



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

CONSENT
May 25, 2010

Honorable Mayor and Members of the City Council, Financing Authority
Housing Authority, and Redevelopment Agency

Title: Approval of Council Minutes for May 11, 2010

Location/Council District: (Citywide)

Recommendation:

Approve the City Council, Financing Authority, Housing Authority and Redevelopment Agency minutes for May 11, 2010.

Contact: Shirley Concolino, City Clerk, (916) 808-7200

Presenters: None

Department: City Clerk

Division: None

Organization No: 04001011

Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

ESBD Considerations: Not Applicable.

Respectfully Submitted by:


Shirley Concolino, City Clerk

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Minutes for May 11, 2010

DRAFT Minutes

Tuesday, May 11, 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 6:06 p.m. Tuesday, May 11, 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 Bentley Shine, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Youth of the Month Presentation**
Action: Presented by Councilmember Sheedy to Alana Gerasimchuk.
- b. **Honoring the Extraordinary Publicity Efforts on Behalf of the One Day to Prevent Homelessness Campaign**
Action: Presented by Councilmember Fong to representatives from KFBK, KCRA, and Sacramento News and Review.
- c. **Gunther's Ice Cream 70th Anniversary**
Action: Presented by Councilmember Hammond to Rick and Marlena Klopp.

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

(Actual Time: 13 minutes)

1. Safeground and Homelessness
 - a. Tracie Rice Bailey
2. Arizona Immigration Law
 - a. Al Rojas
 - b. Paul Smith
 - c. Eva Nunez
3. Senior Issues/Hart Center
 - a. Bill Grant

Consent Calendar (Items 1 - 18) Estimated Time: 2 minutes (Actual Time: 14 minutes)

Action: Moved/Seconded: Member Robbie Waters/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.

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 April 27, 2010.

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 27, 2010.

Contact: Shirley Concolino, City Clerk (916) 808-7200, Office of the City Clerk.

2. Agreement: Management and Maintenance of the Shared City and County Emergency Operations Center (EOC)

Location: (Citywide)

Action: Adopted **Resolution No. 2010-230** authorizing the City Manager or designee to enter into a Memorandum of Agreement with the County of Sacramento for the purposes of defining the shared management and maintenance of the shared City and County Emergency Operations Center (EOC) and establishing a cost sharing agreement for costs related to EOC management, maintenance and readiness.

Contact: Jason Sirney, Emergency Services Coordinator, (916) 874-2283, Office of the City Manager.

3. Contract: Crocker Art Museum Exhibition Cases

Location: 216 O Street (District 1)

Action: Moved/Seconded: Member Robert King Fong/Member Robbie Waters

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

Noes: Member Sandy Sheedy

Action: Removed from Consent Calendar by Member Sandy Sheedy, after which a motion passed to adopt **Resolution No. 2010-231** 1) awarding the contract to provide exhibition cases for the Crocker Art Museum to Gizmo Art Production, Inc., the lowest responsive and responsible bidder, in an amount not to exceed amount of \$484,707 and authorizing the Interim City Manager or his designee to execute the contract; 2) rejecting the lowest bidder, Mill Creek Associates, as non-responsive

Member Lauren Hammond requested of the city manager, a report back on the dollars spent to date on the Crocker Art Museum including bond money.

Contact: Rebecca Bitter, Program Manager, (916) 808-5047, Convention, Culture and Leisure Department.

4. Contract: Accela Hosting and Maintenance Services

Location: (Citywide)

Action: Adopted **Resolution No. 2010-232** authorizing the City Manager to execute a contract with Accela Inc. for hosting and maintenance services in an amount not to exceed \$1,440,500 for five years of hosting and maintenance of Accela Automation, a web-based permitting and revenue tracking system utilized by the Community Development Department and various other City departments.

Contact: John Squires, Program Analyst, (916) 808-8047, Diane Morrison, Administrative Officer, (916) 808-7535, Community Development Department.

5. (Redevelopment Agency) Creation of the 700/800 Blocks of K and L Streets Project Ad Hoc Committee

Location: South side of the 700 block of K Street, and portions of the 800 Block on K and L Streets (District 1)

Action: Adopted a **Redevelopment Agency Resolution No. 2010-021** appointing a special advisory committee comprised of the Mayor and three Council Members to review the development team qualifications and project concepts for the 700/800 Blocks of K and L Streets, the Selection Committee Actions, Staff's Action, and provide a Action to the Agency Board.

Contact: James R. Rinehart, Economic Development Director, (916) 808-5054, Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Beth Tincher, Senior Economic Development Project Manager, (916) 808-7730, Economic Development Department.

