

REGULAR MEETING
SACRAMENTO CITY COUNCIL
FEBRUARY 9, 1961

The Honorable City Council met in regular session on this date at hour of 7:45 o'clock P. M., Mayor McKinney presiding and roll call was answered as follows:

Councilmen Bronson, Domich, Lobner, Marriott, McKinney, Mering, Nielsen, Seymour and Shelby.

The City Clerk reported having furnished each member with a copy of proceedings of previous meeting. The minutes of Regular Meeting of February 2, 1961, were ordered approved.

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

#3479 Water Distribution System, Fruitridge Road from Westerly line Lot 51,
City Farms, et al.

	<u>Total</u>	<u>Bid Deposit</u>
Richard C. Cox Pipe Line Constn. 5945 Elvas Avenue Sacramento, California	\$4,695.00	10% Bid Bond
Delzer Pipeline Constn. Co. 6548 Fair Oaks Boulevard Carmichael, California	\$4,758.00	10% Bid Bond
A. & E Pipe Lines, Inc. P.O.Box 7186, Perkins Branch Sacramento, California	\$5,040.00	10% Bid Bond
W. M. Lyles Co. P.O.Box 495 Avenal, California	\$6,272.00	10% Bid Bond
Luppen & Hawley, Inc. 3126 J Street Sacramento, California	\$7,257.00	\$800.00 Bid Bond

Upon recognition of the Mayor, Judge Sherrill Halbert addressed the Council and introduced the Camellia princesses of 1961, representing the Camellia Festival Association.

The princesses presented camellia plants to each member of the City Council.

Mayor McKinney recognized Mr. Jack V. Howard, Scoutmaster of the Golden Empire Council, BSA, who in turn introduced Explorer Scout John Nelson, Boy Scout Ernest Howard and Cub Scout Stewart Walthall who spoke to the Council concerning the Boy Scout movement and presented the members of the Council with a Boy Scout lapel pin.

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

RESOLUTION ORDERING WORK NO. 3482

Resolution ordering work, which calls for bids to be received on date of March 2, 1961, in the matter of the construction of a Water Distribution System, complete in Willow Street lying between the center/line of 16th Avenue and a point located 483.56 feet Northerly therefrom. (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 Bronson and carried by the following vote:

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

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

RESOLUTION ORDERING WORK NO. 3469

Resolution ordering work, which calls for bids to be received on date of March 2, 1961, in the matter of the improvement of Avenues, Road and Rights of Way within and adjacent to Mayfair Gardens Unit No. 1 (as the same is shown on the official plat thereof in the office of the Sacramento County Recorder); Garden-dale Road from the centerline of 24th street to the Southerly production of the Easterly Boundary of said Mayfair Gardens Unit No. 1. (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 Mering and carried by the following vote:

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

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Hearing on Resolution of Intention No. 3467, having been set for this date, on the matter of the construction of a Water Distribution System, complete in 37th Avenue from the center line of Power Inn Road to the center line of Wilkinson Street and portions of Power Inn Road, 79th Street and Wilkinson Street, consideration was had at this time.

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Mr. Paul Moreno, 2463 Brannan Place, Santa Clara, California, addressed the Council protesting the above resolution of intention, as owner of Lot 12 in the area proposed for improvement.

Councilman Lobner thereupon moved that the hearing be closed and the protest referred to the City Manager for a report. Seconded by Councilman Mering and carried by the following vote:

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

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

RESOLUTION ORDERING WORK NO. 3464

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Resolution ordering work, which calls for bids to be received on date of March 2, 1961, in the matter of the construction of a Storm Sewer System, complete with necessary appurtenances, in Meadowview Road from the center line of 24th Street to the Northerly production of the Easterly line of Detroit Boulevard. (Reference is hereby made to original resolution adopted on this date and set out in full in Resolution Record 19661 on file in office of the City Clerk).

Seconded by Councilman Lobner and carried by the following vote:

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

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Nominations having been completed at the meeting of February 2, 1961, Councilman Mering moved that Walter D. Buehler be appointed as a member of the City Planning Commission for term expiring February 2, 1964, vice Mike Malaki resigned. Seconded by Councilman Domich and carried by the following vote:

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

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Mr. Will Moore, representing the Southside Little League, addressed the Council seeking permission to lease an undeveloped area in Miller Park, East of the railroad tracks, for use as a little league baseball field.

