** awarding a contract to BRG Supply, LLC, for the purchase of NEMA Traffic Signal Controller Cabinets, Type "R," to replace damaged or end of life units for a not-to-exceed amount of \$343,000.

Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.

10. Change Order: Stockton Boulevard and Dias Avenue Traffic Signal Project

Location: Stockton Boulevard and Dias Avenue Intersection (Districts 6)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute Change Order No. 1 to Contract No. 2008-545 in the amount of \$1,602 with Pacific Excavation to compensate the contractor for additional work required to complete the project.

Contact: Ofelia Avalos, Assistant Civil Engineer, (916) 808-5515; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

11. Agreement: Sacramento Transportation Authority (STA)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the FY2008/09 Entity Allocation and Expenditure Agreement with the Sacramento Transportation Authority (STA) to provide for the allocation and expenditure of Measure A (Transportation Sales Tax) revenues between July 1, 2008 and June 30, 2009; and 2) authorizing the City Manager to execute the FY2008/09 Entity Allocation and Expenditure Agreement with STA.

Contact: Nicole Henderson, Administrative Analyst, (916) 808-8242; Dean Fujimoto, Supervising Financial Analyst, (916) 808-5579, Transportation Department.

Consent Calendar (Continued)

12. **Cooperative Agreement: Kroy Pathway Improvement Project (T15095700)**
Location: Pedestrian/bikeway pathway between Kroy Way and 65th Street, immediately south of the eastbound US 50 off ramp to 65th Street (District 6)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute a Cooperative Agreement and future amendments with Caltrans to relinquish the Kroy Pathway right-of-way to the City, 2) appropriating \$40,000 in funds from Caltrans to be allocated to the project upon approval of the Cooperative Agreement and receipt of funds by City, 3) establishing a Capital Improvement Project (CIP); and 4) amending the FY2008/09 CIP by transferring \$80,000 from the Sidewalk Gap Closure Project (T15075300) to the project.
Contact: Mehrdad Nazeri, Associate Civil Engineer, (916) 808-7460; Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.
13. **Purchase/Cooperative Agreements (WA00020935 and WA00020932): Aggregate and Asphalt Materials**
Location: (Citywide)
Recommendation: Adopt a **Resolution** 1) approving the use of Cooperative Purchasing Agreement between the County of Sacramento and Teichert Aggregates for the purchase of asphalt and aggregate materials for a not-to-exceed amount of \$2.0 million, and 2) approving the use of a Cooperative Purchasing Agreement between the County of Sacramento and Granite Construction Company for the use of asphalt and aggregate materials for a not-to-exceed amount of \$1.5 million.
Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.

Staff Reports (Items 14 - 19)

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

14. **Update on the State Budget and Use of Local Government Revenues Balancing the State Budget [To Be Delivered]**
Location: (Citywide)
Recommendation: Adopt **Resolution** opposing use of local government revenues to balance the State budget.
Contact: David Jones, Emanuels Jones and Associates, Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager.

Staff Reports (Continued)

15. Facilities Programming Guide Project (FPG)

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the development of a FPG Project for planning and prioritizing Capital Improvement Projects (CIP); and 2) directing staff to return to City Council for a follow-up discussion and approval of project scoring criteria and the ranking of projects.

Contact: Gary Szydelko, Supervising Architect, (916) 808-8335; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

16. Purchase/Cooperative Agreements (WA00023576 and WA00023537): Fuel for Fleet Equipment

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the use of the County of Sacramento contract to purchase diesel fuel and gasoline from Hunt & Sons in an amount not to exceed \$30 million through August 31, 2011 or until the contract is no longer available; 2) approving the use of the County of Sacramento contract to purchase liquefied natural gas (LNG) fuel from Clean Energy in an amount not to exceed \$2.5 million through August 31, 2011 or until the contract is no longer available; and 3) authorizing the City Manager or the City Manager's designee to execute purchases in the amounts specified above 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.

