

REGULAR MEETING
SACRAMENTO CITY COUNCIL
NOVEMBER 2, 1961

The Honorable City Council met in regular session on this date at hour of 7:50 o'clock P. M., Mayor McKinney presiding and roll call was answered as follows:

Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

The City Clerk reported having furnished each member with a copy of proceedings of previous meeting. The minutes of Regular Meeting, October 26, 1961, were thereupon ordered approved.

This having been the date set for hearing property owners protest on the proposed annexation of the "North Folsom Boulevard Annexation Area" and there being no written protests received and no protestants appearing, Councilman Mering moved that the following ordinance be brought to immediate vote:

ORDINANCE no. 2342, FOURTH SERIES

AN ORDINANCE APPROVING ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF SACRAMENTO COMMONLY KNOWN AS "NORTH FOLSOM BOULEVARD ANNEXATION AREA."

Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Mering thereupon moved that foregoing ordinance be adopted. Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Nielsen thereupon moved that the following ordinance be brought to immediate vote:

ORDINANCE NO. 2343, FOURTH SERIES

AN INTERIM ORDINANCE APPLYING CERTAIN REGULATIONS TO THE USE OF LAND, BUILDINGS AND STRUCTURES AND TO THE ERECTION, CONSTRUCTION, AND ALTERATION OF BUILDINGS, STRUCTURES AND IMPROVEMENTS, IN THE TERRITORY KNOWN AS NORTH FOLSOM BOULEVARD ANNEXATION AREA, ANNEXED TO THE CITY OF SACRAMENTO BY CITY ORDINANCE NO. 2342, FOURTH SERIES, EFFECTIVE DECEMBER 2, 1961, AND PRESCRIBING THE PENALTY FOR VIOLATION OF ANY OF THE PROVISIONS HEREOF.

Seconded by Councilman Seymour and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Nielsen thereupon moved that foregoing ordinance be adopted. Seconded by Councilman Seymour and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Seymour thereupon presented and moved adoption of the following resolution:

RESOLUTION NO. 702

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

That the City Council has examined the property owners' protests heretofore filed against the North Folsom Annexation Area as to the number and value of property represented thereby, and finds and declares that said protests do not constitute a majority protest to the annexation as set forth in Section 35121.1 of the Government Code of California

Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

This having been the date set for hearing on the proposed rezoning of the fractional Easterly 103' of Lots A, B, C and D, as shown on Tentative Map of Southgate Park from R - 1 One-Family Zone to R - 3 Light Density Multiple Family Zone and there being no written protests received and no oral protests heard, and in accordance with favorable recommendation of the City Planning Commission, Councilman Shelby moved that the following ordinance be brought to immediate vote:

ORDINANCE NO. 2344, FOURTH SERIES

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AN ORDINANCE CHANGING THE DISTRICTS ESTABLISHED BY ORDINANCE NO. 1963, FOURTH SERIES, PASSED MAY 17, 1956, AND ENTITLED: " AN ORDINANCE ESTABLISHING ZONES WITHIN THE CITY OF SACRAMENTO AND ESTABLISHING CLASSIFICATIONS OF LAND USES IN SUCH ZONES; REGULATING THE HEIGHT OF BUILDINGS AND OPEN SPACE FOR LIGHT AND VENTILATION; ADOPTING MAPS OF SAID CITY SHOWING BOUNDARIES AND THE CLASSIFICATIONS OF SUCH ZONES; DEFINING THE TERMS USED IN SAID ORDINANCE; PROVIDING FOR THE AMENDMENT AND THE ENFORCEMENT THEREOF; PRESCRIBING PENALTIES FOR ITS VIOLATION AND REVOKING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, " BY REMOVING CERTAIN TERRITORY FROM R - 1 ONE-FAMILY ZONE, AND PLACING SAME IN R - 3 LIGHT DENSITY MULTIPLE FAMILY ZONE.

Seconded by Councilman Seymour and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Shelby thereupon moved that foregoing ordinance be adopted. Seconded by Councilman Seymour and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Mayor McKinney acknowledged the presence of Mr. William Mahan and his history class of Sacramento Senior High School.

Mr. Kenneth Johnson, Civil Defense Director for the City and County, addressed the Council concerning the establishment of an emergency government operating center and the matter was discussed at this time.

