

CONCURRENT REGULAR MEETINGS OF THE SACRAMENTO CITY COUNCIL,
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO, HOUSING AUTHORITY
OF THE CITY OF SACRAMENTO AND PARKING AUTHORITY OF THE CITY OF SACRAMENTO
JANUARY 4, 1977

1

Mayor Isenberg called the meeting to order at the hour of 7:30 p.m. and the following members were present:

Councilpersons Carney, Connelly, Ferrales, Fisher, Rudin, Sands, Isenberg

ABSENT: Councilpersons Matsui, Miller

Councilperson Connelly out at this time.

- 1 Councilperson Sands moved to confirm the appointments of Vincent M. Caselli and Frederic A. Kahn as members of the Administration, Investment and Fiscal Management Board, terms expiring January 4, 1979 and January 4, 1981, respectively. Seconded by Councilperson Rudin and motion carried by the following vote:

AYES: Councilpersons Carney, Ferrales, Fisher, Rudin, Sands, Isenberg

ABSENT: Councilpersons Connelly, Matsui, Miller

The City Clerk then administered the Oath of Office to Vincent Caselli and the Oath was then ordered filed.

Frederic A. Kahn was not present at this time to take the Oath of Office. (See Item 3A.)

Councilperson Connelly returned and Councilperson Matsui arrived at this time.

- 2 Mayor Isenberg introduced the following resolution moving its adoption:

RESOLUTION NO. 77-001

RESOLUTION COMMENDING ROBERT MILLER (creation of the "Guide to Old Sacramento")

Seconded by Councilperson Matsui and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

Fred Wade, Chairperson of the County Board of Supervisors, spoke to the Guide and expressed appreciation for Mr. Miller's work.

Mr. Miller received an engrossed copy of the foregoing resolution and Mel Garlick, Capital Federal Savings and Loan Association, was also present.

- 3 Having been continued from the regular meeting of December 28, 1976, Joseph E. Combes, Jr., President of the Sacramento Metropolitan Chamber of Commerce spoke to the written report and recommendations relative to Economic Development.

Following Council discussion, the matter was referred to the City Manager for a report due January 25, 1977, and the matter was scheduled for the regular meeting of February 8, 1977, for Council discussion.

Robbieberr Berger, Executive Director of the County Taxpayers League, offered assistance to the Council and spoke to the Chamber of Commerce report and suggested formation of City-County Coordinating Council and "sunset" laws for programs and to set revenue limits as well as expenditure limits for the City.

Councilperson Connelly asked questions regarding the League's stand on containerization and was told League Board of Directors has endorsed principle of containerization.

- 3A Frederic A. Kahn was now present and the City Clerk administered the Oath of Office and the Oath was then ordered filed.

Councilperson Sands out at this time.

- 4 Having been continued from the regular meeting of November 30, 1976, the appeal of Mr. and Mrs. Ross Young from the Preservation Board decision to suspend issuance of a demolition permit for the structure at 1621-16th Street for a period of 180 days was heard at this time.

Dick Hastings, Preservation Director, gave a verbal report regarding negotiations with Wayne Harbarger, attorney for the appellants. Following discussion, Mr. Harbarger stated that he accepted the new stipulations on behalf of his clients.

Councilperson Rudin moved that the hearing be closed and that it is the intent of Council to grant the appeal in part as stipulated, as follows, based on a Findings of Fact due January 11, 1977: 1. The building on the property shall be made available at no cost to any private party or to the City. 2. If before March 7, 1977, a written commitment is made by either a private party or the City to move the building, and the relocation process is commencing in good faith, then no demolition permit will be requested by Mr. Young for a reasonable time not to exceed sixty (60) days beyond March 7, 1977. 3. If, at the end of the demolition suspension on March 7, 1977, a private party has not made a firm written commitment to move the building, and the Preservation Board has not recommended an expenditure of funds from its revolving fund to move the building to another site, either presently owned or to be acquired by the City, that the demolition suspension will cease on March 7, 1977, and a demolition permit may be issued to Mr. Young. Seconded by Councilperson Ferrales and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Isenberg

ABSENT: Councilpersons Miller, Sands

Councilperson Ferrales out at this time.

