

## **RESOLUTION NO. 2009-150**

Adopted by the Sacramento City Council

March 17, 2009

### **APPROVING AMENDMENT NO. 1 TO CITY AGREEMENT NO. 2007-1090 - POCKET-GREENHAVEN LIBRARY (B13000500)**

#### **BACKGROUND**

- A. On November 22, 2005, City Council adopted Resolution No. 2005-846 endorsing the development of this joint use project in conjunction with the Sacramento City Unified School District (District) and the Library Authority.
- B. On June 19, 2006, the District, as lead agency for the project under CEQA, Public Resources Code Section 21000, et seq., certified an Environmental Impact Report for the project.
- C. On October 16, 2007, City Council adopted Resolution No. 2007-758 approving the original Memorandum of Understanding (MOU) between the City and the District to identify the specific obligations of each party with respect to the design, environmental review, construction, project management, and payment for all construction and improvements associated with the library, school, athletic fields, and parking lots.
- D. On September 16, 2008, City Council adopted Resolution No. 2008-629 authorizing the execution of an agreement with Regent Development, Inc. and McCarthy Building Companies, Inc. for the construction of the Library and related improvements.
- E. This amendment is necessary in order to clarify and fairly apportion the City's and District's defense and indemnity obligations in connection with approval of the construction plans and specifications, the right to effect construction change orders, the right to effect construction schedule changes, and the duty to inspect and approve construction of the project.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The City Manager or the City Manager's designee is authorized to execute Amendment No. 1 to City Agreement 2007-1090 between the City of Sacramento and the Sacramento Unified School District regarding the design and construction of the Pocket-Greenhaven Library, and related improvements.

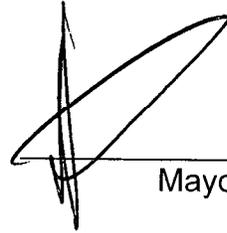
Adopted by the City of Sacramento City Council on March 17, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmembers Hammond and Tretheway.



Mayor Kevin Johnson

Attest:

  
Shirley Concolino, City Clerk