7296

After further discussion, and upon the recommendation of the Civil Defense Director, Councilman Lobner moved that the selection of the government emergency operating center site north of the Sacramento Municipal Airport be tentative approved and that the Civil Defense Director be authorized to proceed with further tentative plans. Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7297

In accordance with bids received on date of October 26, 1961 and recommendation of the City Manager, filed on this date, Councilman Shelby moved that the bid of Ets-Hokin & Galvan, Inc., in amount of \$3,933.00, be accepted for furnishing and installing an air raid siren in the vicinity of 24th Street and Florin Road and that the Mayor and City Clerk be authorized to execute Contract No. 385 when same has been prepared and approved by the City Attorney. Seconded by Councilman Talkin and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7298

In accordance with application and recommendation of the City Manager, Councilman Shelby moved that permission be granted Wilshire Oil Company to install petroleum storage tanks located at premises at 3650 Sacramento Boulevard. Seconded by Councilman Talkin and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7299

In accordance with verbal recommendation of the City Manager, Councilman Seymour moved that all bids received for the construction of Swimming Pool and Bathhouse in Cabrillo Park (65th Avenue and Milford Street) be rejected. Seconded by Councilman Talkin and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7300

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Seymour moved that request of the City Engineer for permission to sell four parcels of surplus property described as Parcel A: a portion of Lots 733 to 737, inclusive, Carleton; Parcel B: Portions of Lots 4 to 8 inclusive, Terminal Tract; and portion of Lots 1 and 2, Fairview; Parcel C: Portions of Lots 58 and 59 and portion of Lot 60, Block B, Shoptside, et al; Parcel D, Portions Lots 1 to 6 inclusive and Lots 63 to 66 inclusive, Block B Shoptside, et al, said property having been acquired for the construction of the Sutterville Road Overhead Structure, be approved 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 November 28, 1961. Seconded by Councilman Shelby and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

November 2, 1961

In accordance with recommendation of the City Manager, which was ordered filed, Councilman Seymour moved that the request of the City Engineer for permission to sell the former firehouse located at 4241 Stockton Boulevard, subject to reserving the Southerly 36 feet of same for the air raid siren in place on said property, be approved and the City Clerk authorized to advertise for bids thereon to be received up to the hour of 5:00 o'clock P. M. on date of November 21, 1961. Seconded by Councilman Talkin and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7301

In accordance with report of the Chief of Police and recommendation of the City Manager, filed on this date, Councilman Talkin moved that application of Mr. Duke Cahill, for a Dance Hall License for premises located at 427 Broadway (Cahill's Dog House), be granted. Seconded by Councilman Mering and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7302

In accordance with application and recommendation of the City Manager, Councilman Mering moved that permission be granted Union Oil Company to install one (1) 250 gallon Butane Storage tank on premises located at 76 West Broadway. Seconded by Councilman Seymour and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

7303

Together with report on subject, which was ordered filed, the City Manager presented and Councilman Domich moved that the following resolution be adopted:

RESOLUTION NO. 703

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

That the State of California, Department of Finance, is hereby granted a revocable permit to encroach into the alley, 8th - 9th, N and O Streets, for the purpose of installing a transformer valut for use in connection with the new State Retirement Building to be constructed on the south half of said block. The encroachment is described as the southerly three and one-half feet of the alley 9th - 8th, N and O Streets from a point forty five feet east of the east property line of 8th Street to a point ninety feet east of the east property line of 8th Street.

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This permit is granted on the condition that said permittee shall protect and save the City of Sacramento harmless from all damages, costs and causes of action in econnection with the granting of this permit.

BE IT FURTHER RESOLVED that the permittee shall determine the location of and protect and support all utilities in the public rights of way, and shall bear the cost of any necessary reconstruction.

Seconded by Councilman Mering and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

In accordance with report of the Superintendent of the Division of Water and Sewers and recommendation of the City Manager, Councilman Mering moved that the work of Centrline Corporation for installing a cement mortar lining in the outfall sewer of Sump No. 2 be accepted as of date of October 30, 1961, and Seconded by Councilman Domich and carried by the following vote: final payment authorized.

7305

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin..

ABSENT: Councilman Marriott.

In accordance with report of the City Engineer and recommendation of the City Manager, Councilman Domich moved that the work of The Colorado Fuel and Iron Corporation, for the construction of a woven wire fence adjacent to the Sacramento Corporation Yard, be accepted as of date of October 27, 1961 and final payment therefor, authorized. Seconded by Councilman Mering and carried by the following vote:

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AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

In accordance with report of the City Engineer and recommendation of the City Manager, Councilman Lobner moved that the work of S Luppen and Hawley, for the intersection lighting at 35th Avenue and South

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Land Park Drive, be accepted as of date of October 20, 1961 and final payment therefor, authorized. Seconded by Councilman Domich and carried by the following vote:

AYES: Councilmen Domich, Lobner, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

ABSENT: Councilman Marriott.

Councilman Marriott arrived.

