

MINUTES

OF THE

**SACRAMENTO CITY COUNCIL
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
HOUSING AUTHORITY OF THE CITY OF SACRAMENTO
ECONOMIC DEVELOPMENT COMMISSION
SACRAMENTO CITY FINANCING AUTHORITY**

REGULAR MEETING

October 1, 1998

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 2:04 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Council members Cohn, Fargo, Hammond, Kerth, Pannell, Steinberg, Waters, Yee and Mayor Serna

Absent: None

1.0 CONSENT CALENDAR (Items 1.1 through 1.10)

A motion was made by Council member Waters, seconded by Council member Hammond, to waive the reading and adopt the Consent Calendar, Items 1.1 through 1.10. The motion carried with a 9-0 vote.

Public Review Items - Informational Only

None

Sacramento Housing and Redevelopment

None

City Council

- 1.1 Ford Road Realignment Project (PN:TT11), located on Ford Road at Norwood Avenue. (D-2)
- A. Approve plans and specifications;
 - B. Approve fund appropriation in the amount of \$113,200 for the Ford Road Realignment; approve Amendment #1 to AG98-044
 - C. Adopt Mitigation Monitoring Plan from the Del Paso Nuevo Environmental document ratified and approved on March 10, 1998; and
 - D. Award the construction contract to R.C. Collet, Inc., in the amount of \$495,750.

Adopted (A) Staff Recommendation, (B) Resolution 98-488, (C) Resolution 98-489 and (D) Staff Recommendation awarding Contract 98-157.

RESOLUTION 98-488

RESOLUTION APPROVING THE APPROPRIATION OF \$626, 900 TO THE FORD ROAD REALIGNMENT PROJECT (PN:TT11)

RESOLUTION 98-489

RESOLUTION ADOPTING THE MITIGATION REPORTING PLAN FOR FORD ROAD REALIGNMENT PROJECT (PN:TT11)

- 1.2 Supplement No. 7 to City Manager Agreement No. 93-280 with the CSUS California Center for Public Dispute Resolution for the City-County Office of Metropolitan Water Planning for an amount not to exceed \$120,000. (City-County)
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Adopted Resolution 98-490.

RESOLUTION 98-490

RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE SUPPLEMENT NO. 7 TO CITY MANAGER AGREEMENT NO. 93-280 WITH THE CSUS CALIFORNIA CENTER FOR PUBLIC DISPUTE RESOLUTION TO PROVIDE FACILITATION/MEDIATION SERVICES FOR THE CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING IN AN AMOUNT NOT-TO-EXCEED \$120,000.

- 1.3 Natomas Community Center located at the northwest corner of Truxel Road and Bannon Creek Drive (CIP LB06). (D-1)
- A. Ratify the Negative Declaration for acquisition of the Truxel Road Site;
 - B. Authorize the City Manager to execute an Agreement for the purchase of Real Property described as APNs: 225-0570-049, 225-0570-051 and 225-0230-070 and to execute such additional documents and take such additional actions as necessary to implement the agreement; and
 - C. Designate the subject site for the Natomas Community Center.
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Withdrawn by staff.

- 1.4 Approval of Bid Protest Fee and Hearing Examiners. (D-All)
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Adopted Resoluton 98-491.

RESOLUTION 98-491

A RESOLUTION ESTABLISHING BID PROTEST FEE AND APPOINTING A PANEL OF BID PROTEST HEARING EXAMINERS

- 1.5 Approval of agreement with the Sacramento Tree Foundation to administer the approved Petroleum Violation Escrow Account (PVEA) Grant Funding for the Oak Park Neighborhood. (D-5)
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Adopted Resolution 98-492 approving Agreement 98-163.

RESOLUTION 98-492

RESOLUTION TO APPROVE THE AGREEMENT WITH THE SACRAMENTO TREE FOUNDATION TO ADMINISTER THE PETROLEUM VIOLATION ESCROW ACCOUNT (PVEA) GRANT FUNDING.

