

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

OCTOBER 21, 1997

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:00 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Council members Cohn, Fargo, Kerth, Pannell and Serna

Absent: Council members Hammond, Steinberg, Waters and Yee

A motion was made by Councilman Pannell, seconded by Councilwoman Fargo to recess for thirty minutes. The motion carried with a 5-0 roll call vote. The Council recessed at 7:05 p.m.

The Council reconvened at 7:40 with all members present.

PLEDGE OF ALLEGIANCE was led by Mayor Serna.

10.0 PUBLIC HEARINGS

None

11.0 STAFF REPORTS

- 11.1 Report on unlicensed residential care facilities for adults in Sacramento County. (D-All)
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Alan Boyd, Superintendent, Office of Human Services, informed the Council that staff was submitting the final report and recommendations of a Task Force convened by the Sacramento Adult and Aging Commission to review and study the problem of unlicensed facilities for adults in Sacramento County.

Mr. Boyd introduced doctor James Harrison, Chair of the Adult and Aging Commission, who presented the Task Force's findings.

Dr. Harrison said that the Unlicensed Facility Task Force was formed in response to the growing concerns of local officials in trying to deal with local housing conditions within the constraints of state and local law. Among the problems identified were the limited resources available for regulation and enforcement, the sometimes murky division of responsibility among state and local governments, insufficient public information, ineffective sanctions, inappropriate placements and a fee structure that encourages operators of multiple facilities to shuffle residents in a manner that maximizes income and minimizes regulation.

Dr. Harrison said the task force met 22 times over a period of 20 months and included representatives of city, county and state governments, community-based organizations, statewide associations, and housing advocates.

Dr. Harrison continued by defining the different types of residential facilities. He said licensed residential care facilities provided room and board and one or more elements of care and supervision. They were licensed by the State Department of Social Services/Community Care licensing. He said that there were approximately 521 licensed facilities in the city and county.

Dr. Harrison explained that unlicensed residential care facilities also provided room and board and one or more elements of care and supervision. These facilities were illegal. He estimated that there were 35-50 of these facilities in the city and county.

The third type of facility discussed by Dr. Harrison was the non-licensed facility, which he called rooming or boarding houses. These facilities did not provide care and supervision and therefore did not need to be licensed by the State Department of Social Services/Community Care licensing. He estimated that there were approximately 75-100 of these facilities in the city and county.

Dr. Harrison said the recommendations of the committee were: improvement of communication and coordination; public education; monitoring of room and board facilities; uniform procedures for City and County; definition of care and supervision; standards for placement agencies; and enforcement and sanctions. He added that the committee had met with the Sacramento Board of Supervisors this afternoon, and they had been very receptive to the commission's recommendations.

Mayor Serna asked why health and safety issues were not coordinated among the agencies.

Dr. Harrison replied that rules varied in different locals.

Mayor Serna inquired how there could be better communication.

Dr. Harrison recommended that staff from each agency sit down together.

Mayor Serna asked if there was still a patient's rights advocate and was informed that there was an Ombudsman who was contacted.

Mayor Serna inquired how the public could find out more information about this service and was told that the phone book had listings under "patients' rights".

Mayor Serna suggested that better education was needed in this area.

Councilman Steinberg said the City and County needed to shut down unlicensed facilities.

Dr. Harrison agreed and said the City and County should also be providing assistance to people to locate licensed facilities.

Mr. Steinberg asked how City staff would be responding to the commission's recommendations.

Bill Edgar, City Manager, replied that there needed to be better coordination between the City and the County; the system was too fragmented.

Mr. Steinberg added that in the short term, the City needed to deal with the illegal facilities.

A motion was made by Councilwoman Hammond, seconded by Councilman Kerth to adopt Resolution 97-589 related to the report developed by the Sacramento County Adult and Aging Commission. The motion carried with a 7-0 roll call vote, with Council members Fargo and Waters being absent.