The matter was discussed and referred to the City Manager, for a report.

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Mr. Leo A. Beale, 3200 - 32nd Avenue, addressed the Council complaining of parking of vehicles in the 3200 block of 32nd Avenue.

The matter was discussed and referred to the City Manager.

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In accordance with bids received on date of February 2, 1961 and recommendation of the Assistant City Manager, filed on this date, Councilman Domich moved that the bid of Potters Bros. Calif. Inc., for furnishing Glass Spheres for use by the Traffic Engineering Division in reflectorizing paint markings on pavements, in amount of \$0.1225 per pound for 40,000 pounds (which will amount to \$4900.00), be accepted and the Mayor and City Clerk authorized to execute Contract No. 307 when same has been prepared and approved by the City Attorney. Seconded by Councilman Lobner and carried by the following vote:

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

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Report of Industrial Injuries for the year 1960, as sustained by the City Employees of the City of Sacramento was read and ordered filed.

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List of withdrawals from the Contingent Fund for the month of January, 1961, in amount of \$1,790.79, was received and ordered filed.

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In accordance with report of the Chief of Police and recommendation of the Assistant City Manager, Councilman Lobner moved that the Dance Application of Lewis and Isabel Johnson to conduct dancing at premises located at 4411 - 4th Avenue (Johnson's Cafe), be denied. Seconded by Councilman Mering and carried by the following vote:

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

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In addition, the matter of neighborhood disturbance at this location was referred to the City Manager with authority to correct.

With letter of transmittal, which was ordered filed, the Assistant City Manager presented and Councilman Lobner moved that specifications for furnishing 350 long tons of Bauxite for use at the Filtration Plant in the purification of the City water supply, at an estimated cost of \$3,200.00, 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 February 23, 1961. Seconded by Councilman Seymour and carried by the following vote:

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

With letter of transmittal, which was ordered filed, the Assistant City Manager presented and Councilman Seymour moved that specifications for furnishing two 1/2 ton pickup trucks for use in the Street Cleaning Division, at an estimated cost of \$3,000.00, 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 February 23, 1961. Seconded by Councilman Nielsen and carried by the following vote:

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

Report of the Director of Recreation and Parks concerning traffic control and pedestrian control in the vicinity of William Land Park Zoo was considered at this time.

R. G. Renfree, Director of Recreation and Parks, addressed the Council at this time and verbally explained the recommendations contained in his report.

Councilman Lobner thereupon moved that the following items be referred to the City Manager for a report:

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1. Determine the cost of installation of additional parking area in William Land Park.
2. Have the Traffic Engineer experiment with temporary traffic control devices with the view to improve pedestrian and vehicular traffic problem at William Land Park.
3. Have the Traffic Engineer prepare an estimate of the cost of installing traffic signal in the vicinity of the Zoo.

Seconded by Councilman Mering and carried by the following vote:

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

In answer to complaint filed at Council meeting of February 2, 1961, the City Traffic Engineer presented a report on sidewalk conditions at the South Sacramento Freeway, which was read, discussed and ordered filed.

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Councilman Marriott, Chairman of the Civil Service Committee of the City Council presented a resolution concerning exempt positions in the classified service of the City and asked that the matter be continued to the Regular Meeting of February 16, 1961. So ordered.

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Councilman Nielsen addressed the Council advising that a meeting of the Public Health, Safety and Morals Committee would be held with the Chief of Police and the City Manager on date of February 13, 1961 at hour of 3:30 o'clock P.M. to consider adoption of an ordinance prohibiting the sale of B.B. or pellet guns consider strengthening the curfew law and other problems associated with juvenile delinquency.

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Communication addressed to James V. Hicks, Chief of Police, from the office of the District Attorney, signed by D. A. Virga, Deputy District Attorney, complimenting police officers, was read and ordered placed on file.

Councilman Shelby, Chairman of the Budget Committee, addressed the Council concerning the fiscal revenue problems facing the City. After some discussion, Councilman Shelby suggested that the Mayor appoint a three (3) man committee to confer with officials of the County of Sacramento concerning apportionment of sales tax revenue.

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Mayor McKinney thereupon appointed Councilman Mering, Nielsen and Shelby, to confer with the County on the above matter.

An opinion from Everett M. Glenn, City Attorney, concerning the feasibility of an ordinance which would provide a means for the City to acquire funds from building permits to be used for acquisition of park sites, or other purposes, was ordered placed on file.