- 1.6 Transportation/Air Quality Forum Process - Exploratory Evaluation. (D-All)
- A. Direct staff to proceed with the exploratory evaluation phase of the Countywide Transportation/Air Quality Forum process; and
 - B. Conceptually approve funding for the City of Sacramento's share of the exploratory evaluation, up to \$35,000 from the Measure A Sales Tax administrative contingency.
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Adopted Staff Recommendations (A & B).

- 1.7 Request to open an application period for the North Sacramento Project Area Committee due to the October 30, 1998 term expirations scheduled for S. Lemmon, E. McCleary, R. Morgan, E. Warren, E. Fernandez, H. Bird and G. Jorn, two vacant positions, and resignation of R. Slobe. (D-2)
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Application period opened; applications due October 23, 1998.

- 1.8 Request to reopen an application period for the Board of Plumbing Examiners due to the 06/17/98 term expiration for R. Bertacchi. (D-All)
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Application period opened; applications due October 16, 1998.

- 1.9 *Union Pacific Rezoning (M98-036)* - Resolution initiating a Community Plan Amendment from Intensive Mixed Use to Residential Mixed Use in the R Street Corridor Planning Area and a rezone from Office Building Mixed Use (OB-W-SPD) to Residential Mixed Use (RMX-SPD) in the R Street Corridor Special Planning District for the property generally located between 3rd, 5th, Q, and R Street (APNs: 006-0252-004 and 005; 006-253-008, 014, 016, 017). (D-1)
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Adopted Resolution 98-493.

RESOLUTION 98-493

RESOLUTION AUTHORIZING STAFF TO INITIATE A COMMUNITY PLAN AMENDMENT FROM INTENSIVE MIXED USE TO RESIDENTIAL MIXED USE IN THE R STREET CORRIDOR PLANNING AREA AND A REZONE FROM OFFICE BUILDING MIXED USE (OB-W-SPD) TO RESIDENTIAL MIXED USE (RMX-SPD) IN THE R STREET CORRIDOR SPECIAL PLANNING DISTRICT FOR THE PROPERTY GENERALLY LOCATED BETWEEN 3RD, 5TH, Q AND R STREET (APN's:006-0252-004 AND 005;006-253-008,014,016,017)

- 1.10 Sale of real property located at Auburn Boulevard and Watt Avenue, described as APN: 240-0341-002 the north side of Auburn Boulevard, between Watt Avenue and Interstate 80 on ramp, to Auburn-Watt Storage Partners. (D-2)

- A. Find that it is in the best interest of the City to sell the subject real property without competitive bidding, in accordance with Section 12.07.170 of the Sacramento City Code;
- B. Authorize the City Manager to execute an Agreement for Sale of Real Property with Auburn-Watt Storage Partners; and
- C. Approve recovery of staff costs relative to the sale of the property from the sale proceeds.

Continued to October 6, 1998 (staff)

2.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

None

3.0 PUBLIC HEARINGS

- 3.1 *53rd and Folsom Rezone* - ordinance amending the districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended, by removing 0.63± developed acres of property located at 5230 Folsom Boulevard from the Standard Single Family (R-1) Zone and the General Commercial (C-2) Zone and placing the same in the General Commercial Review (C-2-R) Zone (P97-126), (APN: 008-0433-022). [PFP'd 9/22/98, item 3.1] (D-3)

A motion was made by Council member Hammond, seconded by Council member Pannell to continue this item to October 6, 1998 for re-noticing. The motion carried with a 9-0 vote.

- 3.2 *Golden One Credit Union Rezone* - ordinance amending the Districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series as amended by rezoning properties located at 6507 4th Avenue from Light Industrial (M-1) to General Commercial (C-2) (P98-069) (APN: 015-0023-006 and 008). [PFP'd 9/22/98, item 1.5] (D-6)

There was no discussion on this item.

A motion was made by Council member Steinberg, seconded by Council member Fargo, to close the hearing and adopt Ordinance 98-039. The motion carried with a 8-0 vote, with Council member Cohn being absent.