RESOLUTION 97-589

RESOLUTION APPROVING THE REPORT ON
UNLICENSED FACILITIES FOR ADULTS IN
SACRAMENTO COUNTY

- 11.2 Sacramento River Parkway Plan (M91-006): (Cont'd from 9-16-97, item 11.1) (D-1)
- A. Certification of the Sacramento River Parkway EIR (SCH 93-10286)
 - B. Adoption of the Sacramento River Parkway Plan Update
 - C. Amendment of various planning documents to be consistent with the adoption and implementation of the Sacramento River Parkway Plan:
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Scott Mende, Senior Planner, stated that this was the fifth in a series of staff reports to the Council regarding the Sacramento River Parkway Plan. On January 14, 1997, the Council voted a motion of intent to adopt the Parkway Plan and related documents, including the EIR, but the acquisition strategy for private lands in Greenhaven and the Little Pocket were left unresolved. The Council motion was to designate an on-river trail for the full 17.4 miles of the Parkway, except that for an interim period, an "Interim Off-River Bypass Trail" should be utilized to skirt the Little Pocket and Greenhaven areas.

According to Mr. Mende, the second report, on March 4, 1997, provided discussion about various acquisition issues including time frame, definition of logical geographic segments, definition of public ownership and use of eminent domain. Additionally, the Council heard a presentation by Phil Hiroshima, representing the Sacramento Riverfront Property owners. Mr. Hiroshima presented a concept for the creation of a wildlife sanctuary in the Little Pocket and Greenhaven/Pocket area. The council requested that staff report back on April 29th with an analysis of the sanctuary proposal and to prepare an estimate of acquisition costs.

On May 27th, Mr. Mende said the Council evaluated the Wildlife Sanctuary proposal and discussed a framework for discussions with the property owners. They voted an intent motion to support the wildlife plan until the year 2025. Council directed staff to work out details as to gates, docents, etc. to be a cost-neutral plan.

Mr. Mende said staff returned to Council on September 16th with a fourth report that discussed the status of negotiations regarding the Wildlife Sanctuary Proposal. The report and testimony indicated that the homeowners could not reach consensus on how to advance this proposal. As a result the Council reiterated its previous intent motion from January 14, 1997 to adopt the Sacramento River Parkway Plan. Council also refined its intent motion to defer the more controversial details of the Plan specifically related to acquisition and implementation.

Mr. Mende said staff was recommending certification of the EIR, and adoption of the Parkway Plan and amended related documents. He

thanked all the community members who gave so generously of their time to ensure the Plan was equitable to all.

Phil Hiroshima thanked the Council for accommodating his schedule. He said the homeowners who were members of the Sacramento Riverfront Association were donating their land to the City for a habitat. He requested that the City not take their land in the future. He also asked that the word "interim" be taken off that section of the trail that was not on the river.

Councilman Waters asked Mr. Hiroshima if he were supporting staff's recommendations. Mr. Hiroshima replied with the amendment that the multi-use trail not include the Greenhaven and Little Pocket area, and that the word "interim" be deleted when describing that section of the trail that was not on the River.

Councilman Yee argued that many of the statements in the plan were too broad, and that many recommendations could not be enforced.

A motion was made by Councilman Yee, seconded by Councilman Waters to adopt staff's recommendations with Mr. Hiroshima's amendments.

Councilwoman Fargo spoke in favor of the Plan, adding that she understood the concerns of the neighbors.

Councilman Waters stated that he disagreed with previous statements made by Councilwoman Fargo. He argued that the Sacramento River was very different from the American River. He said the alternative bike trail section which came down off the levee represented only 20% of the Plan. He felt this was not significant.

Councilman Steinberg said he would be supporting staff's recommendations, as he felt the City should stick to a long-term vision. He said future Councils would be able to change this Plan according to their constituents concerns.

Councilman Cohn said the Plan should be adopted this evening and that he intended to support it.

