



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

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, Vice Mayor, District 7
Bonnie Pannell, District 8

DRAFT Minutes

Tuesday, May 31, 2011

6:00 P.M.

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

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

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 Action; 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, May 31, 2011

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 6:03 p.m. Tuesday, May 31, 2011 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, and Kevin McCarty, Bonnie Pannell, Jay Schenirer and Sandy Sheedy.

Pledge of Allegiance- led by Bayyinnah Drones, Youth @ City Council Program.

Closed Session Report

1. Regarding the first closed session item, the City Council unanimously voted to authorize the City Attorney to commence a breach of contract action by the City against Balfour Beatty.
2. As for the third closed session item the City Council voted unanimously to authorize the City Attorney to file an interpleader action depositing certain funds with the Superior Court and serving the complaint on Reynen Bardis and S360 Holdings LLC.

Special Presentations/General Communications

Older American's Month

Report # 2011-00545 **Estimated Time: 5 min** (Actual Time: 5 minutes)

Location: Citywide

Contact: Lisa Serna Mayorga, Operations Manager, (916) 808-5407, Office of the Mayor and City Council

Action: Presented to Dorothy McElroy.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 6 minutes)

1. Budget-General
 - a. Mark Tyndale
2. Senior Issues
 - a. Bill Grant
3. Budget Issues fire and Police
 - a. Marlene Murphy

Consent Calendar (Items 1 - 13) Estimated Time: 5 minutes (Actual Time: 6 minutes)

- Action:** **Moved/Seconded:** Member Robert King Fong/Member Steve Cohn
- Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson.

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

1 Confirmation of Boards/Commission Appointments

Report # 2011-00506

Location: Citywide

Action: Confirmed board/commission appointment(s): 1) City Planning Commission – William K. Wong (Category A-7); 2) Sacramento Army Depot Redevelopment Advisory Committee – John Barney and Gary Johnson (Category A), Michelle Steeb (Category B-1) and Diana M. Portillo (Category B-4).

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

2 April 2011 Monthly Investment Transactions Report

Report # 2011-00479

Location: Citywide

Action: Received and filed.

Contact: Lydia Abreu, Investment & Operations Manager, (916) 808-7746, Office of the City Treasurer

3 Purchase Agreements: Refuse, Recycle and Yard (Green) Waste Containers [2/3 Vote Required]

Report # 2011-00269

Location: Citywide

Action: Moved/Seconded: Member Kevin McCarty/Member Sandy Sheedy

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson.

Public comment heard from Craig Powell and Marian Ender; and a motion passed adopting **Resolution No. 2011-309** 1) rejecting all bids submitted under Bid No. B111711001; 2) suspending competitive bidding in the best interest of the City; and 3) authorizing the City Manager or designee to execute dual agreements, one with Otto Environmental Systems, LLC in an amount not to exceed \$11,514,423.75, and the second with Toter Incorporated in an amount not to exceed \$3,838,141.25 for the purchase of refuse, recycle, and yard (green) waste containers.

Contact: William Skinner, Integrated Waste Collection Superintendent, (916) 808-4932, Department of Utilities

- 4 Agreement: Contribution to the Costs of an Integrated Regional Water Management (IRWM) Grant Application**
Report # 2011-00481
Location: Citywide
Action: Adopted **Resolution No. 2011-310** authorizing the City Manager to execute an inter-agency agreement with the Regional Water Authority to contribute to the costs of an Integrated Regional Water Management (IRWM) Grant Application.
Contact: Sarah Foley, Program Manager, (916) 808-1997; Kathy Howard, Administrative Analyst, (916) 808-1995, Department of Utilities
- 5 FY2011/2012 Proposed Operating Budget for the Sacramento City-County Office of Metropolitan Water Planning**
Report # 2011-00429
Location: Citywide
Action: Adopted an intent motion to approve the FY2011-12 Proposed Operating Budget for the Sacramento City-County Office of Metropolitan Water Planning.
Contact: Tom Gohring, Executive Director, (916) 808-1998; Sarah Foley, Program Manager - Department of Utilities
- 6 Reimbursement of Costs between Department of Utilities (DOU) Funds and the General Fund**
Report # 2011-00448
Location: Citywide
Action: Adopted **Resolution No. 2011-311** authorizing 1) an inter-fund reimbursement from the Solid Waste Fund (Fund 6007) in the amount of \$184,229 to the General Fund (Fund 1001) for the reimbursement of Sacramento 311 services provided, and
2) an inter-fund reimbursement from the General Fund (Fund 1001) to reimburse the Water Fund (Fund 6005) for the Sacramento Zoo Offsite Water Main Extension costs plus interest.
Contact: Jamille Moens, Business Services Manager, (916) 808-5988; Salina Cheung, Program Specialist, (916) 808-1463, Department of Utilities
- 7 K Street Streetscape Funding Application (B18217000)**
Report # 2011-00511
Location: K Street between 8th Street and 12th Street, District 1
Action: Adopted **Resolution No. 2011-312:** 1) authorizing staff to submit a grant application to the Federal Highway Administration for \$450,000 to complete construction documents for the K Street Streetscape Project and b) authorizing use of \$100,000 from the K Street Streetscape Capital Improvement Project (CIP B18217000, Fund 3701) for the matching funds.
Contact: Denise Malvetti, (916) 808-7064 and Azadeh Doherty, (916) 808-3137, Economic Development Department