6. Agreement: North Natomas Transportation Management Association (TMA) 2010 Services

Location: North Natomas (District 1)

Action: Adopted **Resolution No. 2010-233** authorizing the City Manager to 1) execute an agreement with the TMA for services in the 2010 calendar year and 2) transfer \$118,200 from the Contingency of the North Natomas Development Fee Fund and establish a budget in a like amount to fund the TMA contract.

Contact: Mark Griffin, Fiscal Manager, Finance, (916) 808-8788, Finance Department.

7. (Pass for Publication) Ordinance Amendment: City Code Section 9.44.190 Relating to Animal Redemption Fees

Location: (Citywide)

Action: 1) Reviewed an Ordinance amending City Code Section 9.44.190 relating to animal redemption fees; and 2) passed for publication the Ordinance title as required by Sacramento City Charter section 32(c), to be adopted on May 18, 2010.

Contact: Penny Cistaro, Animal Care Services Manager, (916) 808-7433, General Services Department.

- 8. Administrative Matter: FY2008/09 Ethel MacCleod Hart Trust Fund Projects**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-234** ratifying and authorizing Staff's expenditure of funds on the United Lu Mien Exercise Program in reliance on Resolution 2009-169.
Contact: Sylvia Fort, Recreation Manager, (916) 808-8381, Rosanne Bernardy, Recreation Superintendent, (916) 808-1590, Parks and Recreation Department.
- 9. 2009 Risk Management Annual Report**
Location: (Citywide)
Action: Received and filed.
Contact: Patrick Flaherty, Risk Manager, 808-8587
- 10. Contract: 2010 Street Seal Coat Project (R15072020)**
Location: Various streets in all Council Districts
Action: Moved/Seconded: Member Steve Cohn/Member Robbie Waters
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.
Action: Public comment heard from Shawn Eldridge and a motion **passed** to adopt **Resolution No. 2010-235** 1) approving specifications for the 2010 project; 2) awarding the contract to Valley Slurry Seal Company for the project and for seal coat services on the following projects: Bike Trail Repair Project (K19000200); Greenhaven Drive and Gloria Drive Intersection Project (S15104300); Central City Two Way Conversion Project; (T15008005); and San Juan Road Overcrossing Project (T15100001), for an amount not to exceed \$2,238,490; and 3) authorizing the City Manager to sign the contract.
Contact: Greg Smith, Associate Civil Engineer, (916) 808-8364, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 11. Contract and Agreement: 6th Street Bridges Project (T15098800)** (Continued from 05-4-10)
Location: 6th Street, C to G Streets (District 1)
Action: Adopted **Resolution No. 2010-236** 1) approving plans and specifications; 2) awarding the construction contract to MCM Construction to construct two bridges on 6th Street between C and G Streets in an amount not to exceed \$4,027,645; 3) authorizing the City Manager to execute a professional services agreement with Vali Cooper & Associates for construction management services in an amount not to exceed \$600,000; and 4) transferring \$300,000 in New Measure A funds (Fund 2023) into the project from the Intermodal Transportation Facility Project (T15029000).
Contact: Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

12. New Measure A FY10 Revenue Reductions and Programming

Location: Citywide

Action: Adopted **Resolution No. 2010-237** 1) amending the FY09/10 Capital Improvement Program (CIP) by reducing several transportation program budgets in the amount of \$294,334; 2) amending the FY09/10 Department of Transportation Street Services Operating Budget Interfund Reimbursement Accounts by replacing New Measure A Maintenance (Fund 2026) in the amount of \$1,377,794 with Traffic Congestion Relief (AB2928)(Fund 2009) in the amount of \$1,377,794; and 3) amending the FY09/10 Capital Improvement Program (CIP) by removing \$1,377,794 (Fund 2009) from the Overlays and Seals Program.

Contact: Nicole Henderson, Supervising Financial Analyst, (916) 808-8242, Lucinda Willcox, Program Manager, (916) 808-5052, Transportation Department.

13. Modification of Residential Permit Parking Restrictions on the 2400 Block of 41st Street

Location: Both sides of 41st Street, from Sherman Way to Y Street (District 5)

Action: Adopted **Resolution No. 2010-238** restricting parking on 41st Street, from Sherman Way to Y Street, with "No Parking Anytime, Except with Permit."

Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.