ORDINANCE 98-039

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES AS AMENDED BY REZONING PROPERTIES LOCATED 6507 4TH AVENUE FROM LIGHT INDUSTRIAL (M-1) TO GENERAL COMMERCIAL (C-2) (APN 015-0023-006 AND 008) (D6)

4.0 **STAFF REPORTS**

4.1 General Fund outlook with and without 1/4 cent sales tax. [continued from 9/15/98, item 4.3]. (D-All)

Bill Edgar, City Manager, presented the report. He stated that the staff report contained three possible six-year scenarios for the General Fund. These were: 1.) Status Quo General Fund Projection (Deficit); 2.) Adjusted General Fund Projection with 1/4 Cent Sales Tax; and 3.) Adjusted General Fund Projection without 1/4 Cent Sales Tax.

Mr. Edgar stated that this was an on-going budget planning process. Staff had met with various employee groups. Mr. Edgar stated that this report was closely related to the previously presented Five Year Plan of a month ago. Revenues were coming in somewhat better than projected. He reported that an important piece of the puzzle was the passage of Measure M and the 1/4 cent tax.

Mr. Edgar suggested it would not make sense to ask voters to pass the sales tax and then reduce Fire and Police protection. But he reported that Council would be asked to exempt Fire and Police from future cuts. He informed everyone that the additional police grant had been obtained and would assist in funding extra officers in the future, or at least maintain minimum staffing.

Mr. Edgar concluded with a brief reference to the charts attached to the report, and offered that he and Betty Masuoka were available to answer any questions.

Council member Hammond stated that she did not wish to use further grant money for officers. She was aware of the revisions and reorganization planned in the Police Department and suggested grant money be used for tangibles and one-time expenses such as cameras for the police cars. Ms. Hammond stated that any money left over due to the conservative budgeting should be brought before Council regarding its use.

Council member Fargo determined that Council was not actually choosing a course of action today, but simply looking at the long range options. She agreed that grant money should be used for one time costs. She suggested that we may be in an era when more public safety money would come from Federal and State grants. She stated the City should continue to pursue grants and use them effectively.

Mr. Edgar did not believe Federal grants would continue indefinitely, but if so, the City would need to change accordingly. He reported a \$35 million problem regarding police grants.

Council member Cohn stated that decisions needed to be made on a case-by-case basis. He questioned looking at funding another Fire Truck Company to restore the level of service that had been lost.

Betty Masuoka, Deputy City Manager, responded that staff had looked at adding a fourth Fire Company, but had not found a way to fit it in the budget. She stated that revenue and expenditures were already out of balance in the projections.

Council member Kerth stated he believed the City should not avoid increases in police protection because of worries of negative financial impacts years into the future. He suggested Council worry about those impacts when they were faced with them, and in the meantime do what was

needed. He suggested increased police protection and continued pursuit of grants.

Council member Steinberg agreed the City should continue to pursue grants. He asked if the latest grant were contingent on approval of Measure M.

Mr. Edgar replied that staff was holding the grant out. He said it would be easier to accept with Measure M assurance.

Council member Steinberg suggested using the sales tax to increase police and fire protection and bring back what was lost. He stated that general government would suffer greatly unless the City found a way to mitigate the impact. He wanted to know what the City would do to mitigate the impact on parks and other services and amenities.

Mr. Edgar responded that staff was looking at privatization, outsourcing and legislative strategy. He assured that there was no immediate crisis. The concern would be when the grants ran out in a couple of years. He stated that so far revenues were better than projected.

Mr. Steinberg believed the City should try to reassure the public that there would not be large cuts. He stated the City needed to find ways to provide services at less cost and with better efficiency.

Mr. Edgar stated the goal was to maintain the service level with a reduced budget, but that was very difficult to achieve.

Council member Yee questioned the City's commitment when accepting grants. Mr. Edgar replied that Sacramento had a hardship waiver and was not concerned about matching funds. He said the concern was when the grants ran out.