5 This having been the date set for hearing and there being no written protests or protestants appearing on the matter of the abandonment of 17th Street between E and F Streets and the east 120 feet of the alley in the block E, F, 16th and 17th Streets under Proceeding No. 4642, Councilperson Matsui moved that the hearing be closed and continue the matter to the regular meeting of January 11, 1977, for a report on a Findings of Fact. Seconded by Councilperson Rudin and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Isenberg

ABSENT: Councilpersons Ferrales, Miller, Sands

6 This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Rudin moved that the following resolution, including Findings of Fact, be adopted:

RESOLUTION NO. 77-002

APPROVING TENTATIVE MAP FOR COLLEGE WOODS UNIT NO. 2 (P-7568) (Center Parkway and Calvine Road)

Seconded by Councilperson Fisher and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Isenberg

ABSENT: Councilpersons Ferrales, Miller, Sands

7 This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Matsui moved that the following resolution be adopted:

RESOLUTION NO. 77-003

ADOPTING FINDINGS OF FACT AND APPROVING A TENTATIVE MAP FOR PARCEL "J", BK. 21 P.M. 1, PG. 21 (P-7569) (portion of Sacramento Industrial Park - Warehouse Way and 23rd Avenue)

Seconded by Councilperson Connelly and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Isenberg

ABSENT: Councilpersons Ferrales, Miller, Sands

8 This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Connelly moved that the following resolution be adopted:

RESOLUTION NO. 77-004

ADOPTING FINDINGS OF FACT APPROVING TENTATIVE MAP FOR PARCELS "A" AND "5" OF PARCEL MAP RECORDED IN BOOK 16 OF PARCEL MAPS, PAGE 4 (P-7572) (southwest corner of Franklin Boulevard and Florin Road)

Seconded by Councilperson Connelly and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Isenberg

ABSENT: Councilpersons Ferrales, Miller, Sands

Councilperson Sands returned at this time.

9 This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Connelly moved that the following resolution be adopted:

RESOLUTION NO. 77-005

ADOPTING FINDINGS OF FACT, AND APPROVING A TENTATIVE MAP FOR PARCEL NO. 2, 9 P.M. 19 AND PORTION OF PARCEL "A" 15 P.M. 39 (P-7574) (Arden Way and Exposition Boulevard)

Seconded by Councilperson Connelly and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilpersons Ferrales, Miller

10 This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Matsui moved that the following resolution be adopted:

RESOLUTION NO. 77-006

ADOPTING FINDINGS OF FACT, AND APPROVING TENTATIVE MAP FOR BOWLING GREEN BUSINESS PARK (P-7575)

Seconded by Councilperson Connelly and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilpersons Ferrales, Miller

11&13 This having been the date set for hearing, the tentative map and rezoning request from "A" to "R-1" for London River Estates Unit 3 (vicinity of Pocket Road and Arabella Way - P-7521) were considered at this time.

Robert Grant, 820 Watt Avenue, representing developer, appeared and spoke to the matter.

Following discussion, the matter was deferred until later in the meeting so that the developer's questions could be answered by the Planning staff.

This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Ferrales moved that the following ordinances and resolution be adopted:

12

RESOLUTION NO. 77-008

ADOPTING FINDINGS OF FACT, APPROVING A SUBDIVISION MODIFICATION AND APPROVING A TENTATIVE MAP FOR GREENHAVEN UNITS 12 & 13 (P-7562) (Florin Road and Greenhaven Drive)

14

ORDINANCE NO. 3788, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT FLORIN ROAD WEST OF GREENHAVEN DRIVE FROM THE "A" AGRICULTURE ZONE AND PLACING SAME IN THE "R-2-R" TWO-FAMILY ZONE (FILE P-7562)

14

ORDINANCE NO. 3789, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED AT FLORIN ROAD WEST OF GREENHAVEN DRIVE FROM THE "A" AGRICULTURE ZONE AND PLACING SAME IN THE "R-1" SINGLE FAMILY ZONE (P-7562)

Seconded by Councilperson Matsui and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

15

This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson moved that the following resolution be adopted in the matter of the improvement of Lake Greenhaven Shores Unit No. 5 Assessment District under Proceeding No. B-4598:

RESOLUTION ORDERING WORK, calling for bids to be received January 25, 1977

Seconded by Councilperson Ferrales and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

16

This having been the date set for hearing in the matter of the improvement of Lock Avenue Sanitary Sewer Assessment District under Proceeding No. B-4564, consideration was had at this time.