- 8 Citywide Landscaping & Lighting Assessment District - Initiate Annual Proceedings Fiscal Year 2011/12**
Report # 2011-00215
Location: Citywide
Action: Adopted 1) **Resolution No. 2011-313** directing filing of Annual Report for Fiscal Year (FY) 2011/12 for the Citywide Landscaping and Lighting Assessment District; and 2) **Resolution No. 2011-314** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2011/12 for the Citywide Landscaping and Lighting Assessment District and setting a time and place for a Public Hearing for June 21, 2011.
Contact: Brian Wong, Program Specialist, (916) 808-5788, Mark Griffin, Program Manager, (916) 808-8788, Finance Department
- 9 Supplemental Agreement: On-Call Master Consultant Services List for Public Facilities**
Report # 2011-00304
Location: Citywide
Action: Adopted **Resolution No. 2011-315:** 1) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 5 in amounts not to exceed \$150,000 or \$300,000 with 18 firms from the On-Call Master Consultant Services List for Public Facilities, as specified in Exhibit A of the Resolution, provided there are sufficient funds available in the budget adopted for fiscal year 2011/12; and 2) ratifying all previous supplemental agreements issued under City Manager authority.
Contact: Yadi Kavakebi, Facilities Superintendent, (916) 808-8432; Reina J. Schwartz, Director, (916) 808-7195, Department of General Services
- 10 Agreement: School Resource Officer Program**
Report # 2011-00488
Location: Citywide
Action: Adopted **Resolution No. 2011-316:** 1) authorizing the Interim City Manager, or the Interim City Manager's designee, to increase the Sacramento City Unified School District (SCUSD) School Resource Officer (SRO) Externally Funded Program (EFP – #E11005000) revenue and expense budgets by \$320,000 for overtime costs billed to and paid by SCUSD under City Council Agreement 2009-0908.
Contact: Dan Schiele, Captain, South Command, (916) 808-6150, Police Department.
- 11 Annexation: Portion of River Park into the Residential Permit Parking Program**
Report # 2011-00484
Location: Balboa Court, Cisco Court, Hale Court, Seward Court, Sandburg Drive, and Carlson Drive, District 3.
Action: Adopted **Resolution No. 2011-317** annexing Balboa Court, Cisco Court, Hale Court, Seward Court, and portions of Sandburg Drive and Carlson Drive into the Campus Commons Residential Permit Parking Area (J) and regulate with "No Parking 2:00 pm to 6:00 pm June through August, Except with Permit."
Contact: Paul Sheridan, Program Analyst, (916) 808-6817, Department of Transportation

- 12 Contract/Supplemental Agreement/Agreement: Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300)**
Report # 2011-00457
Location: District 1
Action: Adopted **Resolution No. 2011-318:** 1) approving the plans and specifications for the project; 2) awarding the construction contract to O.C. Jones & Sons, Inc. for an amount not to exceed \$6,196,504; 3) authorizing the City Manager to execute Supplemental Agreement No. 6 for an amount not to exceed \$45,000 with David Evans and Associates, Inc.; 4) authorizing the City Manager to execute a Professional Services Agreement with the Psomas to provide construction management for an amount not to exceed \$350,000; 5) reducing the Federal Grant (Fund 3703) revenue and expense budget by \$856,172 for the project; and 6) resetting the City Manager's agreement authority with David Evans and Associates, Inc.
Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager (916) 808-5065, Department of Transportation
- 13 Change Order: Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800)**
Report # 2011-00489
Location: Districts 3 and 6
Action: Adopted **Resolution No. 2011-319:** 1) authorizing the City Manager to execute Change Order No. 3 to Contract 2010-535 in an amount not to exceed \$140,710 with Martin General Engineering Inc. for the project; 2) resetting the City Manager's administrative authority; and 3) transferring \$225,000 from Major Street Improvements Project (T15118000) (Fund 2007) to the project.
Contact: Ofelia Avalos, Assistant Engineer, (916) 808-5515; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Public Hearings (Item 14 - 15)