Mr. Yee recommended pursuing every grant if the City could pay its portion. His concerns were paying the City's share in the future, and the grants running out.

PUBLIC TESTIMONY

Steven Campas, Sacramento Police Officers Association, spoke in support of the item and applauded Mr. Edgar for including employee labor representatives. He was pleased that labor was consulted regarding strategies and looking for alternative funding. Mr. Campas supported legislation that would put a cap on the amount of money the State could take from cities.

Mr. Yee clarified that he supported the staff proposals, but if there were no 1/4 cent revenue, he questioned how the City would pay.

Mr. Campas suggested that labor and government continue to cooperate in seeking alternative funding. Mr. Yee agreed, stating that Fire and Police should be City Council priorities.

Jim Lattrell, President of Sacramento Fire Fighters Local 522, stated support for Measure M. He believed it was a bail-out, and not enough funding. He stated he wanted to keep people, not add them.

Sherry Hoefling, Business Representative, Local 39, urged Council to support this item. She voiced approval for the cooperation of government and local unions and encouraged continued dialogue.

A motion was made by Council member Hammond, seconded by Council member Fargo, to adopt Resolution 98-494.

Mayor Serna spoke about the need for grants, even if Measure M did not pass. He expressed the wish to retain officers, to restore the fire company and to lessen the impact to the local government. He stated there must be local government financial reform. He did not want a Blue Ribbon Commission to study the City-State relationship. He believed in a need for constitutional amendment to put a cap on the amount the State could take from the City.

Mayor Serna went on to say the bargaining units needed to meet with the Council members and the Board of Supervisors to find what they were doing to inform the public about Measure M. He believed there was a need for an intensive campaign to get the measure passed.

The motion to adopt Resolution 98-494 passed with a 9-0 vote.

RESOLUTION 98-494

RESOLUTION DIRECTING THE CITY MANAGER TO
PROCEED WITH LONG RANGE FINANCIAL PLANNING
TO CLOSE THE PROJECTED DEFICITS BASED ON
SCENARIOS WITH AND WITHOUT REVENUE FROM AN
ADDITIONAL 1/4 CENT SALES TAX

4.2 Report Back on the use of Megan's Law. (D-All)

Jeffrey Gibson, Captain, Detective Division, Police Department, gave the report. He stated that the first CD rom was not well organized, and that the system was in disrepair. He stated that there were few guidelines about how to implement the intent of Megan's Law.

Captain Gibson stated that police officers were engaged in training, had developed procedures, and located the worst offenders. He said that many of the worst had been sent to jail. He reported figures of 37 high risk offenders in Sacramento. Of these 9 had absconded, 8 had been arrested and 20 were living in the community, 9 of these on active probation.

Captain Gibson reported that the department was prepared to begin an aggressive program. The notification process to those in the communities would begin the third week of October. Within six weeks, the patrol officers would have packets of information regarding the location of serious offenders living in their patrol area. Officers would make contact to get to know the offenders.

Mayor Serna congratulated Captain Gibson on his promotion to Captain.

Council member Cohn stated he was pleased the department was making progress regarding disseminating the information to the public. He suggested being sure to cover the border areas between the city and county. Captain Gibson assured him they were working to do a multi-jurisdictional notification.

Council member Kerth commented that staff was prudent in notifying before the procedures were in place. He questioned the method for assessing the serious offender as high risk. He wondered if this would be a high maintenance activity and expressed concern about staff time for monitoring a constantly changing situation. He suggested using automation in some way.

Captain Gibson responded that it was not a one time notification. He was looking at a more efficient automated information system to mainstream their efforts over time.

Mr. Kerth expressed concern about possible non-notifications. Captain Gibson stated it was a difficult call regarding "reasonable suspicion". There were a series of case laws for general cases but not for this specific situation. The officers would look at the individual's booking, and at what the offender was doing today. It would be a judgement call.

Mr. Kerth asked about recidivism rates. Captain Gibson did not know the rates for sex offenders, he stated that in general, recidivism was relatively high.

