

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

**REGULAR MEETING**

December 10, 1996

**CALL TO ORDER**

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

**ROLL CALL**

**Present:** Councilmembers Cohn, Fargo, Kerth, Steinberg, Waters, Yee, and Mayor Serna

**Absent:** Councilmember Pannell

**PLEDGE OF ALLEGIANCE:** Led by Jessica Selby of Theodore Judah Elementary School

**1.0 CONSENT (Items 1.1 through 1.15)**

A motion was made by Councilmember Cohn, seconded by Councilmember Waters, to waive the reading and adopt the Consent Calendar, Items 1.1 through 1.15. The motion carried with a 7-0 roll call vote, with Councilmember Pannell being absent.

**Public Review Items - Informational Only**

None

**Sacramento Housing and Redevelopment**

None

**City Council**

- 1.1 Bid #1729, Official City Advertising - adopt specifications and award contract to The Daily Recorder, in a total amount not to exceed \$40,000 per contract year. (D-All)

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Adopted staff recommendations.

- 1.2 Renewal of contract for Douglas Wright Consulting/Smith Dawson and Andrews, for a total amount not to exceed \$90,000, providing services related to the pursuit of funding assistance for Citywide transportation projects. (D-All)
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Adopted Resolution 96-664 approving Agreement 96-152.

RESOLUTION 96-664

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SMITH, DAWSON & ANDREWS, AND DOUGLAS WRIGHT CONSULTING FOR A TOTAL AMOUNT NOT TO EXCEED \$90,000

- 1.3 1997/98 Transportation Sales Tax Expenditure Plans - City of Sacramento submittal to Sacramento Transportation Authority. (D-All)
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Adopted Resolution 96-665.

RESOLUTION NO. 96-665

RESOLUTION AUTHORIZING APPROVAL OF 1997/98 TRANSPORTATION SALES TAX EXPENDITURE PLAN; AND ACCEPTANCE OF \$719,807 INTEREST ALLOCATION OF 94/95 AND 95/96 MEASURE A TRANSPORTATION SALES TAX REVENUE INTO FUND 201 CONTINGENCY.

- 1.4 Approval of parcel map entitled "Being a Portion of the Northeast 1/4 of Section 15, T8N. R5E. M.D.B. & M", and approval of agreement with CNL Retail Joint Venture, granting temporary easement for roadway and associated purposes, located at Power Inn Road/Folsom Boulevard. (P96-053) (D-6)
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Adopted Resolution 96-666 approving Agreement 96-153.

RESOLUTION NO. 96-666

APPROVING PARCEL MAP ENTITLED "BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 15, T8N. R5E. M.D.B & M" (P96-053)

- 1.5 Arlington Park - Creekside, Phase 3, located at west side of Jacinto Avenue, 1,000 feet south of Calvine Road: (P94-032) (D-8)
- A. Approval of final map and subdivision improvement agreement with LAJ Construction, Inc.
  - B. Initiate proceedings to annex territory to the City Subdivision Landscape Maintenance District pursuant to the Landscaping and Lighting Act of 1972
  - C. Order annexation of land to the City Subdivision Landscape Maintenance District and order improvements
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Adopted (A) Resolution 96-667; approving Agreement 96-154; (B) Resolution 96-668; (C) 96-669.

RESOLUTION NO. 96-667

APPROVING FINAL MAP AND SUBDIVISION  
IMPROVEMENT AGREEMENT FOR ARLINGTON PARK;  
CREEKSIDE - PHASE 3 (P94-032)

RESOLUTION NO. 96-668

RESOLUTION INITIATING PROCEEDINGS TO ANNEX  
TERRITORY TO THE CITY OF SACRAMENTO  
SUBDIVISION LANDSCAPE MAINTENANCE DISTRICT  
PURSUANT TO THE LANDSCAPING AND LIGHTING  
ACT OF 1972

RESOLUTION NO. 96-669

RESOLUTION ORDERING ANNEXATION OF LAND TO  
THE CITY OF SACRAMENTO SUBDIVISION  
LANDSCAPE MAINTENANCE DISTRICT AND ORDERING  
IMPROVEMENTS

- 1.6 Designation of four weeks for Year 1997 in which regular City Council meetings need not be held; rescheduling of other meetings regularly scheduled for Tuesday(s) on which conflicts occur. (D-All)
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Adopted Resolution 96-670.

RESOLUTION NO. 96-670

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SACRAMENTO, CALIFORNIA, DESIGNATING  
FOUR WEEKS FOR CALENDAR YEAR 1997 IN WHICH  
REGULAR CITY COUNCIL MEETINGS NEED NOT BE  
HELD; RESCHEDULING OF OTHER MEETINGS  
REGULARLY SCHEDULED FOR TUESDAY(S) ON WHICH  
CONFLICTS OCCUR

- 1.7 City Council Rules of Procedure - Reorganization/general clean-up and minor revisions. (D-All)
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Received and filed; to return December 17, 1996 for adoption.