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After discussion the matter was referred to the City Manager for a report.

After further discussion, the City Attorney was requested to study increase of fees which would serve to augment the general fund from sources discussed in report as submitted by him. and to determine the possibility of charging a fee for the filing of subdivision maps.

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A report from the City Attorney concerning investigation of what other cities were doing with reference to getting money for park and recreational facilities in newly-subdivided areas, was read and ordered filed.

The matter was further discussed and the City Manager was instructed to determine if the City's business license fees for subdividers were adequate.

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Upon suggestion of Councilman Domich, the City Manager was requested to determine if there was some method to use retirement system monies to acquire long range park sites.

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Upon hearing report of Councilman Mering concerning legislative bills before the California State Legislature Councilman Mering was designated to represent the City before the Assembly Committee on Governmental Efficiency and Economy on February 14, 1961.

Councilman Mering thereupon moved that the Council go on record opposing AB 127 (Luckel, et al) and that the City Clerk be instructed to communication from Assemblyman W. A. Hicks and Assemblyman Edwin L. Z'berg and the League of California Cities expressing the Council's opposition to AB 127. Seconded by Councilman Shelby and carried by the following vote:

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

5337

Councilman Lobner addressed the Council and moved that the City Manager keep abreast of proposed State legislation in the broad fields as enumerated in League of California Cities Bulletin dated February 2, 1961, effecting municipalities and keep the Council so informed. Seconded by Councilman Mering and carried by the following vote:

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

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Communications from the Sacramento Valley Insurance Agency and Joe Maher Tire Service, commending the use of auxiliary traffic police on 15th and 16th Streets, during peak traffic hours, were received and ordered filed.

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Letter of appreciation for resolution of congratulations upon appointment as Under Secretary of the Interior from James K. Carr, was received and ordered placed on file.

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Communication from K. . Michels concerning proposed location of freeways in the City, was read and ordered placed on file.

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Communication from the El Dorado Lodge No. 8, Independent Order of Odd Fellows, opposing location of freeway between 2nd and 3rd Streets, was read and ordered placed on file.

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Communication from the State Division of Highways concerning public meeting on the proposed routes of freeways within the City of Sacramento, was read and ordered placed on file.

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Communication from J. S. VanAlstyne, complimenting the efficient work of the fire department, was read and ordered filed.

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Communication from the Sacramento City Employees Association requesting a one week delay in adoption of the resolution setting forth exempt classifications in the municipal service, was read and ordered placed on file.

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Together with report on subject, which was ordered filed, the Assistant City Manager presented and Councilman Domich moved that the following ordinance be brought to immediate vote:

ORDINANCE NO. 2267, FOURTH SERIES

AN ORDINANCE AMENDING CHAPTER 34 OF THE SACRAMENTO CITY CODE BY CHANGING THE

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DEFINITION OF "COMPENSATION" IN SECTION 34.1 OF THE SACRAMENTO CITY CODE TO PROVIDE THAT LONGEVITY PAYMENTS AND PAY IN LIEU OF VACATION TO BE CONSIDERED AS OVERTIME, AND MAKING THIS ORDINANCE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY.

Seconded by Councilman Shelby and carried by the following vote:

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

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

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

5345

In accordance with petition from Heller-Campbell-Erickson-Lawrence Construction Company for abandonment of the alley, 26th - 27th Streets, Capitol Avenue and N Street, filed with the City Council on January 5, 1961, the matter was considered at this time.

Report from the City Engineer concerning the above petition was read and discussed.

Mr. Robert Matthews, representing Heller-Campbell-Erickson-Lawrence Construction Company, addressed the Council in favor of the petition.

5346

The City Engineer, E. A. Fairbairn, verbally addressed the Council explaining the written report which was previously read and ordered filed. After considerable discussion, Councilman Marriott moved that the resolution granting the revocable permit to close the alley 26th - 27th, Capitol Avenue and N Streets be adopted. Seconded by Councilman Nielsen and carried by the following vote:

AYES: Councilmen Bronson, Marriott, McKinney and Nielsen.

NOES: Councilmen Domich, Lobner, Mering, Seymour and Shelby.

The Mayor announced the motion was thereby defeated.