Councilman Kerth stated that City residents needed public, open spaces and said he would support the plan.

Mayor Serna spoke in support of the plan.

A substitute motion was made by Councilwoman Fargo, seconded by Councilman Cohn to adopt staff's recommendations, including Resolutions 97-590, 97-591, 97-592, 97-593, and 97-594. The motion carried with a 5-4 roll call vote, with Council members Hammond, Pannell, Waters and Yee voting no.

RESOLUTION 97-590

A RESOLUTION OF THE CITY OF SACRAMENTO CITY COUNCIL
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, ADOPTING
THE ATTACHED CEQA STATEMENT OF FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING
THE MITIGATION MONITORING PLAN FOR THE SACRAMENTO
RIVER PARKWAY PLAN UPDATE (M91-006)

RESOLUTION 97-591

A RESOLUTION TO ADOPT THE 1997 SACRAMENTO RIVER
PARKWAY PLAN UPDATE (M97-006)

RESOLUTION 97-592

A RESOLUTION TO AMEND THE CITY/COUNTY OF SACRAMENTO
BIKEWAY MASTER PLAN MAP TO INCLUDE PLAN CHANGES IN
THE 1997 SACRAMENTO RIVER PARKWAY PLAN UPDATE (M91-006)

RESOLUTION 97-593

A RESOLUTION TO AMEND THE BIKEWAY MAP OF THE POCKET
COMMUNITY PLAN OF THE CITY OF SACRAMENTO TO INCLUDE
PLAN CHANGES IN THE 1997 SACRAMENTO RIVER PARKWAY
PLAN UPDATE (M91-006)

RESOLUTION 97-594

A RESOLUTION TO AMEND THE CITY OF SACRAMENTO
GENERAL PLAN MAP AND TEXT FOR THE BICYCLE SECTION
OF THE CIRCULATION ELEMENT AND CONSERVATION & OPEN
SPACE ELEMENT TO INCLUDE PLAN CHANGES IN THE 1997
SACRAMENTO RIVER PARKWAY PLAN UPDATE (M91-006)

11.3 Transport of Spent Nuclear Fuel through the City of Sacramento: (D-
All)

Wendy Saunders, Administrator for the Downtown Development Division, informed the Council that in the 1950's, as part of the "Atoms for Peace" program, the U.S. supplied nuclear reactors and enriched uranium to 41 foreign countries for the purpose of scientific research in fields such as nuclear medicine, agriculture and industry. In exchange for these supplies, the countries agreed not to develop nuclear weapons. As a part of the agreement, the U.S. Department of Energy (DOE) committed to taking back the spent nuclear fuel in order to preclude overseas stockpiling of weapons-usable materials. The spent fuel acceptance policy was supported by every Congress and President since the program's inception. The policy was also supported by the National Resources Defense Council, the national Sierra Club and Greenpeace. Since 1957, the U.S. has received numerous shipments of spent nuclear fuel. At least 10 truck shipments through Sacramento occurred between 1987 and 1995.

Ms. Saunders introduced Robert Lawry, from the Sacramento Energy Commission who discussed the proposed routing of the nuclear material. He said his organization coordinated the shipments following Federal standards.

Mr. Lawry said Governor Wilson had objected to the proposed railroad shipment of nuclear waste through Concord. The basis of the objection was the mode of transportation and route. The governor said the current route would make too many people susceptible, if an accident occurred with the shipment.

Councilman Cohn questioned the level of radiation, and how it would compare to nuclear power plant rods being disposed of.

Mr. Lawry replied the DOE would have to respond to that question.

Councilman Waters asked if there was any possibility of the proposed route being changed.

Mr. Lawry replied that any decision to change that policy would have to be made by the Federal Commission.

Mr. Waters suggested a large transport plane. Mr. Lawry replied DOE had ruled out that option in case of a crash.

Mr. Waters related that he had a major concern with the shipment going through Roseville in light of that City discovering several bombs in their railyards during the last few months.

Mr. Alcott, from DOE, spoke about the shipment, emphasizing that safety was imperative to his agency. He said the most dangerous aspect of this operation was having nuclear material overseas in an unsecured area. He urged the Council to examine DOE's record of operation. During the last 40 years, they had coordinated over 2,500 shipments. There had been only 21 accidents, none of which had releases of the product.

Mr. Alcott added that the Navy had already sent 84 shipments of this type through Sacramento with no incident. These shipments were not made public. However, the DOE felt the American people had a right to know about these shipments and that they could be done safely.

Mr. Cohn stated that he supported the program but had a concern about the transportation route. He strongly recommended reinforcing the I Street bridge.

Mr. Waters asked if the City was ever notified when previous shipments came through Sacramento.

Mr. Alcott responded that these shipments had been done by the Navy, and he was not aware of their notification process.

Councilman Kerth asked how DOE decided on Concord as the receiving port.

Mr. Alcott spoke of each of the other west coast ports and explained, for safety reasons, why Concord was the preferred port of entry.

Mr. Kerth asked about the population along the water route.

Mr. Alcott replied that population was part of the risk assessment.

Mr. Cohn asked how far from the rail DOE measured for population.

Mr. Alcott responded that population was measured for ½ a mile from the rail route.

Public testimony:

Dorothy Thomson spoke in support of staff's recommendations.

Bernice Kring argued that the state of Washington protested loudly to DOE, so none of their ports were chosen as the port of entry. She said Concord's port was chosen because it was federally owned. She felt the City of Sacramento should join Concord and Contra Costra County's protest of this route.

Tom Bright spoke in support of the transportation saying that there had never been any nuclear fatalities with this operation.

Phil Leonard spoke against the transport, saying it was too much of a risk and a huge public safety issue.

Mr. Kerth argued that the planning of this event could have been better structured.

A motion was made by Councilwoman Fargo, seconded by Councilman Cohn to adopt Resolutions 97-595 and 97-596 protesting the transport of spent nuclear fuel through the City of Sacramento. The motion carried with a 7-0 roll call vote, with Councilmen Pannell and Waters being absent.

RESOLUTION 97-595

RESOLUTION PROTESTING THE TRANSPORT OF SPENT
NUCLEAR FUEL THROUGH THE CITY OF SACRAMENTO

RESOLUTION 97-596

RESOLUTION DIRECTING THE CITY MANAGER TO IDENTIFY
SPECIFIC SAFETY CONCERNS THAT MUST BE ADDRESSED IN
TRANSPORTATION PLANNING UNDERTAKEN BY THE U.S.
DEPARTMENT OF ENERGY

12.0 SHRA

None

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

(For those wishing to phone in to address the Council, the number is 264-TALK (8255); a three minute time limit is imposed on all speakers addressing the Council under this heading.)

None

14.0 COUNCIL IDEAS AND QUESTIONS

14.1 Mayor Serna made the following nominations to the Del Paso Heights Redevelopment Advisory Committee: Carlterr Velez-Balay, renter; Benjamin Barnes, non-resident property owner; Robert Thomas, non-resident property owner; Suli Ahkiong, Community Based Organization - Samoan For All; Lawrence Bolden, business owner.

15.0 ANNOUNCEMENTS

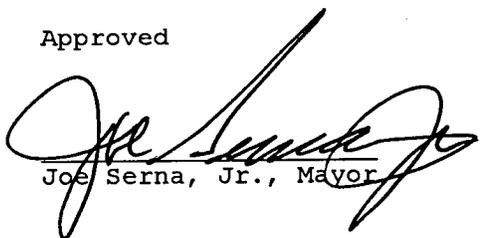
None

ADJOURNMENT in memory of Police Officer Emily Morgenroth at 9:45 p.m.

Submitted


Valerie A. Burrowes, City Clerk

Approved


Joe Serna, Jr., Mayor