The City Clerk announced that a letter of protest had been received from Mr. and Mrs. Henry Idica, 2816 Lock Avenue.

Councilperson Rudin moved that the hearing be closed and protest be referred to staff for a report due on January 11, 1977. Seconded by Councilperson Matsui and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

17

This having been the date set for hearing and in accordance with the request of Richard Benvenuti, the matter of the hearing on the Resolution of Intention in the matter of the improvement of Capitol Avenue and N Street, 20th and 21st Streets Alley Assessment District under Proceeding No. B-4634 was continued to the regular meeting of January 11, 1977.

18

This having been the date set for hearing and there being no written protests or protestants appearing, Councilperson Ferrales moved that the following resolution be adopted on the matter of the improvement of Sacramento Business Park Assessment District under Proceeding No. B-4550:

RESOLUTION ORDERING WORK, calling for bids to be received January 25, 1977

Seconded by Councilperson Matsui and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

Having been deferred to this point in the meeting and all questions having been answered, Councilperson Ferrales moved that the following resolution and ordinance be adopted:

11

RESOLUTION NO. 77-007

ADOPTING FINDINGS OF FACT AND APPROVING A TENTATIVE MAP FOR LONDON RIVER ESTATES UNIT 3 (P-7521) (vicinity Pocket Road and Arabella Way)

ORDINANCE NO. 3787, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING CERTAIN PROPERTY LOCATED AT POCKET ROAD - EAST OF TRUDY WAY FROM THE "A" AGRICULTURE ZONE AND PLACING SAME IN THE "R-1" SINGLE FAMILY RESIDENTIAL ZONE (FILE P-7521)

Seconded by Councilperson Rudin and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

Mayor Isenberg announced that the resolution granting the County of Sacramento a revocable encroachment permit for the construction and use of a pedestrian bridge at an area over a public street located at 7th and H Streets had been withdrawn by staff.

Whit Cox, architect, spoke to the matter and Councilperson Connelly asked questions regarding the building permit.

The following resolution was ordered continued to the regular meeting of January 11, 1977:

RESOLUTION NO. ____

RESOLUTION AUTHORIZING NEGOTIATION OF LEASE OF CITY PROPERTY TO THE ROBERTSON SAND AND GRAVEL (sanitary fill property at 28th and B Streets)

In accordance with recommendation of the City Manager, Councilperson Rudin moved that Items 20, 21, 23 through 26A, excepting Item 22, be adopted as follows:

RESOLUTION NO. 77-009

RESOLUTION GRANTING REVOCABLE ENCROACHMENT TO: SYMBOL CONSTRUCTION COMPANY (for the construction of landscape planters and surfacing for parking for property located at the southerly side of Del Paso Boulevard at 2890 Del Paso Boulevard)

RESOLUTION NO. 77-010

RESOLUTION FIXING A HEARING DATE TO DETERMINE THE COSTS OF ABATING DANGEROUS BUILDINGS (1709 N Street and 3611-3613 - 23rd Avenue - Hearing to be held January 25, 1977)

RESOLUTION EXTENDING TIME ON CONTRACT

Extending time to Smith Electric Supply for an additional sixty (60) days in the matter of the improvement of Freeport Manor Street Lighting Assessment District under Proceeding No. B-4509.

RESOLUTION OF AWARD

Awarding contract to V. J. Kruse in the amount of \$19,872.00 in the matter of the improvement of Rio Linda Boulevard, Roanoke Avenue, Cypress Street and South Avenue Alley Assessment District under Proceeding No. B-4588.