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

- 14 (Redevelopment Agency/City Council) Transfer of St. Rose of Lima Park, a Portion of the Docks Riverfront Promenade/Pioneer Landing Park and a Portion of J. Neely Johnson Park**
Report # 2011-00406 **Estimated Time: 10 Minutes** (Actual Time: 5 minutes)
Location: Waterfront, 7th and K, and 11th between E and F Street, District 1
- Action: Moved/Seconded:** Member Angelique Ashby/Member Jay Schenirer
- Yes:** Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.
- Absent:** Member Sandy Sheedy

Conducted a public hearing and upon conclusion, a motion **passed** adopting 1) **Redevelopment Agency Resolution No. 2011-027**: a) authorizing the Executive Director, or her designee, to enter into a Transfer Agreement and Regulatory Agreements with the City of Sacramento for the transfer of St. Rose of Lima Park, a portion of the Docks Riverfront Promenade/Pioneer Landing Park and a portion of J. Neely Johnson Park, and to carry out all activities reasonably necessary to accomplish these property transfers, b) authorizing the Executive Director, or her designee, to execute an Assignment Agreement for the Lease of a portion of St. Rose of Lima Park for the 717 K Street Building Public Access and Outdoor Restaurant Seating, and c) make related findings; 2) **City Resolution No. 2011-320**: a) authorizing the Interim City Manager, or his designee, to execute a Transfer Agreement and Regulatory Agreements with the Agency for the transfer of St. Rose of Lima Park, Docks Riverfront Promenade/Pioneer Landing Park and J. Neely Johnson Park and to carry out all activities reasonably necessary to accomplish this transfer of properties, including the execution and recordation of a Certificate of Acceptance, b) authorizing the Interim City Manager, or his designee, to execute an Assignment Agreement for the Lease of a portion of St. Rose of Lima Park for 717 K Street Building Public Access and Outdoor Restaurant Seating, and c) make related findings.

Contact: Denise Malvetti, Sr. Development Project Manager, (916) 808-7064; Richard Sanders, Real Property Agent, (916) 808-7034, Economic Development Department; Mary de Beauvieres, Principal Planner, (916) 808-8722, Department of Parks and Recreation; Celia Yniguez, Redevelopment Manager, (916) 449-6255, Sacramento Housing and Redevelopment Agency

- 15 Citywide Fees and Charges Update (Noticed on 5/3/10 and 5/10/11)**
Report # 2011-00430 Estimated Time: 20 Minutes (Actual Time: 1 minutes)
Location: Citywide

Action: Moved/Seconded: Member Robert King Fong/Member Steve Cohn

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy and Mayor Kevin Johnson.

Continued to June 14, 2011 to conduct a public hearing and upon conclusion, adopt a Resolution approving proposed new fees and fee increases.

Contact: Jason Bader, Senior Management Analyst (916) 808-5817, Finance Department.

Discussion Calendar (Item 16)

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

- 16 Budget Hearing: Fiscal Year (FY) 2011/12 Proposed Budgets for the City’s Partner Organizations: Sacramento Public Library, Sacramento Convention and Visitors Bureau, Human Rights Fair Housing Commission and the Sports Commission and receive Supplemental Budget Information as available.**
[To Be Delivered]
Report # 2011-00435 Estimated Time: 60 Minutes (Actual Time: 70 minutes)
Location: Citywide

Action: Moved/Seconded: Member Jay Schenirer/Member Kevin McCarty

Yes: Members Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, and Mayor Kevin Johnson.

No: Members Angelique Ashby and Sandy Sheedy

Public comment heard from Allison Yamamoto, Mary Walton, Bob Gorham, Sheri Newman, Eric Webb, Mary Joy, Bonnie Bartholomew, Kathi Windheim, Kenji Bennett, Scott Newman, Kathleen Johnson, Pauline Grenbeaux, Jeff Rubin, Alice Levine, Linden Tarr; an intent motion **passed** approving the FY2010/11 budget as proposed.

Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department

Council Comments-Ideas, Questions and Meeting/Conference Reports

None.

Adjourned- at 7:55 pm.