- 1.8 Approval of parcel map and agreement for Norwood/I-80 Business Park Unit No. 2A, located northeast of Display Way and Taylor Street. (P92-266) (D-2)
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Adopted Resolution 96-671 approving Agreement 96-155.

RESOLUTION NO. 96-671

APPROVING PARCEL MAP AND SUBDIVISION  
IMPROVEMENT AGREEMENT FOR PARCEL MAP  
ENTITLED "NORWOOD-80 BUSINESS PARK UNIT NO.  
2A" (P-92-266)

- 1.9 Parking regulations on a portion of Maita Circle, located on the south leg, from Redding Avenue to the end of the street. (D-6)
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Adopted Resolution 96-672.

RESOLUTION NO. 96-672

A RESOLUTION PROHIBITING PARKING DURING CERTAIN HOURS

- 1.10 Citation authority for new Parking Division employees in the Public Works Department. (D-All)
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Adopted Resolution 96-673.

RESOLUTION NO. 96-673

RESOLUTION GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES WITHIN THE PARKING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF THE CITY CODE OR STATE LAW

- 1.11 Bid No. 1709, Long Distance and Toll Call Services - adopt specifications and award bid to AT&T, in a total amount not to exceed \$85,000 per contract year. (D-All)
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Adopted staff recommendations approving Agreement 96-165.

- 1.12 Ordinance amending the districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended by rezoning property located at the southeast corner of West El Camino Avenue and Natomas Park Drive, by removing 3.0± acres from the Office Building Planned Unit Development (OB-PUD) Zone and placing the same in the General Commercial Planned Unit Development (C-2-PUD) Zone (P96-090). (D-1)
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Passed for publication of title and continued to December 17, 1996.

- 1.13 "R Street" Corridor Plan (M94-016) located at 2nd - 29th Streets, Q-S Streets (D-1,3,4) (PFP'd 6/18/96, item 1.20; hearing closed 8/13/96, item 10.3 with Motion of Intent adopted for final documents; cont. From 10/22/96, item 11.1)
- A. Certify Final Environmental Impact Report, adopt Findings of Fact and Statement of Overriding Considerations, adopt Mitigation Monitoring Plan for the R Street Corridor Plan
  - B. Approve the Sacramento General Plan Amendments
  - C. Approve the Central City Community Plan Amendments
  - D. Amend the Comprehensive Zoning Ordinance of the City of Sacramento
  - E. Add Section 2.99 to the Comprehensive Zoning Ordinance of the City of Sacramento
  - F. Designate the R Street Corridor as a Transit Village
  - G. Endorse consideration of the R Street Corridor for Designation as a Redevelopment Area
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Adopted (A) Resolution 96-674; (B) Resolution 96-675; (C) Resolution 96-676; (D) Resolution 96-067; (E) Resolution 96-068; (F) Resolution 96-677; (G) Resolution 96-678.

RESOLUTION NO. 96-674

A RESOLUTION OF THE CITY OF SACRAMENTO CITY COUNCIL CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED R STREET CORRIDOR PLAN

RESOLUTION NO. 96-675

RESOLUTION AMENDING THE SACRAMENTO GENERAL PLAN LAND USE MAP FOR THE R STREET CORRIDOR AREA FOR 100.2± ACRES OF HEAVY COMMERCIAL TO SPECIAL PLANNING DISTRICT, 11.5± ACRES OF COMMUNITY NEIGHBORHOOD COMMERCIAL AND OFFICE TO SPECIAL PLANNING DISTRICT, 9.2± ACRES OF HIGH DENSITY RESIDENTIAL TO SPECIAL PLANNING DISTRICT, 2.3± ACRES OF PUBLIC OFFICE TO SPECIAL PLANNING DISTRICT, 4.8± ACRES RESIDENTIAL MIXED USE TO SPECIAL PLANNING DISTRICT. (M94-016)

RESOLUTION NO. 96-676

RESOLUTION AMENDING THE CENTRAL CITY COMMUNITY PLAN TEXT, ADDING CHAPTER 11: R STREET CORRIDOR COMMUNITY PLAN; AND AMENDING THE LAND USE MAP FOR THE R STREET CORRIDOR FOR 51.1± ACRES FROM HEAVY COMMERCIAL TO RESIDENTIAL MIXED USE; 16.75± ACRES FROM HEAVY COMMERCIAL TO GENERAL COMMERCIAL; 6.9± ACRES FROM HEAVY COMMERCIAL TO INTENSIVE MIXED USE; 6.88± ACRES FROM HEAVY COMMERCIAL TO PARKS/OPEN SPACE; 1.73± ACRES FROM GENERAL COMMERCIAL TO RESIDENTIAL MIXED USE; 0.59± ACRES FROM OFFICE BUILDING TO RESIDENTIAL MIXED USE; 6.83± ACRES FROM RESIDENTIAL OFFICE TO RESIDENTIAL MIXED USE. (M94-016)