14. Annexation of a Portion of 56th Street into the Sutter Hospital Residential Permit Parking Area (A).

Location: Both sides of 56th Street, from H Street to the H/J Street Alley (District 3)

Action: Adopted **Resolution No. 2010-239** annexing 56th Street, both sides, from H Street to the H/J Street Alley, into the Sutter Hospital Residential Permit Parking Area (A) and regulate with "Two Hour Parking, Except with Permit."

Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.

15. Cooperative Agreement: Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300)

Location: The Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project is located just north of Downtown (District 1)

Action: Adopted **Resolution No. 2010-240** authorizing the City Manager to execute a Cooperative Agreement with Caltrans for the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300).

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

16. Agreement: Consent to Groundwater Substitution Transfer with Sacramento Suburban Water District

Location: (Citywide)

Action: Adopted **Resolution No. 2010-241** as amended 1) authorizing the City Manager to sign an Agreement for Consent to Groundwater Substitution Transfer with Sacramento Suburban Water District (SSWD) allowing SSWD to sell water that SSWD receives under a wholesale water supply agreement with the City as part of the 2010 Water Transfer program; 2) ratifying the petition previously filed with the State Water Resources Control Board for temporary transfer of surface water and authorizing the City Manager and the City Manager's designees to take such other administrative actions as may be necessary to effectuate the transfer and sale of this water; and 3) authorizing the City Manager to accept the revenue from the sale of the water into the water fund (6005) and to adjust the revenue and expenditure budgets for the water fund (6005) for the sale of the water in an amount up to \$236,338.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

17. Grant/Agreements: U.S. Bureau of Reclamation FY2010 Grant Application (Z14010000)

Location: (District 7)

Action: Adopted **Resolution No. 2010-242** 1) authorizing the City Manager to submit an application for U.S. Bureau of Reclamation's (USBR's) Watersmart Water and Energy Efficiency Grants FY2010 (Grant) for the Water Meter Retrofit Project, and to execute all agreements related to the Grant if the Grant is awarded; 2) authorizing the Director of Utilities and the Director's designees as the City's agent to conduct all negotiations and submit all documents required in connection with the Grant application and the Grant, if awarded, including applications, payment requests, and documentation of compliance with all requirements applicable to the Grant and completion of the project funded by the Grant; 3) authorizing the City Manager to establish related revenue and expenditure budgets for the Grant funds of \$1 million to the Residential Water Meter Project (Z14010000) contingent on receipt of Grant award; and 4) including other provisions required under the applicable USBR guidelines.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Rick Matsuo, Supervising Engineer, (916) 808-1728, Utilities Department.

18. Rejection of Bids: Sacramento Intermodal Facility, Track Relocation Project (T15029000)

Location: Downtown near Sacramento Valley Station, between I Street Bridge and 7th Street (District 1)

Action: Adopted **Resolution No. 2010-243** rejecting all bids for the Track Relocation Project which would relocate the existing Union Pacific Railroad (UPRR) mainline tracks, build new passenger platforms and access tunnels, relocate existing utilities, and install new utilities.

Contact: Jon Blank, Supervising Civil Engineer, (916) 808-7914, Transportation Department.

Public Hearings (Items 19 - 21)

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

- 19. Estimated Time: 2 minutes** (Actual Time: 1 minute)
Marina Fee Revision (Noticed on 3-15-10 and 3-12-10, Continued from 3-23-10)
Location: 2710 Ramp Way (District 4)
Action: Moved/Seconded: Member Robert King Fong/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.
Action: A motion passed to **continue to May 25, 2010.**
Contact: Clair Camper, Marina Manager, (916) 808-5712, Barbara Bonebrake, Director, Convention, Culture & Leisure, (916) 808-8225, Convention, Culture and Leisure Department.
- 20. Estimated Time: 15 minutes** (Actual Time: 46 minutes)
Fiscal Year 2010/11 Proposed Budget Kickoff (Noticed on 4-23-10)
Location: (Citywide)
Action: Public comment received by Betty Williams; received and filed.
Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.
- 21. Estimated Time: 10 minutes** (Actual Time: minutes)
Digital Billboard Project and Sign Code Amendment (M09-035 and P09-055)
(Noticed on 4-16-10 and 4-29-10)
Location: Site 1: North side of I-80, east of Northgate Blvd and adjacent to the Western Pacific RR line and west of Pell Dr (Highway 80 site)/ District 2 Site 2: North of Business 80 at Fulton Avenue (3630 Fulton Ave)/ District 2 Site 3: West side of HWY 99, S. of Mack Road across from Kaiser Hospital/ District 8 Site 4: West of Interstate 5 at 240 Jibboom St/ District 1
Action: Moved/Seconded: Member Bonnie Pannell/Member Robbie Waters
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.
Action: Conducted a public hearing with no public comment; and upon conclusion, a motion **passed** adopting a) **Resolution No. 2010-244** approving the Mitigated Negative Declaration and Mitigation Monitoring Plan; b) **Ordinance No. 2010-011** amending Sections 15.148.815 and 15.148.1170 of the City Code relating to digital billboards on city property; c) **Ordinance No. 2010-012** approving a Rezone of approximately 1.1 gross acres of Agricultural (A) to the Light Industrial (M-1) zone, and publish the ordinance per City Charter 32(d); and d) **Resolution No. 2010-245** approving the Billboard Relocation Agreement to allow for the construction of four new digital billboards on four separate City-owned properties.
Contact: Sandra Yope, Senior Planner, (916) 808-7158, Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.