17. Purchase: Housing Units for the Animal Shelter Cattery Building Project (C13000701) [2/3 Vote Required]

Location: 2127 Front Street (District 4)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding; 2) awarding Counter-Tec a contract for the purchase of 31 cattery housing units in an amount not to exceed \$293,852; and 3) authorizing the City Manager or the City Manager's designee to execute the contract.

Contact: Hector Cazares, Animal Care Services Manager, (916) 808-7433; Donna Wicky, Administrative Officer, (916) 808-6719, General Services Department.

Staff Reports (Continued)

18. Termination Agreement: Citywide Wireless Broadband Network [To Be Delivered]

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to issue a notice of default to Sacramento Metro Connect, LLC terminating Agreement Nos. 2007-0630, 2007-0631, 2007-1125, and 2007-1126 between the City and Sacramento Metro Connect, LLC for the design, deployment and operation of a citywide wireless broadband network.

Contact: Dean Peckham, Economic Development Senior Project Manager, (916) 808-7063, Economic Development Department, Steve Ferguson, Chief Information Officer, (916) 808-8600, Thanh Vo, Information Technology Project Manager, (916) 808-7988, Information Technology Department.

19. Agreements: Basin 31 Detention Basin Project (W14000900) (Continued from 8-12-08)

Location: Near the intersection of 65th Street and Broadway, adjacent to Redding Avenue (District 6)

Recommendation: Adopt a **Resolution** authorizing the City Manager to sign an agreement with Conservation Resources LLC, in a total amount of \$202,500 to purchase vernal pool mitigation creation units for this project.

Contact: Marty Hanneman, Acting Director of Utilities (916) 808-1433; David L. Brent, Engineering Manager (916) 808-1420; Rick Batha, Supervising Engineer (916) 808-1448, Utilities Department.

Public Comments-Matters Not on the Agenda

Council Comments-Ideas, Questions and Meeting/Conference Reports

Closed Session

City Council

- a) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. **Moreno v. City of Sacramento; United States Court for the Eastern District of California Case No. CIV S-01-725 DFL DAD; United States Ninth Circuit Court of Appeals Case No. 02-16889**

Recess to Closed Session

Reconvene – 6:00 p.m.

Roll Call

Pledge of Allegiance

Closed Session Report

The City Attorney shall determine if any actions taken by the City Council or legislative bodies in Closed Session shall require a reporting on those actions as required by Law (Government Code §54957.1 (a) (3) (B)).

Special Presentations/General Communications

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Staff Reports (Item 20)

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

20. Contracts and Establishment of Capital Improvement Projects (CIP): Fort Natomas at South Natomas Community Park (L19156200) and Jefferson Park Master Plan and Improvements (L19125100) [2/3 Vote Required]

Location: Jefferson Park - 1900 Roma Court, Council District 1; South Natomas Community Park - 2921 Truxel Road (District 1)

Recommendation: Adopt a **Resolution** 1) approving an amendment to the South Natomas Community Park Master Plan; 2) approving the Notice of Exemption for Fort Natomas at South Natomas Community Park; 3) establishing a Capital Improvement Project (CIP) for the development of Fort Natomas at South Natomas Community Park (L19156200); 4) establishing a CIP for the Jefferson Park Master Plan Update and related improvements; 5) appropriating \$1,027,000 in South Natomas Community Improvement Funds (Fund 2020) to the Fort Natomas at South Natomas Community Park Project (L19125100); 6) approving a loan of \$425,000 from the Risk Management Fund (Fund 6520) to Park Development Impact Fee Fund (Fund 3204); 7) appropriating \$425,000 in Park Development Impact Fees (Fund 3204) to the Jefferson Park Master Plan and Improvement Project; 8) suspending competitive bidding in the best interests of the City for all contracts and agreements related to the design and construction of the Fort Natomas at South Natomas Community Park Project; 9) authorizing the City Manager to execute construction contracts for the Fort Natomas at South Natomas Community Park Project in amounts not to exceed \$750,000 per single contract; and 10) directing staff to report back within 30 days with construction contract quotes and name of awarded contractor.

Contact: Jonathan Rewers, Parks and Recreation Analyst, (916) 808-7590, Parks and Recreation Department.

Public Comments-Matters Not on the Agenda

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment