

REGULAR MEETING
SACRAMENTO CITY COUNCIL
September 3, 1970

The Honorable City Council met in regular session on this date at the hour of 7:04 o'clock p. m., President Pro Tem McGhee presiding and roll call was answered as follows:

Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

The City Clerk reported having furnished each member with a copy of proceedings of previous meeting. The minutes of regular meeting of August 27, 1970, were ordered approved.

The following bids were received and referred to the City Manager for a report:

SALE OF TWO PARCELS SURPLUS PROPERTY LOCATED AT 44TH STREET AND PERRY AVENUE AND 14TH AVENUE AND 46TH STREET:

LAVERE AND FRANCES E. MONDINE
3200 Ninth Avenue
Sacramento, California 95817

TOTAL PRICE \$1,503.50
BID DEPOSIT \$75.18 Money Order

4282

Councilman Sands absented himself from the meeting at this time.

This having been the date set for hearing and no protests having been received, the Acting City Manager presented and Councilman Naygrow moved that the following resolution be adopted:

RESOLUTION NO. 368

RESOLUTION ASSESSING COSTS OF SIDEWALK REPAIR AS A LIEN AGAINST PROPERTY. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Talkin and carried by the following vote:

4283

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Talkin.

ABSENT: Councilmen Marriott, Sands, Wong.

This having been the date set for hearing and no protests having been received, the City Manager presented and Councilman Talkin moved that the following resolution be adopted:

RESOLUTION APPROVING ASSESSMENT NO. 4149

Resolution approving assessment in the matter of the improvement of the Southwest corner of Matson Drive and 24th Street Sewer Assessment District. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Naygrow and carried by the following vote:

4284

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Talkin.

ABSENT: Councilmen Marriott, Sands, Wong.

This having been the date set for hearing and no protests having been received, the City Manager presented and Councilman Franchi moved that the following resolution be adopted:

RESOLUTION ORDERING WORK NO. 4153

Resolution ordering work which calls for bids to be received up to the hour of 5:00 o'clock p. m., on date of September 24, 1970, in the matter of the improvement of F and G, 27th and 28th Streets Alley Assessment District. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Ferrales and carried by the following vote:

4285

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Talkin.

ABSENT: Councilmen Marriott, Sands, Wong.

Councilman Sands returned to the meeting at this time.

Thomas Huebner, Assistant City Manager, presented and discussed a report relating to Dismas Homes of California, Inc., halfway house at 2704 S Street.

Thomas A. Craven and Mrs. Misty Martin appeared and spoke on behalf of the project.

4286

After discussion, Councilman Franchi moved that Council indicate endorsement and moral support of Dismas Homes halfway house at 2704 S Street. Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

Councilman Wong arrived at this time.

Having been introduced at the regular meeting of August 27, 1970, and ordered to take its usual course, Councilman Franchi moved that the following ordinance be adopted:

ORDINANCE NO. 2918, FOURTH SERIES

AN ORDINANCE ENACTING SECTION 15.18 OF CHAPTER 15 OF THE SACRAMENTO CITY CODE, RELATING TO PUBLIC NUISANCES. (Reference is hereby made to original ordinance adopted on this date and set out in full in Ordinance Book 1970, on file in the office of the City Clerk).

4287

Seconded by Councilman Ferrales and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

In accordance with bids received on date of August 27, 1970, and recommendation of the City Manager, Councilman Franchi moved that the bid of Collins Electrical Company, Inc., in amount of \$63,790.00 be accepted for installation of parking control equipment for the City of Sacramento Parking Authority, and that the Mayor and City Clerk be authorized to execute Contract No. 791, when same has been prepared and approved by the City Attorney. Seconded by Councilman Ferrales and carried by the following vote:

4288

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that plans and specifications for modification and improvement of intersection and modification of traffic signal system, Franklin Boulevard and Fruitridge Road, S. S. Project No. 318, at an estimated cost of \$90,139.00, be adopted and the City Clerk instructed to advertise for bids thereon to be received up to the hour of 5:00 o'clock p. m., on date of September 17, 1970. Seconded by Councilman Ferrales and carried by the following vote:

4289

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that Joseph A. Chester, Donald J. Racine and William Brokaw, be appointed as Special Police Officers with authority confined to premises of Sacramento State College Campus. Seconded by Councilman Ferrales and carried by the following vote:

4290

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

Walter Slipe, Assistant City Manager, presented and discussed a report relating to the granting of encroachment permits for kiosks on the Downtown Shopping Plaza.

4291

Frank Dillon, representing Frank S. Fat and Nick Galaxidas, spoke for issuance of the permits.

After discussion, the matter was continued to September 17, 1970, pending a meeting of the Community Development Committee.

Councilman Talkin introduced the following resolution moving its adoption:

RESOLUTION NO. 369

RESOLUTION AMENDING CITY COUNCIL RULES TO ESTABLISH THURSDAYS, 7:30 P. M. AS MEETING HOUR, ETC., EFFECTIVE OCTOBER 1, 1970. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Wong and carried by the following vote:

4292

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

Report from the City Attorney relative to authority of the City Clerk to select ballot arguments, was received and ordered filed.

4293

Councilman Sands spoke regarding endorsement of Charter Amendment Ballot Propositions and indicated results of his canvas of Councilmen on the proposals.

4294

After discussion, Councilman Sands moved that Council endorse Proposals "G," "H", "I", and "J" and authorize supportive arguments. Seconded by Councilman Ferrales and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

It was suggested that the Sacramento City Employees Association be asked to write a supportive argument on Proposal "K".

The City Attorney was asked to report on the propriety of the Mayor using his official title (Mayor) when endorsing or opposing proposals.

Communication from Mr. George M. Yazigi, President of Parents & Taxpayers Action Association, concerning operation of the Transit Authority, was received and referred to the Transit Authority.

4295

Communication from Mr. Eddie Smith, Chairman 1969-1970, Sacramento Housing Authority, relative to progress of the housing program, was received and ordered filed.

4296

Communication from Mr. Bob Haenggi, 3117 El Rey Way, relative to the Downtown Shopping Plaza, was received and ordered filed.

4297

Communication from Senator Randolph Collier requesting opposition to Senate Constitutional Amendment No. 18 regarding motor vehicle taxation and revenue, was received and ordered filed.

4298

Communication from Miscellaneous Culinary and Hotel Service Workers Union, Local No. 393, Cooks Pastrycooks and Pantrymen, Local 683, and Local Joint Executive Board of Culinary Workers, Bartenders, and Hotel-Motel Service Workers, versus erection of temporary or permanent structures on the Downtown Plaza, were received and ordered filed.

4299

Together with report on subject, which was ordered filed, the Acting City Manager presented the following ordinance recommending its adoption:

ORDINANCE NO. 2919, FOURTH SERIES

AN ORDINANCE FIXING THE TAX RATE TO BE LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY OF SACRAMENTO AND LEVYING THE SAME FOR THE FISCAL YEAR 1970-71 AND PROVIDING FOR THE PAYMENT OF DEBT SERVICE ON ALL OUTSTANDING MUNICIPAL BONDS ISSUED BY THE CITY OF SACRAMENTO, AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY. (Reference is hereby made to original ordinance adopted on this date and set out in full in Ordinance Book 1970, on file in the office of the City Clerk).

4300

Councilman Franchi thereupon moved that the foregoing ordinance be adopted. Seconded by Councilman Wong.

Kirk Stubbs, representing Sacramento Firefighters Union, appeared and asked questions relating to budget allocations to provide for salary adjustments which might result from collective bargaining with employee groups.

After general discussion, the foregoing ordinance was adopted by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin, Wong.

ABSENT: Councilman Marriott.

Mr. E. L. Ball, representing the County Taxpayers League appeared and complimented Council and staff for their efforts in "holding the line" on the City's tax rate.

Councilman Wong absented himself from the meeting at this time.

Together with report on subject, which was ordered filed, the City Manager presented the following ordinance, recommending its adoption:

ORDINANCE NO. 2920, FOURTH SERIES

4301

AN ORDINANCE AMENDING SECTION 2.12 OF THE SACRAMENTO CITY CODE RELATING TO THE CLAIMS PROCEDURE FOR THE CITY OF SACRAMENTO, REPEALING ORDINANCE NO. 491, FOURTH SERIES, AND DECLARING SUCH ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY. (Reference is hereby made to original ordinance adopted on this date and set out in full in Ordinance Book 1970, on file in the office of the City Clerk).

Councilman Franchi moved that foregoing ordinance be brought to immediate vote;

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 370

4302

RESOLUTION AUTHORIZING THE CITY CONTROLLER TO EXPEND \$133,625.00 FOR THE PURCHASE OF SIXTY-NINE PARCELS OF LAND BEING ACQUIRED FOR THE PROPOSED WIDENING OF SACRAMENTO BOULEVARD FROM 14TH AVENUE SOUTH TO FRUITRIDGE ROAD, PROJECT NO. 355. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

4303

Proposed resolution adopting map and report of supplemental modifications of the select system of streets and request for approval by the California Highway Commission, was continued to regular meeting of September 10, 1970.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 371

4304

RESOLUTION GRANTING KNUDSENT DAIRY PRODUCTS A REVOCABLE PERMIT TO INSTALL AND MAINTAIN LOCKED GATES AT THE EAST AND WEST EXTREMITIES OF THE ALLEY IN THE BLOCK 13TH, 14TH, S AND T STREETS. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 372

4305

RESOLUTION GRANTING J. E. DUGAS, M. D. , A REVOCABLE PERMIT TO USE UNUSED CITY PROPERTY FOR THE PURPOSE OF CONSTRUCTING PLANTERS AND PROVIDE REQUIRED OFF-STREET PARKING. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

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In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 373

RESOLUTION REVOKING REVOCABLE PERMIT GRANTED BY RESOLUTION NO. 47, ON FEBRUARY 15, 1962

WHEREAS the City of Sacramento is engaged in a project to widen and improve the intersection on Fruitridge Road and Franklin Boulevard and the area adjacent thereto.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

4306

That the revocable permit granted by Resolution No. 47, on February 15, 1962, is hereby revoked and said resolution is hereby repealed, said revocation and repeal to become effective on September 15, 1970. The permittee, their agents, successors in interest, and lessees are hereby directed to remove those improvement installed by them and desired to be retained by them no later than September 15, 1970.

Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 374

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Engineer is hereby authorized and directed to execute on behalf of the City of Sacramento the agreement dated August 26, 1970 between the City and the State of California, Department of Public Works Division of Highways, relating to the placing of slurry sealing on Highways No. 160 and 275 in the City of Sacramento. The contract is further identified as Service Contract No.. 36187.

4307

Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Ferrales, Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Marriott, Wong.

Councilman Ferrales absented himself from the meeting at this time.

The City Attorney presented and discussed a report relating to changes in Charter amendment proposals.

Robert A. Sharp, representing the Sacramento City Employees Association, appeared versus putting Proposal I on the ballot.

After general discussion, Councilman Franchi introduced the following resolution and moved its adoption.

RESOLUTION NO. 375

RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF SACRAMENTO TO SUBMIT PROPOSALS FOR AMENDMENT OF THE CHARTER OF THE CITY OF SACRAMENTO; FIXING THE TIME OF ELECTION AT WHICH THE PROPOSALS SHALL BE SUBMITTED TO THE ELECTORS; PROVIDING FOR THE PLACING OF SAID PROPOSALS ON THE BALLOT AND DIRECTING THE CITY CLERK TO PUBLISH SAID PROPOSED AMENDMENTS AND TAKE SUCH OTHER ACTION AS REQUIRED BY LAW. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk).

4308

Seconded by Councilman Sands and carried by the following vote:

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

In accordance with report and recommendation of the City Manager, Councilman Naygrow moved that the following resolution be adopted:

RESOLUTION NO. 376

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the Mayor and City Clerk are hereby authorized and directed to execute for and on behalf of the City of Sacramento, a municipal corporation, the attached agreement by and between the Southern Pacific Company a corporation of the State of Delaware, and City of Sacramento, a municipal corporation, covering grant of easement at Engineer Station 231-25, Mile Post A-92.83 of Southern Pacific Company right of way, in County of Sacramento, State of California, for the installation of a water transmission main.

4309

RESOLUTION NO. 376, CONTINUED:

Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

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In accordance with report and recommendation of the City Manager, Councilman Franchi moved that the following resolution be adopted:

RESOLUTION NO. 377

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the Mayor and City Clerk are authorized and directed to execute an Agreement with Sacramento Municipal Utility District concerning the common use of certain rights of way and easements lying within the proposed expansion of the Street right of way at the intersection of Arden Way and Ethan Way which are presently owned by the Sacramento Municipal Utility District.

4310

Seconded by Councilman Naygrow and carried by the following vote:

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

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In accordance with report and recommendation of the City Manager, Councilman Talkin moved that the following resolution be adopted:

RESOLUTION OF AWARD NO. 4129

Resolution of award to A. Teichert & Son, Inc., in amount of \$59,464.90, in the matter of the improvement of 57th Avenue Assessment District. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1970, on file in the office of the City Clerk). Seconded by Councilman Franchi and carried by the following vote:

4311

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

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In accordance with report and recommendation of the City Manager, Councilman Talkin moved that the following resolutions be adopted:

RESOLUTION NO. 3577
ORDERING CITY ENGINEER
TO SEGREGATE AND APPORTION ASSESSMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That the owners, having petitioned therefore, the City Engineer is hereby ordered to segregate and apportion the following amended assessment, heretofore levied for the improvement of Mack Road Drainage Assessment District, all in accordance with the provisions of Part 10 of Division 10 of the Streets and Highways Code (The Improvement Bond Act of 1915), and he is hereby ordered to make an Amended Assessment and Map, as provided in said Part and Division: Assessment No. 470, recorded in Book 18, of Street Assessment No. 2 recorded in Book 18 of Street Assessments, Pages 160-165.

4312

RESOLUTION NO. 3673
ORDERING CITY ENGINEER
TO SEGREGATE AND APPORTION ASSESSMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

That owners having petitioned therefore, the City Engineer is hereby ordered to segregate and apportion the following assessment, heretofore levied for the improvement of Drives, Avenues, Circles and Rights of Way within and adjacent to Southgate Park Unit No. 1, all in accordance with the provisions of Part 10 of Division 10 of the Streets and Highways Code (The Improvement Bond Act of 1915), and he is hereby ordered to make an Amended Assessment and Map as provided in said Part and Division: Assessment No. 127, recorded in Book 18 of Street Assessments, Pages 247 to 254 and Amended Assessment No. 2, recorded in Book 18 of Street Assessments, Page 254-5.

4312

Seconded by Councilman Franchi and carried by the following vote:

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

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Communication from the California Highway Commission submitting a resolution relinquishing highway right of way along Broadway between Freeport Boulevard and Alhambra Boulevard, was received and referred to the City Manager. 4313

Communication from Jerome R. Lewis, requesting that the license fee relative to antique sale scheduled for February 19 through February 29, 1971, for the Planned Parenthood Association, was received and referred to the City Manager. 4314

Claim submitted by Phillip L. Isenberg, Attorney at Law, on behalf of Sun Lin Yee, in unstated amount, for injuries alleged to have been sustained due to a sidewalk fall on the southeast corner of 14th and V Streets, was considered at this time. 4315

Councilman Franchi moved that foregoing claim be rejected and referred to the City's insurance carrier for disposition. Seconded by Councilman Talkin and carried by the following vote:

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

Councilman Talkin moved that Councilman McKinley be appointed as the Council representative on the Regional Transit Action Committee. Seconded by Councilman Franchi and carried by the following vote: 4316

AYES: Councilmen Franchi, McGhee, McKinley, Naygrow, Sands, Talkin.

ABSENT: Councilmen Ferrales, Marriott, Wong.

Councilman Talkin suggested that Council give consideration to appointing three citizen representatives to serve on this committee.

Councilman Talkin announced that the Public Health, Safety and Morals Committee will call a public hearing soon on a proposal that container type street cleaning pickup operations be initiated.

Council adjourned at the hour of 9:15 o'clock p. m.

APPROVED BY CITY COUNCIL ON DATE OF
September 10, 1970

Richard H. Mumford
MAYOR

ATTEST:

Edmund C. Cleveland
CITY CLERK

(Council met in executive session after adjournment of the regular meeting).