Discussion Calendar/Staff Reports (Items 22 and 24)

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

- 22. Estimated Time: 30 minutes** (Actual Time: 15 minutes)
Economic Background for City Budget Hearings [To Be Delivered]
Location: (Citywide)

Action: Received and filed.

Contact: Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer.

- 23. Estimated Time: 30 minutes** (Actual Time: 22 minutes)
Lease Agreements: Digital Billboards on City-Owned Sites
Location: (Citywide)

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.

Public comment heard from Efren Gutierrez and a motion **passed** adopting **Resolution No. 2010-246** 1) approving four separate leases between the City of Sacramento and Clear Channel Outdoor, Inc. governing the installation and operation of digital billboards on four city-owned sites located at the north side of Interstate 80 east of Northgate Boulevard (APN: 237-0031-36), Business 80 and Fulton Avenue (3630 Fulton Avenue, APN: 254-0310-002), west side of Highway 99, south of Mack Road (APN: 117-0170-067), and west side of Interstate 5 south of Richards Boulevard (240 Jibboom Street, APN: 001-0190-015); 2) authorizing the City Manager to execute the leases on the City's behalf.

Contact: Tom Zeidner, Senior Development Project Manager, (916) 808-1931, Economic Development Department.

- 24. Estimated Time: 15 minutes** (Actual Time: 16 minutes)
City Positions on June 2010 Statewide Ballot Measures
Location: (Citywide)

Action: Public comment heard from Arlen Orchard and a motion **passed** adopting **Resolution No. 2010-247 as amended** approving City positions for propositions on the June 2010 state ballot as follows:

Proposition 13: Limits on Property Tax Assessment, Seismic Retrofitting of Existing Buildings, Legislative Constitutional Amendment

Action: Support Position

Moved/Seconded: Member Lauren Hammond/Member Robert King Fong

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

Proposition 14: Primary Election Process Reform, Greater Participation in Elections

Action: Neutral Position

Moved/Seconded: Member Kevin McCarty/Member Robert King Fong

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

Proposition 15: California Fair Elections Act

Action: Support Position

Moved/Seconded: Member Kevin McCarty/Member Lauren Hammond

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

No: Member Steve Cohn.

Proposition 16: Imposes New 2/3 Voter Approval Requirement for Local Public Electricity Providers. Initiative Constitutional Amendment.

Action: Oppose Position

Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy

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

Proposition 17: Allows Auto Insurance Companies to Base Prices in Part on a Driver's History of Insurance Coverage. Initiative Statute.

Action: Oppose Position

Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy

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

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

None.

2. Board/Commission Appointments

- a. Sacramento Army Depot Redevelopment Advisory Committee
 1. Jerry Mayberry
 2. Jay Narayan
 3. Doug Smoot
 4. Jeff Coburn
- b. Del Paso Heights Redevelopment Advisory Committee
 1. Kaying Thao
 2. Mirna Pelayo
 3. Anthony Colson
- c. Compensation Commission
 1. Evelyn Chin
 2. David Kawada
- d. Small Business Development and Employment Advisory Board
 1. Debra Anne Ichimura
 2. Ognian Gavrilov
- e. Sacramento City/County Bicycle Advisory Board
 1. Kevin Boll
 2. Christian Farland
- f. Sacramento Disability Advisory Commission
 1. Darlene Anderson
 2. Evangeline Skierka
- g. Sacramento Tourism Business Improvement District
 1. Howard Harris

3. Ad Hocs

- a. 700/800 Block of K Street
 1. Rob Fong
 2. Ray Tretheway
 3. Steve Cohn
 4. Mayor Kevin Johnson

Adjourned - 8:58 p.m.in memory of Dorothy Heights