The Assistant City Manager presented and Councilman Domich moved that the following resolution be adopted:

RESOLUTION NO. 421

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

That the City Controller is hereby instructed to transfer from UNAPPROPRIATED RESERVE - 98 to POLICE DEPARTMENT BUDGET - 18 Line 1 the sum of \$10,000.00.

This transfer is required to reimburse the Police salary line for moneys paid the Auxiliary Police, as there were no funds provided for such payments in the 1960-61 budget.

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Seconded by Councilman Lobner and carried by the following vote:

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

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

RESOLUTION NO. 422

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

That it is the consensus of opinion of the members of the City Council of the City of Sacramento that they concur and join with the position taken by the Public Utilities Commission of the State of California in supporting a proposed bill to amend the Federal Natural Gas Act. Primarily, these amendments seek to outlaw these indefinite pricing clauses in natural gas contracts, prohibit these consecutive natural gas rate increases by operation of law, and require the Federal Power Commission to find on the consistency with the public interest of the price of natural gas when first sold in interstate commerce, as a condition precedent to the issuance of a certificate of public convenience and necessity to sell such gas in interstate commerce.

5348

That copies of this resolution be sent to Senators Thomas H. Kuchel and Clair Engle, and Representative of Third Congressional District John E. Moss, Jr.

Seconded by Councilman Shelby and carried by the following vote:

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

Councilman Bronson addressed the Council suggesting that the City Manager report on the number of streets and alleys which had been closed and abandoned in the old City Grant.

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

RESOLUTION OF AWARD NO. 3478

5349 Resolution of award to A. Teichert & Son, Inc., in amount of \$8,788.76, in the matter of the improvement of the South one-half of Meadowview Road from the center line of 19th Street to the center line of Manor-side Drive. (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 Seymour and carried by the following vote:

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

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

RESOLUTION OF INTENTION NO. 3491

5350 Resolution of intention, which sets a hearing for date of March 2, 1961, in the matter of the abandonment and vacating of the North 20 feet of Lots 246, 247, 248 and 249, as shown on the official plat of Smith Tract No. 4 (alley). (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 Seymour and carried by the following vote:

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

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

RESOLUTION OF INTENTION NO. 3492

5351 Resolution of intention, which sets a hearing for date of March 2, 1961, in the matter of the abandonment and a vacating of alley described as follows: All that portion of the Alley first Westerly of Attawa Avenue, as said Alley is shown on the Plat of Terminal Tract (as the same is recorded in the office of the Sacramento County Recorder), from the Northerly line of 15th Avenue to the Westerly production of the Southerly line of Lot 139 of said Terminal Tract; EXCEPTING THEREFROM any portion thereof lying within the Sutterville Bypass Right of Way. (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 Seymour and carried by the following vote:

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

5352 Application of United Air Lines for permission to install a 1,000 gallon gasoline storage tank on leased property at the Sacramento Municipal Airport, was referred to the City Manager for a report.

5353 Claim submitted by Hardware Mutuals, on behalf of Grapette Bottling Company, for alleged damage to truck due to chuck hole in Meadowview Road in the vicinity of West Avenue, in an undetermined amount, but in general amount of \$1500.00, was considered at this time.

Councilman Nielsen moved that foregoing claim be rejected and referred to the City's Insurance Carrier for disposition. Seconded by Councilman Domich and carried by the following vote:

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

5354 Claim submitted by Douglas R. Greer, Attorney, on behalf of Victoria and Joshua Taylor, in amount of \$7,350.00, for alleged injuries sustained due to an automobile accident in the vicinity of 12th Avenue and Franklin Boulevard was considered at this time.

Councilman Lobner moved that foregoing claim be rejected and referred to the City's Insurance Carrier for disposition. Seconded by Councilman Shelby and carried by the following vote:

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

5355 Public notice from the United States Army Engineers concerning application of the State Division of Highways for a fixed bridge across the Sacramento River at R Street, was referred to the City Manager

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Card of thanks from Mrs. Olmsted and family for sympathy extended was read and ordered placed on file.

5356

Oath of Office of Beder Coleman Clifton as Patrolman for the City of Sacramento, was read and ordered filed.

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Council adjourned at hour of 11:00 o'clock P. M.

APPROVED BY THE CITY COUNCIL ON DATE OF
FEBRUARY 16, 1961

James B. McKinney

MAYOR

ATTEST:

Reginald N. Bygg
CITY CLERK