7308

Report from the City Attorney relative to action taken to eliminate dumping of debris on Freeport Farms Development Company Lot located at South Land Park Drive and 14th Street was read and ordered placed on file. (Report submitted relative to protest of Mr. Albert C. Stacpoole on date of October 26, 1961 protesting the dumping of rubbish and trash in fill area at 14th Street and South Land Park Drive).

7309

In accordance with recommendation of the City Engineer and the City Manager, Councilman Talkin moved that rain clothing for street maintenance and street cleaning personnel be provided by the City. Seconded by Councilman Mering and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

7310

In accordance with application and favorable recommendation of the City Planning Commission, a hearing on request of John M. and Marie E. Babich for the rezoning of Lots 2, 3 and 4 of Golf View Tract from R - 2 Two Family Zone to "OB" Office Building Zone, was set for the hour of 7:45 o'clock P. M. on date of November 16, 1961. upon the motion of Councilman Talkin which was seconded by Councilman Nielsen and a carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

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In accordance with application and favorable recommendation of the City Planning Commission, a Councilman Talkin moved that a hearing on the request of Bill Bacanas for the rezoning of the Northeast corner of 30th and E Streets (3005-E Street and 417 - 30th Street) from the "R-4" Medium Density Multiple Family Zone to the "C-2" Community Commercial Zone be set for the hour of 7:45 o'clock P. M. on date of November 16, 1961. Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

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Letter of thanks from Colonel Clifford E. Cole, USAF, for reception invitation honoring Brigadier General Callish was read and ordered placed on file.

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Communication from Laverne Crites, Principal of the Will C. Wood Junior High School thanking Council for paving a four foot wide strip on each side of Lemon Hill Avenueto enable students to walk to school with a reasonable degree of safety, was read and ordered placed on file.

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Communication from Reverend Harry B. Schultheis extending compliments to the City Council was received, read and ordered placed on file.

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Communication from Governor Edmund G. Brown dated October 30, 1961, relative to the nationwide fallout shelter survey and marking program was read and ordered placed on file.

Together with report on subject, which was ordered filed, the City Manager presented and Councilman Mering moved tha t the following resolution be adopted:

RESOLUTION NO. 704

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APPROVING GRAND DEED CONVEYING PORTION LOT B, W & K WILLOW RANCHO NO. 2, TO SACRAMENTO CITY UNIFIED SCHOOL.DISTRICT. (REFERENCE IS HEREBY MADE TO ORIGINAL RESOLUTION ADOPTED ON THIS DATE AND SET OUT IN FULL IN RESOLUTION RECORD 1961 ON FILE IN OFFICE OF THE CITY CLERK).

Seconded by Councilman Domich and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

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Together with report on subject, which was ordered filed, the City Manager presented and Councilman Nielsen moved that the following resolution be adopted:

RESOLUTION NO.. 705

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

That the City Manager is hereby authorized to purchase in the open market without first advertising for bids

(Four (4) - Motorola Radio Transmitter-Receiver units, 25 watt R.F. output, Transistor power supply, 12 volt equipment with 154.77 M receiver, and 156.03 M transmitter crystals, Model number U 43 GGT - 1100 C., for the sum of approximately \$2154.00.

The above Mobile Radio sets are to be installed in Police Department automotive equipment. Said course being recommended by the City Manager in accordance with Section 251 of the City Charter.

Seconded by Councilman Marriott and carried by the following vote

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

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

RESOLUTION NO. 3568

WHEREAS, a petition has been filed with the City Council requesting that proceedings be adopted for the improvement of all that portion of Section 27, Township 8 North, Range 5 East, M. D. B. M. & M., described as follows:

Beginning at the southwest corner of Lot 26 of South Sacramento Gardens, as said lot is shown and so designated on the official plat thereof recorded in the office of the Sacramento Recorder of Sacramento County in Book 14 of Maps, Map No. 40, thence northerly along the westerly line of said Lot 26 to the centerline of Morrison Creek; thence westerly along the centerline of Morrison Creek to the intersection of said centerline with the east line of Lot 9 of Lemon Hill Annex, as said lot is shown and so designated on the official plat thereof recorded in the office of the Recorder of Sacramento County in Book 8 of Maps, Map No. 10; thence southerly along the east line of Lot 9 to the southeast corner of said Lot 9; thence westerly along the southerly boundary of said Lemon Hill Annex to the southwest corner of Lot 10 of said Lemon Hill Annex; thence S. 00° 01' 00" E. 455.43 feet; thence N. 89° 58' 00" W. 367.83 feet; thence S. 00° 06' 00" E. 868.20 feet to the centerline of Elder Creek Road; thence along the centerline of Elder Creek Road easterly to the point of beginning; EXCEPTING THEREFROM any portion which lies within the boundaries of the D Elder Creek Cemetery (so called), in the City of Sacramento, and

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WHEREAS, the signers of said petition state that they are all of the Owners of more than 60% of the area liable for Assessment for said work and improvement, and they expressly "WAIVE" the provisions of Division 4 of the "Streets and Highways Code of the State of California" (The Special Assessment Investigation, Limitation and Majority Protest Act of 1931), as amended and all investigations, proceedings and reports provided for therein, and

WHEREAS, the said petition has been checked by the City Engineer's office and found that the WAIVER is signed by the Owners of more than 60% of the Area liable for Assessment for said work.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the said petition is hereby approved and granted, and

BE IT FURTHER RESOLVED, that the City Council hereby finds and determines that the WAIVER in said petition is signed by the Owners of more than 60% of the Area liable for said work and improvement and hereby directs that proceedings for said work be authorized as provided in Division 7 of the said Streets and Highways Code, THE IMPROVEMENT ACT OF 1911.

Seconded by Councilman Shelby and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

Request from Cobble Dick-Kibbe Glass Company for abandonment of the Alley running East and West from 19th Street to the Western Pacific Railroad tracks between S and T Streets was received and referred to the City Manager for a report.

7319

Notice from the Public Utilities Commission relative to the hearing on the application of the Greyhound Corporation for authority to reroute passenger stage service between Sacramento and Stockton Boulevard Overcrossing over relocated U. S. Highway 99 and for incidental relief was received and referred to the City Manager.

7320

Final opinion of Orrick, Dahlquist, Herrington and Sutcliffe relative to the City of Sacramento 1960 Water Revenue Bonds, Series B (Part One), was received, read and ordered placed on file.

7321

Notice of hearing before the State Reclamation Board, November 16, 1961, relative to the Sacramento River Bank Protection Project, was received and ordered placed on file.

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7323 Communication from the State Division of Highways, submitting a proposed superseding Freeway Agreement, covering freeway construction of that portion of State Route 11 (Freeport Boulevard) between 0.5 mile South of Riverside Boulevard and Blair Avenue, was received and referred to the City Manager for a report.

7324 In accordance with application and verbal recommendation of the City Manager, Councilman Shelby moved that the Sacramento Chapter, American Red Cross, be granted free use of the Memorial Auditorium basement on April 7th, 1962. Seconded by Councilman Mering and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

7325 Request from the State Division of Highways, for cancellations of taxes on the East 1/2 of Lot 5, Block 29th - 30th, "H" and "I" Streets, was received and referred to the City Manager for a report.

7326 Communication from The Sacramento Woman's Council including a resolution adopted by said body recommending the building of community fall-out shelters, was received, read and ordered placed on file.

7327 Request from the Golden Empire Council for free use of the Memorial Auditorium on date of January 22nd and March 17th, 1962, was received and referred to the City Manager for a report.

7328 Request of Cox-Liske-Associates, Architects, on behalf of the Sacramento Bee, for permit to extend foundations into R Street and installation of transformer vault on 21st Street in connection with proposed expansion of The Sacramento Bee building, was received and referred to the City Manager for a report.

7329 Card of thanks from Arthur and George Martin and Irene Gregory, for sympathy extended, was received, read and ordered placed on file.

In accordance with application and together with verbal recommendation of the City Manager, Councilman Seymour moved that the contract for the operation of the refreshment stand in the Memorial Auditorium be renewed and moved adoption of the following resolution:

RESOLUTION NO. 706

WHEREAS, STEPHEN M. LENT and DORIS M. LENT have the hat-checking and concession stand in the Memorial Auditorium pursuant to a Concession Agreement dated June 22, 1950, which embodies all of the terms under which the concession is to be operated; and

WHEREAS, it is found that it is for the best interests of the City and the Concessionaire to continue said Concession Agreement in the manner hereinafter set forth

7330 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the Concession Agreement is hereby extended for a period of two (2) years from and after December 1, 1961, to and including November 30, 1963, and that the City's percentage of the gross to be continued under the present arrangement of 32%; said extension of agreement being upon the recommendation of the City Manager.

Seconded by Councilman Domich and carried by the following vote:

AYES: Councilmen Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour, Shelby and Talkin.

7331 At the request of Councilman Mering, the City Clerk was instructed to send the History of the Sacramento City Seal to Mrs. Alma Kuehl of Paradise, California in acknowledgement of her contributions to the Sacramento Zoo Builders Fund.

Council adjourned at hour of 8:45 o'clock P. M.

APPROVED BY THE CITY COUNCIL ON DATE OF NOVEMBER 9, 1961

James B. McKinney
MAYOR

ATTEST:
Reginald A. Boyce
CITY CLERK