RESOLUTION NO. 2619

AUTHORIZING EXECUTION OF APPRAISAL CONTRACTS - MULTI-MODAL TRANSPORTATION CENTER (Redevelopment Agency)

RESOLUTION NO. 1482

RESOLUTION APPROVING AMENDMENT NO. 2 TO SECTION 8 ANNUAL CONTRIBUTIONS CONTRACT SF-474 AND AUTHORIZING ITS EXECUTION (Housing Authority)

RESOLUTION NO. 77-011

RESOLUTION MEMORIALIZING SYLVESTER N. JENNINGS (City Planning Commissioner)

Seconded by Councilperson Matsui and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

Having been continued from the regular meeting of December 21, 1976, the report re health hazards of having horses in the City limits was continued to the regular meeting of February 1, 1977.

Hearing having been held and closed December 21, 1976, Councilperson Sands moved to adopt the Findings of Fact denying the appeal of David Mazza from the Chief of Police's denial of an application for an arcade license at 2964 Freeport Boulevard. Seconded by Councilperson Rudin and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands

NOES: Councilperson Isenberg

ABSENT: Councilperson Miller

In accordance with recommendation of the City Manager, Councilperson Ferrales moved that Items 29 through 32 be adopted as follows:

Accept the bid of Forest Land Grading and Paving in the amount of \$17,466.00, Contract No. 76043, for the Colonial Heights Storm Drain, bids were received and opened by the City Clerk on December 7, 1976.

30 Accept the bid of Carver Construction Company in the amount of \$4,821.50, Contract No. 76044, for 902 Richards Boulevard Street Improvements, bids were received and opened by the City Clerk on December 7, 1976.

31 Accept the bid of Woodland Tractor and Equipment Company in the amount of \$9,858.00, Purchase Order No. 84779, for furnishing one (1) each skid-mounted tree sprayer, bids were received and opened by the City Clerk on December 28, 1976.

32 Accept the work of Forest Land Grading and Paving as completed as of December 13, 1976, Contract No. 76008, for Water Main Installation, El Cerito Way, Summit Way, Orinda Way and 47th Street and final payment be made to contractor.

Seconded by Councilperson Rudin and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

33 The administrative contingency expenditures report was noted and ordered filed.

33A In accordance with recommendation of the City Manager, Councilperson Matsui moved to accept the bids of the following for furnishing firemen's dress and work uniforms. Bids were received and opened by the City Clerk on December 28, 1976.

Sacramento Uniforms, Items 4, 5, and 8 for the amount of \$42,010.45, Contract No. 76045.
Caleb V. Smith and Son, Inc., Item 6 for the amount of \$853.30, Contract No. 76046.
Bodyguard Company, a division of U. S. Divers Company, Item 7 for the amount of \$11,294.24, Contract No. 76047.
The Hub Schneider's, Item 9 for the amount of \$18,209.21, Contract No. 76048.

Seconded by Councilperson Sands and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

34 The Community Development Committee recommendation regarding implementation procedures for Capital Improvement Project architect/engineer selection was continued to the regular meeting of January 18, 1977.

Vice Mayor Matsui presiding but Mayor Isenberg still present.

35 Following comments, Councilperson Connelly moved that Council adopt the Community Development Committee's recommendations regarding the use of State Park funds as follows: 1. Approve the eight projects contained in the written report (Hall Park - 2 lighted tennis courts; Northgate Park - 2 lighted tennis courts; Curtis Park - adventure area; Land Park - Fairytale Town Castle improvements; Neilsen Park - 2 lighted tennis courts; Bahnfleth Park - tot lot and adventure area; Glenbrook Park - 2 lighted tennis courts; Johnston Park - 2 lighted tennis courts); 2. The staff be directed to identify sources of local funding for the \$95,000 required amount; 3. The staff prepare the necessary documents to amend the FY 76-77 budget to include the projects at a future date. Seconded by Councilperson Ferrales and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

36A Councilperson Rudin, Chairperson of the Personnel and Public Employees Committee, nominated Gordon Gill for reappointment to the Mosquito Abatement District Board, term expiring December 31, 1978; nominated C. B. Frazier for reappointment and new appointment of Doris Alexis to the Ann Land and Bertha Henschel Memorial Fund Commission, terms expiring January 4, 1983; nomination of Donna Giles to the Civil Service Board, term expiring December 31, 1982; with confirmation to be made at the regular meeting of January 11, 1977.

36B Councilperson Rudin announced that Wilbur Smith & Associates had been chosen to do the Historic Trolley Loop study.