ORDINANCE NO. 96-067

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, FOR PROPERTY LOCATED SOUTH OF Q STREET, NORTH OF S STREET, EAST OF 2ND STREET AND WEST OF 29TH STREET BY REMOVING PROPERTY FROM EXISTING ZONES AND PLACING THE SAME IN NEW ZONES AS FOLLOWS: 0.59± ACRES FROM LIGHT INDUSTRIAL (M-1) TO RESIDENTIAL MIXED USE -SPECIAL PLANNING DISTRICT (RMX (SPD)); 46.12± ACRES FROM HEAVY COMMERCIAL C-4 TO RESIDENTIAL MIXED USE-SPECIAL PLANNING DISTRICT (RMX (SPD)); 5.88± ACRES FROM HEAVY COMMERCIAL (C-4) TO OFFICE BUILDING-SPECIAL PLANNING DISTRICT (OB (SPD)); 16.46± ACRES FROM HEAVY COMMERCIAL (C-4) TO GENERAL COMMERCIAL-SPECIAL PLANNING DISTRICT (C-2(SPD)); 10.9± ACRES FROM HEAVY COMMERCIAL (C-4) TO HEAVY COMMERCIAL SPECIAL PLANNING DISTRICT (C-4(SPD)); 9.55± ACRES FROM GENERAL

COMMERCIAL-REVIEW (C-2(R)) TO OFFICE BUILDING-SPECIAL PLANNING DISTRICT (OB (SPD)); 0.7± ACRES FROM GENERAL COMMERCIAL (C-2) TO RESIDENTIAL MIXED USE-SPECIAL PLANNING DISTRICT (RMX (SPD)); 4.7± ACRES FROM GENERAL COMMERCIAL (C-2) TO GENERAL COMMERCIAL-SPECIAL PLANNING DISTRICT C-2 (SPD); 6.32± ACRES FROM RESIDENTIAL OFFICE (RO) TO RESIDENTIAL MIXED USE-SPECIAL PLANNING DISTRICT (RMX(SPD)); 1.03± ACRES FROM MULTI-FAMILY RESIDENTIAL (R-5) TO RESIDENTIAL MIXED USE-SPECIAL PLANNING DISTRICT (RMX (SPD)); 4.8± ACRES FROM RESIDENTIAL MIXED USE (RMX) TO RESIDENTIAL MIXED USE-SPECIAL PLANNING DISTRICT (RMX (SPD)); 10.6± ACRES FROM MULTI-FAMILY RESIDENTIAL R-3A TO MULTI-FAMILY RESIDENTIAL-SPECIAL PLANNING DISTRICT R-3A (SPD)

ORDINANCE NO. 96-068

AN ORDINANCE ADDING SECTION 2.99 TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO (ORDINANCE NO. 2550 FOURTH SERIES, AS AMENDED) RELATING TO THE SPECIAL PLANNING DISTRICT FOR THE R STREET CORRIDOR AREA

RESOLUTION NO. 96-677

RESOLUTION TO PURSUE DESIGNATION OF THE R STREET CORRIDOR AS A TRANSIT VILLAGE PURSUANT TO AB 3512

RESOLUTION NO. 96-678

RESOLUTION DIRECTING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A REDEVELOPMENT PROJECT AREA FOR THE R STREET CORRIDOR

- 1.14 North Natomas Sphere of Influence amended - report back. (D-1)
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For Council information; received and filed.

- 1.15 Utilities Administration and Engineering Building, Art In Public Places (APP) Project, located at 1391 35th Avenue - approve agreement with Sheri Simons, in the amount of \$77,500. (D-4)
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Adopted Resolution 96-679 approving Agreement 96-156.

RESOLUTION NO. 96-679

RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND ARTIST SHERI SIMONS FOR THE UTILITIES ADMINISTRATION AND ENGINEERING BUILDING

2.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

None

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3.0 PUBLIC HEARINGS

- 3.1 *Laguna Vega South*, located east of Bruceville Road and north of Sheldon Road (P94-104) (PFP'd 12/03/96, item 1.1) (D-8):
  - A. Ratify the Negative Declaration
  - B. Approve the Mitigation Monitoring Plan
  - C. Approve the rezone of 33± vacant acres in the Rural Estates 1/4 zone to: 20± acres in the Single Family Alternative (R-1A) zone; 4.5± acres in the Agriculture Open Space (AOS) zone; and 8.5± acres in the Flood (F) zone

A motion was made by Councilmember Waters, seconded by Councilmember Fargo, to continue this item to January 7, 1997, 7:00 p.m. The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

- 3.2 State mandated Non-Disposal Facility Element addendum. (D-All)

There was no discussion on this item.

A motion was made by Councilmember Yee, seconded by Councilmember Kerth, to close the hearing and adopt Resolution 96-680. The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

RESOLUTION NO. 96-680

RESOLUTION APPROVING THE NON-DISPOSAL FACILITY ELEMENT ADDENDUM

- 3.3 Sacramento Zoo: (D-4)
  - A. Amend the Fee and Charge Report increasing admission fees effective January 1, 1997
  - B. Amend the Zoo revenue and expense budgets to fund American Zoo and Aquarium Association
  - C. Enter into an interim agreement with the Sacramento Zoological Society in the amount of \$50,000

David Martinez, Deputy City Manager, presented the report, which addressed part of the package of forms and initiatives responding to accreditation issues. Mr. Martinez indicated that it was appropriate to proceed with A, but B and C would have to be decided at a later date, following further discussion with the Land Park Neighborhood Association.

Mr. Martinez said the objective is to have the Zoological Society running the zoo by July 1, 1997.

Mayor Serna commented that the issue must be held over until January, if it could not be settled today.

Maria Baker, Zoo Director, discussed a fee increase of \$0.50, to secure the funding and staffing necessary to make the improvements required by the AZA. This increase would become effective January 1, 1997. The zoo would still provide free days, discount days, and corporate-sponsorship days; the zoo would still be involved with City programs, providing free admission coupons for AFDC families.

A General Fund Administrative Contingency augmentation to the Zoo budget in the amount of \$170,000 is also being requested in order to address AZA concerns. These funds will be allocated to fund shortfalls in the veterinary services, feed and utilities areas, and the repair of various AZA identified facility requirements.

An interim agreement with the SZS for the purpose of providing operating services such as maintenance, and animal care during the next six months prior to the operating transition on July 1, 1997.

Councilmember Cohn indicated, regarding items B and C, that he did not wish to delay; he said this was a critical issue, that to delay may jeopardize re-accreditation.

Mayor Serna felt the delay would be acceptable as long as the remaining details could be worked out in a timely manner. Councilmember Yee said the delay was a courtesy to the Land Park Community Association.

Mr. Martinez assured Council that he did not believe there was a major problem; the items would be returned on the Consent Calendar.

A motion was made by Councilmember Yee, seconded by Councilmember Fargo, to (A) adopt Resolution 96-681 as amended; "B" and "C" continued to December 17, 1996, with the understanding that the issues could be worked out and placed on the Consent Calendar on that date; otherwise, "B" and "C" would be continued to January, 1997. The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

RESOLUTION NO. 96-681

A RESOLUTION AMENDING THE CITY OF  
SACRAMENTO FEE AND CHARGE REPORT TO  
ESTABLISH FEES FOR SACRAMENTO ZOO

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4.0 STAFF REPORTS

- 4.1 Debt financing for the Sacramento Zoo's Snow Leopard Exhibit.  
(D-4)

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Maria Baker, Zoo Director, presented the report, which requests Council authorization for funding of \$275,000 to provide new quarters for the snow leopards.

The Sacramento Zoological Society has placed the construction of a new exhibit for snow leopards as its first priority for exhibit improvements for the zoo. Fundraising efforts for this project have generated \$200,000 in revenue over the past two years, which would be added to the City's \$275,000.



The Sacramento Zoo currently exhibits a pair of endangered snow leopards. These rare cats were approved for the Sacramento Zoo by the national species coordinator of the American Zoo and Aquarium Association (AZA) due to the Zoo's long and successful history of breeding exotic cats, and the fact that a new exhibit was a top priority for construction. The pair are currently located in a small size enclosure and cannot be allowed to breed until larger quarters are provided.

Zoo staff, in accordance with the Zoo 2002 Master Plan approved by City Council in 1988, wishes to significantly renovate an existing 40'x45'x20' grotto, formerly housing sloth bears, and add a new holding area. The renovation would include extensive rockwork, waterfall, and other naturalistic exhibit features depicting the Landau River Gorge in the Himalayas, the natural habitat of these cats.

Councilmember Fargo questioned whether it was appropriate to keep snow leopards herein Sacramento, or relocate them? Ms. Baker replied that these animals were captive-born, it is appropriate to keep them here. The new exhibit would provide the necessary facilities to house these animals comfortably, including a misting system. When species are selected, the curator must approve the choices with the species coordinator.

Ms. Baker said the Sacramento Zoo was selected because the staff was qualified; these cats are an endangered species; there is a good breeding record.

Councilmember Kerth asked whether there was adequate funding to repay the debt service; in particular, would the two items "B" and "C" from Item 3.3, above, affect the fund?

Lydia Lara, Deputy City Treasurer, replied that the two items would not affect the fund.

Mr. Kerth inquired as to whether the debt would obligate the City in perpetuity? Ms. Lara replied the probable term of the debt would be 8 years; should the responsibility for the Zoo be assigned to another entity, the debt repayment terms would be written into the contract.

Ms. Baker replied that it would revert to the Zoological Society.

A motion was made by Councilmember Yee, seconded by Councilmember Cohn, to adopt Resolution 96-682. The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

RESOLUTION NO. 96-682

RESOLUTION AUTHORIZING EXECUTION OF  
AGREEMENT IN THE AMOUNT OF \$275,000

- 4.2 20th Street Combination Sewer Replacement (PN:XD91), located on 20th Street between C and N Streets, on C Street between 18th and 20th Streets, on N Street between 18th and 22nd Streets, and on 22nd Street between Capitol Avenue and N Street - Transfer funds and award contract to Sierra National Construction, Inc., for an amount not to exceed \$1,651,010. (D-3)

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Gary Reents, Engineering Services Manager, Utilities, sought Council approval to award the contract to Sierra National. Mr. Reents said a protest had been received from Daniel Ontiveros, who contends that Sierra National's MBE/WBE efforts were inadequate.

Mr. Reents said that Sierra National exceeded minority requirements, but not women's participation.

Mayor Serna requested that the dollar difference between the Sierra National bid and the Ontiveros bid be put on record. Mr. Reents said the low bidder was Sierra National with \$1,651,010; Daniel Ontiveros' bid was \$1,860,652.

Councilmember Steinberg remarked that the \$25,000 in preference points was irrelevant; both parties received it. The overall difference is greater; preference points make no difference in the bid results. Mr. Steinberg said he had not heard the specific objections as yet.

Mayor Serna said that City Council did not have time for a detailed discussion of the objections today, that these would have been appropriately heard at staff level.

Councilmember Cohn commented that the burden is on the protestor to show cause to delay the decision until January, 1997. Mayor Serna reiterated that City Council was not a forum for this type of issue.

Councilmember Yee inquired as to what the relationship was between CCM and Daniel Ontiveros? Mr. Reents explained that CCM is a consulting firm regarding Good Faith Efforts, etc. Mayor Serna commented that consideration be given to the fact that this was a competitive bid, that Sierra National is not a union contractor; there is a \$200,000 difference.

Councilmember Waters established with Mr. Reents that Sierra National must pay the prevailing wage.

Maurice Read, representing the Building and Construction Trades Council, felt that Daniel Ontiveros met the MBE/WBE obligations, whereas Sierra National did not. Mr. Cohn pointed out that it was understood that Ontiveros met the goal; the issue was whether Sierra National met the Good Faith requirements. Mr. Read indicated that CCM would address that area.

Mr. Yee asked whether the staff report/evaluation was correct to say that Sierra National met the Good Faith Effort? Mr. Reents replied that staff was correct; he feels there is a misunderstanding on the part of Daniel Ontiveros and CCM.

Aaron Chong, MBE/WBE Coordinator, agreed with staff. Mr. Chong said staff had agreed to meet with CCM, but CCM refused to meet, preferring to bring the issue before Council.

Larry James, CCM, spoke on behalf of Daniel Ontiveros.

Mayor Serna said the issue seems to hinge on why City staff didn't meet with CCM, which now wishes to use City Council as a forum to settle this issue.

Mr. James commented that members of City staff don't play fair; he feels that staff misleads Council, that there is not a level playing field. Mayor Serna directed Mr. James to be clear regarding these charges.

Mr. James distributed four Good Faith Sierra National documents to Council, referring their attention to the 3rd sheet, page 1. The information was broken down by contractor; 3 projects are sewer projects, one is the docks project. Sierra National apparently does one routine Good Faith Effort, soliciting exactly the same companies for all documents. At the bottom is the CCM attempt to verify Sierra National Good Faith Efforts: the companies contacted by CCM claim they were never solicited, whereas staff had said they were contacted.

Mayor Serna instructed Mr. James to meet with staff.

A motion was made by Councilmember Fargo, seconded by Councilmember Steinberg, to continue this item to January 7, 1997. The motion failed on a vote of 4-3, with Councilmembers Kerth, Cohn, Yee, and Waters voting nay and Councilmembers Fargo, Steinberg, and Mayor Serna voting aye. Councilmember Pannell was absent.

Councilmember Kerth inquired as to why this information had not been presented earlier to City staff? Mr. Kerth commented there was ample opportunity to correct this issue with staff previously. Mr. James replied that he did not trust staff; he maintained that he had not received a call from Mr. Chong.

Mr. Kerth supported the staff decision to continue with Sierra National; he expressed concern regarding possible delay of the project.

Mayor Serna said he would rather err on the side of caution; he was skeptical regarding the charges against staff.

Mr. Cohn said the problem was with the process, that there had been no meeting with Mr. Chong; he felt this behavior was being rewarded and indicated he would not support a continuance which would delay a needed project. The real issue is the Good Faith Effort.

Councilmember Waters indicated that the same issue arose six months ago related to another bid; he did not support continuance. Mr. Waters said he trusted and supported City staff.

Mr. James said the protest process was the same, that he had information for Aaron Chong which he would want to see.

Mr. Steinberg agreed that staff's past performance was trustworthy; he felt that the documentary evidence raised questions, however. Mr. Steinberg desired staff analysis regarding the issue; Mayor Serna agreed with Mr. Steinberg's position.

Mr. Cohn suggested further discussion to vote up or down.

Mr. James disputed the way Sierra National solicits firms for all jobs, (using the same firms). Mr. James disassembled four Sierra National Good Faith Efforts, directing Council's attention to Biondi Paving, page 3. A "no response" was indicated here, but when the company was contacted, an employee named Renee indicated no fax, no information was ever received from that company (Sierra National). The call was made on November 5, 1996. This raised the question as to whether this particular solicitation ever took place, Mr. James said.

Mr. Steinberg reiterated that MBE requirements had been met.

Mr. James questioned the overall truth of the Sierra National solicitations; to continue, he referenced responses noted on pages 8 and 17 of the documents.

Mayor Serna questioned Mr. James as to what the documents are supposed to show: Mr. James responded that the documents were to demonstrate his contention that Sierra National does not solicit properly.

Mr. Chong interjected that these were standard forms. Mayor Serna inquired as to whether this was a cookie-cutter approach vs. a tailored approach?

Mr. James replied that it was; his contention was that each bid should be approached by soliciting firms qualified to respond, those which were capable of performing the contracting work. Mr. Chong commented that the contractor has the option to solicit according to standard format.

Mayor Serna established with Mr. Chong that this approach was not a violation.

Mr. James said the solicitation letter did not mention the 20th Street Project; the letter was on the street a week before the project was announced. Sierra National claims to have used the current Directory from the City OSMB.

Mayor Serna inquired as to how this would constitute a failure? Mr. Chong referred to item 7, page 8; the requirements were met: there is nothing that says a company must do all of them. There was a difference in interpretation.

Mr. James restated his position that the solicitation letter uses a cookie-cutter approach, too simplified, not tailored to specific projects.

Mr. Steinberg requested information from Sierra National regarding its response to the June 25th letter.

Skip Skidmore, representing Sierra National, advertised a number of projects at the same time for economic reasons, citing the cost of advertising. Mr. Skidmore said he had called the project manager and gotten advance information for advertising purposes; the name was changed during that time, from "20th Brick Main" to "20th Street Sewer Replacement". Both were sent.

Mr. Cohn asked Mr. Chong whether he had heard anything today to change his judgement that Sierra National had met its good faith requirement? Mr. Chong replied that although this was the first time he had seen these documents, he was still of the same opinion that Sierra National had met its Good Faith requirements.

Daniel Ontiveros said he had been directed not to speak with City staff; he maintained that he had not received the solicitation as Sierra National claimed. Mr. Ontiveros stated that his company had met both goals; he expressed concerns regarding making the program work, saying item 7 was not done.

Mr. Ontiveros maintained that it was easy to make the goals if a company really wants to do so; he was of the opinion that Sierra National does not appear to want to, since it did not solicit the #1 woman bidder. Mr. Ontiveros stressed that the issue is that Sierra National did not meet the required Good Faith Effort; the bid contract states that bidders must meet all goals.

Mayor Serna inquired as to whether staff had evidence that the winning bidder solicited women-owned businesses? Mr. Chong indicated he could supply that information. The Mayor suggested it may be wise to hold this item over for further discussion. Mr. Reents interjected that women-owned businesses could be picked out.

Mr. Steinberg inquired as to how Sierra National's reliance on existing standard guidelines reflected the spirit of the requirement? Mr. Chong replied that contractors call staff regarding a specific commodity; if they are looking for multi-based needs, staff provides a Guide. Mr. Steinberg questioned why reliance on a Guide would be adequate? Mr. Chong said he couldn't recall a specific phone call.

Mr. Steinberg questioned how, in the context of this particular project, was reliance on such a Guide adequate?

Mayor Serna interjected that it appeared this would entail a lengthy discussion; he suggested continuing the item at least until this evening.

Mr. Ontiveros said he never uses the Directory because it is usually outdated; he said it was best to contact programs aimed at assisting minorities and women.

A motion was made by Councilmember Cohn, seconded by Councilmember Kerth, to continue this item until this evening, December 10, 1996, 7:00 p.m.. ( Mr. Cohn said Mr. Ontiveros had raised questions he had not heard). The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

#### 4.3 Sacramento Symphony Association Assets. (D-All)

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There was no discussion on this item.

A motion was made by Councilmember Waters, seconded by Councilmember Kerth, to adopt Resolution 96-683. The motion carried with a vote of 7-0, with Councilmember Pannell being absent.

##### RESOLUTION NO. 96-683

RESOLUTION RELATING TO THE DISPOSITION OF  
SACRAMENTO SYMPHONY ASSOCIATION ASSETS  
ACQUIRED BY THE CITY THROUGH BANKRUPTCY  
COURT PROCEEDINGS

#### 4.4 Sacramento Decisions Status Report. (D-All)

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Jane Christenson, Sacramento Decisions Project Team, presented the report.

An update to City Council outlining the project milestones achieved in Round 1, the report also presents a tentative schedule for Round 2 of the process. A more detailed report on the citizen input from Round 1 and the proposed process for Round 2 will be presented to the City Council in early January, 1997.

The purpose of Round 1 of the Sacramento Decisions is to solicit community feedback on general service and spending priorities. Based on the input from Round 1, Round 2 will seek to obtain further community feedback on specific budget strategies and proposals to achieve a budget solution. This will be accomplished through the same community input mechanisms of tabloids, surveys and workshops in the spring of 1997, and will serve as the City's budget process for FY 97/98.

Data from Round 1 are still coming in. A summary of the project milestones achieved in Round 1 follows:

- \* Over 1,400 tabloid budget worksheets have been returned to date; responses will be accepted through next week for this first round of the process.
- \* The two workshops at the Convention Center in November were attended by over 750 participants and volunteers.
- \* All statistical surveys (by neighborhood service area, objectivity, and targeted outreach) have been mailed; survey follow-up is ongoing throughout this month.

- \* CSUS has taken the lead on youth outreach, bringing Sacramento Decisions to over 600 students in 7 schools in 3 school districts (SCUSD, Grant, Natomas)
- \* Over 80 community groups have had presentations on Sacramento Decisions.
- \* Community outreach efforts were conducted in 7 languages, assisted by CSUS bilingual students.
- \* A business community forum, sponsored by the Business Journal, Blue Diamond, and IBM, is scheduled for December 12th to solicit input from many of the City's business leaders.

As noted, Sacramento Decisions serves as the City's budget planning process for FY 97/98. While a more detailed schedule for Round 2 will be presented to the City Council in early January, 1997, a general time frame is as follows:

January	City Council reviews and considers Round 1 Feedback Kick-Off Event to Publicize Results from Round 1 to Community Strategy Development form Round 1 Feedback for Round 2 Tabloid
February	Council Review/Refinement of Round 2 Tabloid Strategies
March	Tabloid Development and Release
April	Statistical Surveys Community Workshops
May	Presentation of Interim Budget (per Charter requirements) Forward Round 2 Results to City Council City Council Begins Budget Deliberations
June	City Council Makes Final Budget Decisions
July	Implementation

This report was for Council information; received and filed.

5.0 S.H.R.A.

None

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6.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON AGENDA)

NONE

\* \* \* \* \*

7.0 COUNCIL IDEAS AND QUESTIONS

7.1 Councilmember Cohn requested staff to develop a procedure to require protesters to meet with staff prior to bringing issues before Council.

Mayor Serna agreed with Mr. Cohn's suggestion and so directed.

City Attorney Jackson said his office would work with the City Manager to develop a general bid protest procedure.

8.0 RECESSED INTO CLOSED SESSION AT 3:36 P.M.

8.1 Pursuant to Government Code Section 54956.9(c) to consider initiation of litigation: one potential case

8.2 Pursuant to Government Code Section 54957 for the purpose of conducting an annual evaluation with the City Treasurer

8.3 Pursuant to Government Code Section 54956.9(c) to consider joining Amicus Curiae in City of St. Petersburg, vs. Bowen, 675So. 2D 626 (FLA. 2D ECA 1996)

A motion was made by Councilmember Kerth, seconded by Councilmember Cohn, to authorize the City Attorney to join Amicus Curiae in the City of St. Petersburg, vs. Bowen, 675So. 2D 626 (FLA. 2D ECA 1996). The motion carried with a 7-0 vote, with Councilmember Pannell being absent.

\* \* \* \* \*

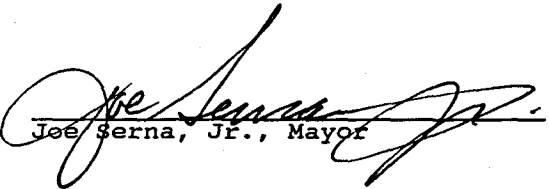
ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at the hour of 5:00 p.m.

Submitted

  
Valerie A. Burrowes, City Clerk

Approved

  
Joe Serna, Jr., Mayor

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

REGULAR MEETING

DECEMBER 10, 1996

**CALL TO ORDER**

The Regular meeting of the Sacramento City Council was called to order by Mayor Serna at 7:08 p.m.

**ROLL CALL**

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

Absent: Councilman Pannell

PLEDGE OF ALLEGIANCE was led by Mayor Serna

**9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS**

**9.1 Resolution commending Jose Benitez Sanchez, World Renowned Huichol Artist**

Mayor Serna welcomed Mr. Sanchez to Sacramento for his show at the Michael Himovitz Gallery and commended him for his service and dedication to the Huichol people and to the perpetuation of their art form.

Mr. Sanchez thanked the Mayor and Council for this honor and presented the Council with a gift of Huichol art.

**10.0 PUBLIC HEARINGS**

**10.1 Neighborhood Lighting District No. 96-07 - Annexation for Youngs Heights - Public Hearing No. 1. (D-2)**

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Karen Shipley, Special Districts Analyst, stated that this was the first of two hearings to receive public testimony and/or protests regarding the proposed budget, services, and assessments for the annexation of Youngs Heights area to Neighborhood Lighting District No. 96-07.

Ms. Shipley said that no council action was required at this hearing. At the second hearing, Council could approve the annexation based on the results of the Special Mailed-Ballot election now being conducted.

There was no further discussion on this item.

A motion was made by Councilman Kerth, seconded by Councilman Cohn to close the hearing and to continue this item to December 17, 1996 for a second hearing. The motion carried with a 7-0 roll call vote, with Councilman Pannell being absent.



10.2 Finance Plan, an implementing ordinance, and resolutions related to Development Fees in the Jacinto Creek Planning Area. (D-8) (PPF'd 11/26/96 item 1.2)

- A. Adopt the JCPA Financing Plan, which includes the nexus study required for establishment of development impact fees.
  - B. Urgency ordinance amending Title 84 of the Sacramento City Code, establishing the authority to impose development impact fees for development within the JCPA. (Requires 2/3 votes)
  - C. Resolution establishing the JCPA Facilities Fee pursuant to the above ordinance
  - D. Direct staff to complete various activities relative to project implementation
- 

A motion was made by Councilwoman Fargo, seconded by Councilman Yee to continue this item to January 7, 1997. The motion carried with a 7-0 roll call vote, with Councilman Pannell being absent.

10.3 *Natomas Marketplace* - Various entitlements to develop a 597,000 square foot regional commercial center (power center) on 60.1± gross acres in the Shopping Center - Planned Unit Development (SC-PUD) zone at the northwest corner of Truxel Road and Interstate 80 in the North Natomas community. (P96-056) (D-1)

- A. Negative Declaration
  - B. Mitigation Monitoring Plan
  - C. Establish PUD Schematic Plan for the Natomas Marketplace PUD
  - D. Establish PUD Guidelines for the Natomas Marketplace PUD
  - E. Special Permit (Retail Store over 100,000 sf) to develop a retail store greater than 100,000 square feet in size for Major Tenant A consisting of 106,000± square foot interior retail space plus 24,150 square foot retail garden center for a total of 130,150 square (This Special Permit must be approved by the City Council)
  - F. Special Permit (Retail Store over 100,000 sf) to develop a retail store greater than 100,000 square feet in size for Major Tenant E consisting of 128,000± square foot interior retail space plus 20,600 square foot retail garden center for a total of 148,600 square feet. (This Special Permit must be approved by the City Council)
- 

A motion was made by Councilwoman Fargo, seconded by Councilman Yee to continue this item to January 7, 1997. The motion carried with a 7-0 roll call vote, with Councilman Pannell being absent.

## 11.0 STAFF REPORTS

**NOTE: THIS ITEM WAS CONTINUED FROM THE AFTERNOON AGENDA**

4.2 20th Street Combination Sewer Replacement (PN:XD91), located on 20th Street between C and N Streets, on C Street between 18th and 20th Streets, on N Street between 18th and 22nd Streets, and on 22nd Street between Capitol Avenue and N Street - Transfer funds and award contract to Sierra National Construction, Inc., for an amount not to exceed \$1,651,010. (D-3)

Gary Reents, Engineering Division Manager, requested that this item be continued to January 14, 1997 so that staff could verify the vendor's good faith efforts.

A motion was made by Councilman Cohn, seconded by Councilman Kerth to continue this item to January 14, 1997. The motion carried with a 7-0 roll call vote, with Councilman Pannell being absent.

11.1 Review of the Brown Act. (rescheduled from 10/22/96) (D-All)

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Sam Jackson, City Attorney, stated that he was available to answer any questions from Council.

Councilwoman Fargo asked if citizens requesting a summary of the Brown Act should be referred to the City Attorney's Office.

Mr. Jackson replied yes, they should.

This item was received and filed.

12.0 S.H.R.A.

NONE

13.0 CITIZENS ADDRESSING COUNCIL AGENCY OR AUTHORITIES BY PERSONAL APPEARANCE OR TELEPHONICALLY ON MATTERS NOT ON THE AGENDA

13.1 Councilman Kerth congratulated Grant High School's football team for winning the section championship. He said the team's quarterback, Chad Elliot, had thrown more touchdown passes than any other high school quarterback in the state.

14.0 COUNCIL IDEAS AND QUESTIONS

None

15.0 ANNOUNCEMENTS

None

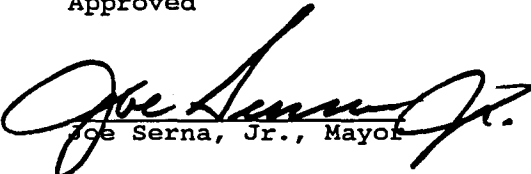
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:30 p.m.

Submitted

  
Valerie A. Burrowes, City Clerk

Approved

  
Joe Serna, Jr., Mayor