The report was received and filed.

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5.0 SHRA

Public Hearing

5.1 438 Ford Road - Disposition and Development Agreement; Health and Safety 33433 Report. (D-2)

Lisa Bates, Program Manager, SHRA, reported that the house was originally scheduled for demolition. SHRA was requesting approval to transfer ownership of this single-family house to Paul and Patricia Collins for relocation and rehabilitation of the house for owner-occupancy. The Agency would bear no financial obligation or liability for the relocation. The purchaser would obtain necessary financing, permits, and certification from a moving company that the house could be moved to the new site.

The Agency would approve cost estimates and rehabilitation plans for the structure. They would retain the right to demolish or rehabilitate the house at the new location if it was not permanently attached to the land and rehabilitated within the agreed upon time line. This agreement would save the Agency approximately \$11,000 in demolition costs.

Ms. Bates stated that the Agency would return to Council with a house-moving policy in order to standardize the process.

Council member Kerth established with Ms. Bates that the move would be timely, taking place on or before October 18, 1998. He stated the demolition cost seemed high. Ms. Bates explained that the demolition was a part of a larger project bid.

Council member Waters agreed about the high cost and asked if the demolition went out to bid. Again Ms. Bates explained that the demolition of the houses on this site was part of the entire project cost bid, with the demolition a subcontract. Mr. Waters requested a copy of the bid contract.

A motion was made by Council member Kerth, seconded by Council member Cohn, to close the hearing and adopt Redevelopment Agency Resolution 98-045. The motion carried with a 9-0 vote.

REDEVELOPMENT AGENCY RESOLUTION 98-045

438 FORD ROAD DISPOSITION AND DEVELOPMENT AGREEMENT; HEALTH AND SAFETY 33433 REPORT PUBLIC HEARING

Staff Reports

- 5.2 Acquisition of Units in Franklin Villa. (D-8)
 - A. Acquire eight units in Franklin Villa from Nehemiah Progressive Housing Development Corporation;
 - B. Amend HUD Account #1406, Operational Expenses, to provide funding for the purchase of eight units;
 - C. Amend the Agency budget;
 - D. Authorize the Housing Authority to accept transfer of title to, and possession if, real property acquired in Franklin Villa; and
 - E. Authorize the Housing Authority the authority to sell the eight units per home-ownership program guidelines.

A motion was made by Council member Waters, seconded by Council member Yee, to continue this item to the October 6, 1998 evening meeting. The motion carried with a 9-0 vote.

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6.0 COUNCIL IDEAS AND QUESTIONS

- 6.1 Council member Hammond advised that a constituent in her district owned three housing units which he wished to gate for the privacy of residents. The policy stated that three units were considered a gated community, and would cost twice as much to gate as two units. Ms. Hammond asked if something could be done to address that situation.
- 6.2 Council member Fargo advised that the Flood Protection Bill (SB-328) which would have authorized north area projects was not signed by Governor Wilson. She stated she was hopeful that a new governor next year might do so.
- 6.3 Council member Fargo advised that another piece of legislation (AB-80) did pass; it encouraged rehabilitation of abandoned buildings by prohibiting owners from taking tax deductions for such properties. Ms. Fargo suggested working with Code Enforcement and the City Attorney's Office to see how that policy might be implemented in the City.
- 6.4 Council member Yee requested a report back from staff as to the normal process for the demolition of a building.
- 6.5 Mayor Serna advised that he was in possession of a letter announcing the retirement of City Manager Edgar scheduled for March 26, 1999. The Mayor stated that within the next two weeks he would call an Executive Session to discuss the process for selection of the next City Manager, and to determine the desires of the Council.

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7.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON AGENDA)

None


8.0 **CLOSED SESSION**

None

ADJOURNMENT


There being no further business to come before the City Council, the meeting was adjourned at 3:21 p.m.

Submitted



Valerie A. Burrowes, City Clerk

Approved



Jammie R. Yee, Mayor