36C Mayor Isenberg announced the opening of the C.E.T.A. Artists Show, January 8, 1977 through January 29, 1977, at 1233 J Street.

36 The Personnel and Public Employees Committee recommendation regarding representation and possible extension of pro-rata benefits to non-career employees was heard at this time.

Councilperson Rudin had summary comments and then called on Personnel Director William Danielson to discuss the report. After a lengthy discussion concerning benefits for C.E.T.A. and part-time employees, Mayor Isenberg requested that the City Attorney prepare an opinion and/or a resolution specifically stating that Council rejects the idea of non-career employees automatically getting the full benefits of career employees without negotiation.

After further discussion, Councilperson Connelly moved to approve the report recommendations, as follows, with the condition stated by Mayor Isenberg regarding benefits and requested that the City Manager report back on the actual cost and source of funds: 1. The amendments to the Employer-Employee Relations Policy providing representation for specified seasonal, part-time and limited-term employees and for employees in special man-power programs be adopted. 2. That specified non-career employees be extended pro-rata retirement benefits. This will require an ordinance providing Section 399 benefits for certain employees working half-time and who are not eligible for PERS benefits to be enacted by July 2, 1977. Seconded by Councilperson Ferrales.

The Council, after lengthy discussion, continued the matter to January 11, 1977, for a report from the City Manager. Motion was withdrawn. Councilperson Ferrales requested that the City Attorney prepare an opinion regarding whether state law does grant non-career employees legal right to representation.

37 In accordance with recommendation of the City Planning Commission, a hearing was set for the regular meeting of January 25, 1977, on the proposed amendment to Chapter 40, City Code, Subdivision Regulations, relating to procedures for the approval of parcel maps and lot line adjustments.

38 The Housing Authority and Redevelopment Agency report regarding the proposed temporary location for the annual Jazz Festival in Old Sacramento was noted and ordered filed.

The following claims were considered at this time and Mayor Isenberg moved that they be rejected and referred to the City's insurance carrier for disposition:

39 Claim submitted by Michael L. and Shawn D. Ramsey in the amount of \$115.00 for alleged damage to vehicle at the 11th and J Street parking area.

40 Claim submitted by Randolph Cooke, attorney, on behalf of Leon Mayes in the amount of \$10,000.00 for alleged injuries due to false arrest.

41 Claim submitted by Allen Max Luger, attorney, on behalf of Robert Dell in the amount of \$75,000.00 for alleged injuries and damage in motorcycle accident due to unsafe roadway at the vicinity of 3807 - 23rd Avenue.

42 Claim submitted by Allen Max Luger, attorney, on behalf of Margaret Catherine Pusert in the amount of \$75,000.00 for alleged injuries in motorcycle accident due to unsafe roadway at the vicinity of 3807 - 23rd Avenue.

43 Claim submitted by Martin and de la Vergne, attorneys at law, on behalf of Joe Jerome Flynn in the amount of \$30,000.00 for alleged damages due to false arrest.

44 Claim submitted by Brent Christensen in the amount of \$192.25 for alleged damages when vehicle hit a culvert at 5690 Valletta Way.

45 Claim submitted by Robert W. Fisher, attorney, on behalf of Bella Cohen in the amount of \$3,500.00 for alleged injuries when claimant tripped on a car bumper at the City Parking Lot located at 6th and J Streets.

Seconded by Councilperson Sands and motion carried by the following vote:

AYES: Councilpersons Carney, Connelly, Ferrales, Fisher, Matsui, Rudin, Sands, Isenberg

ABSENT: Councilperson Miller

45A Councilperson Carney stated she had received a plaque on behalf of the Council from the J. F. Kennedy High School Band thanking the Council for participation in their bicentennial activities.

45B Sandra Ginsburgh Barnes, 5632 La Campana Way, stated she had attended Council meetings regularly for the past six (6) months and commended the Council on its department and policies.

Council adjourned at the hour of 9:45 p.m. in the memory of Sylvester N. Jennings.

APPROVED

Cheryl Z. Bentley
MAYOR

ATTEST:

Joe Pappas
CITY CLERK

45C The Sacramento County report on the Oak Park Multi-Service Facility was presented to the members of the Council.