

REGULAR MEETING  
SACRAMENTO CITY COUNCIL  
March 29, 1973

The Honorable City Council met in regular session on this date at the hour of 7:30 p. m., Vice Mayor Sands presiding and roll call was answered as follows:

Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Mayor Marriott.

The City Clerk reported having furnished each member with a copy of proceedings of previous meeting. The minutes of regular meeting of March 22, 1973, were ordered approved.

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Mr. Ralph Powell, CCE, Executive Vice President and Mr. Edward R. McAdams, Industrial Manager, Sacramento Metropolitan Chamber of Commerce, appeared and addressed the Council, presented the quarterly report on Economic Development, which was ordered filed.

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Mr. McAdams review the activities of the Chamber of Commerce relative to the Economic Development.

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This having been the date set for hearing on the appeal of R. Johnson, from City Planning Commission action denying a rezoning application to construct a four-unit apartment complex, from the "R-1" Single Family Zone to the "R-3" Light Density Multiple Family Zone at 3941 H Street, consideration was had at this time.

Bartley W. Cavanaugh, Jr. Attorney, representing R. Johnson, appeared and addressed the Council in favor of granting the appeal and presented a petition signed by certain property owners in the area.

Following a general discussion, Councilman Matsui moved that the foregoing appeal be denied. Seconded by Councilman Isenberg and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

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ABSENT: Councilman Marriott.

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This having been the date set for hearing on the appeal of Janice Peterson, Director, Intercultural Education, Inc., 3031 Franklin Boulevard, from City Planning Commission denial of a Special Permit for a private school in the "R-1" Single Family Residential Zone, consideration was had at this time.

Following a general discussion, Councilman Ferrales moved that foregoing matter be referred back to the City Planning Commission. Seconded by Councilman Robertson and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

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ABSENT: Councilman Marriott.

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This having been the date set for hearing to determine and impose costs of sidewalk repair upon various properties involved, as a lien, consideration was had at this time.

There being no protests received, Councilman Matsui moved that the following resolution be adopted:

RESOLUTION NO. 747

RESOLUTION ASSESSING COSTS OF SIDEWALK REPAIR AS A LIEN AGAINST PROPERTY AS FOLLOWS: 2758 Portola Way, 3017 U Street, 1500 12th Avenue, 2109 and 2131 U Street, 5721 19th Avenue, 5421 D Street, 2816 P Street, 5109 U Street, 2221 8th Street, 2225 8th Street, 1944 Sloat Way, 4933 9th Avenue, 5115 20th Avenue, 2031 18th Street. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record, 1973, on file in the office of the City Clerk). Seconded by Councilman Isenberg and carried by the following vote:

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AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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This having been the date set for hearing and no protests having been received, the City Manager presented and Councilman Matsui moved that the following resolutions in the matter of the construction of a water distribution system complete, in 14th Avenue Water Assessment District No. 2, under Proceedings No. 4344, be adopted:

RESOLUTION OF REPORT BY LEGISLATIVE BODY ON INVESTIGATION REPORT HEARING RESOLUTION DETERMINING THAT LIMITATION OF INDEBTEDNESS MAY BE EXCEEDED RESOLUTION OF INTENTION NO. 4344, setting a hearing date of April 19, 1973.

(Reference is hereby made to original resolutions adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Isenberg and carried by the following vote:

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AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 3203

10385 Resolution approving report and amended Assessment No. 74, under Proceedings No. 3203, for the work and improvement of Fuller Town Assessment District. (24th Street and Glen Ellen Circle).

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 3219

10386 Resolution approving report and amended assessment No. 74, under Proceedings No. 3219, for the work and improvement of Fuller Town Street Lighting Assessment District. (24th and Glen Ellen Circle).

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 3364

Resolution approving report and amended Assessment No. 107, under Proceedings No. 3364, for the work and improvement of Redding Avenue Assessment District. (14th Avenue and 71st Street).

(Reference is hereby made to original resolutions adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Isenberg and carried by the following vote:

10387 AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 3841

10388 Resolution approving report and amended Assessment No. 8 and 9, under Proceedings No. 3841, for the work and improvement of Campus Commons Assessment District. (Cadillac Drive and Fair Oaks Boulevard).

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 3867

10389 Resolution approving report and amended assessment No. 4B, under Proceedings No. 3867, for the work and improvement of San Juan Road Sewer Assessment District. (Northgate Boulevard and Interstate I 880).

RESOLUTION APPROVING REPORT AND AMENDED ASSESSMENT NO. 4199

Resolution approving report and amended assessment Nos. 9 and 10, under Proceedings No. 4199, for the work and improvement of Campus Commons West Ranch Assessment District. (Cadillac Drive and Fair Oaks Boulevard).

(Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Isenberg and carried by the following vote:

10390 AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott,.

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The proposed ordinance amending the Zoning Ordinance No. 2550, Fourth Series, concerning procedure for waiving off-street parking requirements of Old City 40' x 80' Lots, having been continued from the regular meeting of March 22, 1973, to this date, the matter was again considered.

Following a general discussion, Councilman Miller moved that the proposed ordinance not be adopted and that the Council uphold the recommendation of the City Planning Commission. Seconded by Councilman Isenberg and carried by the following vote:

10391 AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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The proposed ordinance amending Section 13.36, Sacramento City Code regarding the age of minors who may enter a taxi dance hall, having been continued from the regular meeting of March 22, 1973, to this date, the matter was again considered at this time.

Following a general discussion, Councilman Isenberg moved that the following ordinance be adopted:

ORDINANCE NO. \_\_\_\_\_, FOURTH SERIES

AN ORDINANCE AMENDING SECTION 13.36 OF ARTICLE III OF CHAPTER 13 OF THE SACRAMENTO CITY CODE RELATING TO THE AGE OF MINORS IN TAXI DANCE HALLS.

Seconded by Councilman Rudin and roll call resulted as follows:

10392 AYES: Councilmen Ferrales, Isenberg, Rudin.

ABSENT: Councilman Marriott.

NOES: Councilmen Matsui, Miller, Naygrow, Robertson, Sands.

PROPOSED ORDINANCE RE MINORS IN TAXI DANCE HALLS, CONTINUED:

Following further discussion, Councilman Matsui moved that the matter be held over for renewal of standards by the City Attorney. Seconded by Councilman Miller and roll call resulted as follows:

AYES: Councilmen Matsui, Miller, Naygrow, Robertson.

ABSENT: Councilman Marriott.

NOES: Councilmen Ferrales, Isenberg, Rudin, Sands.

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The proposed ordinance amending Section 2.91 of Chapter 2 of the Sacramento City Code, by adding the new classifications of Data Processing Technicians, having been continued from the regular meeting of March 22, 1973, and ordered to take its usual course, Councilman Isenberg moved that the following ordinance be adopted:

ORDINANCE NO. 3257, FOURTH SERIES

AN ORDINANCE AMENDING SECTION 2.91 OF CHAPTER 2 OF THE SACRAMENTO CITY CODE, BY ADDING THE NEW CLASSIFICATIONS OF DATA PROCESSING TECHNICIANS. (Reference is hereby made to original ordinance adopted on this date and set out in full in Ordinance Book 1973, on file in the office of the City Clerk). Seconded by Councilman Rudin and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott,

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Councilman Matsui, Chairman of the Employee Relations Committee presented a recommendation of the Committee that the proposed ordinance and resolution pertaining to nepotism in City employment be not adopted, was discussed with no action taken. The recommendation was thereupon ordered filed.

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In accordance with bids received on date of March 6, 1973, and recommendation of the City Manager, Councilman Isenberg moved that the bid of Cincinnati, Inc., in amount of \$5,663.70, be accepted for furnishing one (1) mechanical squaring shear, and that the Mayor and City Clerk be authorized to execute Contract No. 32, when same has been prepared and approved by the City Attorney. Seconded by Councilman Matsui and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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In accordance with bids received on date of January 9, 1973, and recommendation of the City Manager, Councilman Isenberg moved that the bid of Kustom Signals, Inc., in amount of \$7,030.80, be accepted for furnishing six (6) units of radar equipment and that the Mayor and City Clerk be authorized to execute Contract No. 33, when same has been prepared and approved by the City Attorney. Seconded by Councilman Matsui and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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In accordance with report and recommendation of the City Manager, Councilman Isenberg moved that the following specifications be adopted and the City Clerk instructed to advertise for bids thereon to be received up to the hour of 10:00 a. m., on date of April 17, 1973.

Specifications for Firehouse For Engine Company No. 7, (Valley Hi Drive and Wyndham Drive), at an estimated cost of \$175,000.00.

Specifications for the construction of City of Sacramento Historical Area Phase II, at an estimated cost of \$274,706.60.

Specifications for furnishing and erecting an addition to Central Stores at the City of Sacramento Corporation Yard, at an estimated cost of \$37,748.50.

Specification for furnishing one (1) 3-5 ton tandem roller replacement for use by the Street Maintenance Division, at an estimated cost of \$6,500.00.

Specifications for furnishing one (1) 2-3 ton towable tandem roller replacement for use by the Street Maintenance Division, at an estimated cost of \$5,500.00.

Specifications for furnishing one (1) 4-wheeled, self-propelled, double gutter broom power street sweeper replacement for use by the Street Cleaning Division, at an estimated cost of \$16,000.00.

Seconded by Councilman Matsui and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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Together with report on subject, which was ordered filed, the City Manager presented the following ordinance and resolution recommending their adoption at the regular meeting of April 5, 1973.

ORDINANCE NO. \_\_\_\_\_, FOURTH SERIES

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AN ORDINANCE ADDING A NEW CHAPTER 58 TO THE SACRAMENTO CITY CODE RELATING TO ENVIRONMENTAL CONTROL AND REPEALING ORDINANCES 3193, 3207 AND 3218, FOURTH SERIES, WHICH PROVIDED INTERIM OPERATING PROCEDURES AND GUIDELINES FOR ENVIRONMENTAL CONTROL AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

RESOLUTION NO. \_\_\_\_\_

10404

RESOLUTION ESTABLISHING PROCEDURES AND GUIDELINES TO CARRY OUT THE PURPOSE OF CHAPTER 58 OF THE SACRAMENTO CITY CODE RELATING TO ENVIRONMENTAL IMPACT REPORTS AND REPEALING RESOLUTION NO. 501, ADOPTED AND REPEALING RESOLUTION NO. 501, ADOPTED OCTOBER 19, 1972.

Following an explanation of the proposed environmental guidelines and procedures by the City Attorney and a verbal request by Joseph Coomes for an amendment to the guidelines to protect projects that were caught between guidelines, the matter was continued to the regular meeting of April 5, 1973.

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Councilman Isenberg, Chairman of the Finance and Budget Committee, reported that the Committee would meet on April 3rd, 5th, 10th and 12th, at 8:00 a. m., in the Council Chamber of the City Hall, for the purpose of holding hearings regarding the proposed business license ordinance.

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A Special Meeting was set for Tuesday, April 10, 1973, at the hour of 4:00 p. m., in the Personnel Conference Room at 801 Ninth Street, regarding the impasse hearing with the Sacramento Police Officers Association.

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The following communications favoring a proposed ordinance regulating throw away beverage containers: were received and ordered filed:

Candance Bosek, 1138 Howe Avenue, Norman L. Coan, 2381 - 20th Avenue, Peter Lakerd, 5605 Seward Court, Janice Hironaka, Sacramento City College Student, 1449 Claudia Drive, Steve Meyers, 5610 Caleb Ave.

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

RESOLUTION NO. 748

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

That the City of Sacramento hereby approved and accepts the terms and conditions of that certain Agreement by and between the Sacramento Regional Transit District, therein called "Buyer" and the City of Sacramento, therein called "Seller" by which the assets and liabilities of the Sacramento Transit Authority are transferred to the Sacramento Regional Transit District.

That the Mayor and the City Clerk are hereby authorized to execute said Agreement for and on behalf of the City of Sacramento, a municipal corporation.

John Ketelsen, Deputy City Attorney, answered questions concerning the proposed transfer.

Following a general discussion the motion was seconded by Councilman Miller and carried by the following vote:

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AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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

RESOLUTION NO. 749

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RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH APPLIED SCIENCE AND RESOURCE PLANNING INC.

RESOLUTION NO. 750

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RESOLUTION AUTHORIZING THE SETTING OF A PUBLIC HEARING AND CONSENTING TO JOINT PUBLIC HEARING OAK PARK PROJECT, PROJECT NO. 7.

RESOLUTION NO. 751

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RESOLUTION AUTHORIZING EXECUTION OF GRANT OF RIGHT OF WAY TO SMUD IN SEYMOUR PARK ADJACENT TO HAVENSIDE ESTATES.

March 29, 1973

RESOLUTION NO. 752

RESOLUTION AUTHORIZING THE APPLICATION BY THE MOUNTAIN VALLEY LIBRARY SYSTEM FOR A FEDERAL GRANT UNDER TITLE III, OF THE FEDERAL LIBRARY SERVICES AND CONSTRUCTION ACT.

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RESOLUTION NO. 753

RESOLUTION AMENDING THE CONCESSION CONTRACT FOR MILLER PARK BOAT HARBOR.

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RESOLUTION NO. 754

RESOLUTION REVOKING THE REVOCABLE PERMITS GRANTED TO THE SACRAMENTO YACHT CLUB.

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RESOLUTION NO. 755

RESOLUTION GRANTING REVOCABLE PERMIT TO SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR THE PURPOSE OF MAINTAINING AND OPERATING A SPUR CROSSING IN THE VICINITY OF WEST RAILROAD AVENUE AND THE NORTH LINE OF SAN JOAQUIN STREET.

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RESOLUTION NO. 756

RESOLUTION GRANTING A REVOCABLE ENCROACHMENT PERMIT TO ZELLERBACH PAPER COMPANY FOR THE PURPOSE OF MAINTAINING AND OPERATING A SPUR CROSSING IN THE VICINITY OF RICHARDS BOULEVARD AND TENTH AND ELEVENTH STREETS.

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RESOLUTION NO. 757

RESOLUTION GRANTING REVOCABLE ENCROACHMENT PERMIT TO POINT WEST PLAZA I FOR THE PURPOSE OF CONSTRUCTING ENTRANCES FOR INTERIOR SIDEWALKS IN THE VICINITY OF POINT WEST WAY AND RESPONSE ROAD.

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RESOLUTION NO. 758

RESOLUTION GRANTING REVOCABLE ENCROACHMENT PERMIT TO DOWNTOWN FORD SALES FOR THE PURPOSE OF CLOSING AND USING ALLEY BETWEEN C AND D, 16TH AND 17TH STREETS.

(Reference is hereby made to original resolutions adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Ferrales and carried by the following vote:

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AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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Councilman Miller introduced the following resolution moving its adoption:

RESOLUTION NO. 759

RESOLUTION ENDORSING THE CONSTRUCTION OF THE EAGLE THEATRE IN OLD SACRAMENTO. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Isenberg.

Following a general discussion, Councilman Miller moved an amendment to the resolution by adding a final paragraph to read as follows:

RESOLUTION NO. 759

WHEREAS, it is in the public interest for this generation of Californians, as well as the generations to come, to appreciate the history and color of Old Sacramento;

WHEREAS, a volunteer group of Sacramento citizens has developed and actively supported a feasible program for reconstructing the Old Eagle Theatre in Old Sacramento; and

WHEREAS, the Old Eagle Theatre was the first theater building in California, being completed in September, 1849 and designated for reconstruction on its original site as a part of the 1849 "scene", and

WHEREAS, the State of California has prepared a preliminary design for its reconstruction; and

WHEREAS, interested citizens plan to form a community board, subject to State approval, to assume the theater's operation and bring it to life as a living museum of the gold rush era; providing period drama, suitable visiting productions, children's theater and keep it open to the public and available on a first-come, first-serve basis; and

WHEREAS, the State of California originally acquired 1,000,000 bricks from historic Old Sacramento, of which they have used 200,000 and anticipate using approximately 200,000 more with the remainder being designated as surplus; and

WHEREAS, Assemblyman Edwin Z'berg is prepared to introduce legislation to allow the bricks to be sold with the proceeds going to the reconstruction fund of the Old Eagle Theatre, as needed, to help meet building costs; and

RESOLUTION 759, CONTINUED:

WHEREAS, any monies after such expenditure will be used for restoration and interpretive exhibits in Old Sacramento;

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

THAT the Council gives its support to this worthwhile public project;

AND BE IT FURTHER RESOLVED that the bricks in question be sold for use within the project.

Seconded by Councilman Isenberg and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

Roll call on the main motion then resulted as follows:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

NOES: None.

NOT VOTING: Councilman Sands.

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

RESOLUTION NO. 760

A RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH OLIVER R. SIMS AND ASSOCIATES

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

The Mayor of the City of Sacramento is hereby authorized and directed to execute on behalf of the City of Sacramento that certain agreement between the City and Oliver R. Sims and Associates for professional services which shall be rendered to the Citizens Committee on Police Practices.

Seconded by Councilman Ferrales and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Naygrow, Robertson, Rudin.

ABSENT: Councilman Marriott.

NOES: Councilmen Matsui, Miller, Sands.

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

RESOLUTION NO. 4347

Resolution approving petition and waiver No. 4347, in the matter of the improvement of Lemon Hill Estates Unit No. 2. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 1973, on file in the office of the City Clerk). Seconded by Councilman Ferrales and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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In accordance with report and recommendation of the City Manager, Councilman Isenberg moved that the agreement between G. J. Goughnour, owner and Lund Construction Company, Contractor, to construct by private contract a water main in Folsom Boulevard and Notre Dame Drive West, under Proceedings No. 4367, be approved.

Seconded by Councilman Ferrales and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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Notice of the expiration on June 1, 1973 of the two year, Traffic Safety Advisory Committee terms of James M. McDowall, C. Vern Shorey and Don Willis, was noted and referred to the Personnel and Rules Committee.

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March 29, 1973

Communication from the Capital City Womens Post No. 389, Inc., American Legion, submitting a resolution expressing confidence in the Police Department and dissatisfaction with the Citizens Committee on Police Practices, was received and ordered filed. 10424

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Communication from the Sacramento Regional Area Planning Commission relative to the City of Sacramento Redevelopment Agency Neighborhood Development Program, was received and referred to the City Manager. 10425

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Communication from the Sacramento Regional Area Planning Commission relative to the Commission Program and Budget for 1973/74, was received and referred to the City Manager. 10426

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Councilman Isenberg moved that the following claims be considered, rejected and referred to the City's insurance carrier for disposition:

Claim filed by Lewis A. Lassetter, Jr., Attorney, on behalf of Mary D. Colburn, in amount of \$50,000. for injuries alleged to have been sustained due to a sidewalk fall in front of Northside Grocery at 1400 G Street. 10427

Claim filed by Michael Donofrio in amount of \$58,25, for damages alleged to have been sustained when vehicle hit a drainage hole at 4190 - 24th Street. 10428

Claim filed by Mr. and Mrs. Rene L. Rothschild, in amount of \$335.00 for alleged expense for sewer line leak at 1880 Ninth Avenue. 10429

Seconded by Councilman Matsui and carried by the following vote:

AYES: Councilmen Ferrales, Isenberg, Matsui, Miller, Naygrow, Robertson, Rudin, Sands.

ABSENT: Councilman Marriott.

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Council adjourned at the hour of 10:00 p. m.

APPROVED BY CITY COUNCIL ON DATE OF  
April 5, 1973

*Richard H. Marriott*  
MAYOR

ATTEST:

*Thomas W. Cleham*  
CITY CLERK