

MINUTES

OF THE

**SACRAMENTO CITY COUNCIL
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
HOUSING AUTHORITY OF THE CITY OF SACRAMENTO
ECONOMIC DEVELOPMENT COMMISSION
PARKING AUTHORITY OF THE CITY OF SACRAMENTO
SACRAMENTO CITY FINANCING AUTHORITY**

REGULAR MEETING

June 25, 1996

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at the hour of 1:10 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Councilmembers Cohn, Fargo, Kerth, Ortiz, Pannell, Steinberg, Waters, Yee and Mayor Serna

Absent: None

1.0 CONSENT CALENDAR (Items 1.1 through 1.24)

A motion was made by Councilmember Pannell, seconded by Councilmember Fargo, to waive the reading and adopt the Consent Calendar, Items 1.1 through 1.24. The motion carried with a 8-0 roll call vote, with Councilmember Ortiz being absent.

Public Review Items - Informational Only

None

Sacramento Housing and Redevelopment

None

City Council

- 1.1 Construction of Miscellaneous Sewer Maintenance Holes (PN:XC81), located in various residential areas - award contract to Navajo Pipelines for an amount not to exceed \$184,604. (D-2,3,4,5,8)
-

Adopted Resolution 96-313 awarding Contract 96-039.

RESOLUTION NO. 96-313

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO TRANSFER FUNDS FROM THE SEWER FUND BASE CIP RESERVE AND EXECUTE A CONTRACT WITH NAVAJO PIPELINES FOR THE CONSTRUCTION OF MISCELLANEOUS SEWER MAINTENANCE HOLES (PN: XC81) IN THE AMOUNT OF \$184,604.

- 1.2 Fire Station #6 and #7 Standby Generator Project Phase I (FB32), located at 3301 Martin Luther King Drive and 6500 Wyndham Drive - ratify the Negative Declaration, adopt a Mitigation Monitoring Plan and award contract to Advance Electric in the amount of \$124,212. (D-5,8)
-

Adopted Resolution 96-314 awarding Contract 96-040.

RESOLUTION NO. 96-314

RESOLUTION RATIFYING THE FIRE STATION STANDBY GENERATORS PROJECT NEGATIVE DECLARATION, ADOPTING THE MITIGATION REPORTING PLAN, AND APPROVING THE FIRE STATION STANDBY GENERATOR PROJECT (FB32)

- 1.3 Transfer of \$81,000 to the County of Sacramento for reimbursement of costs for the existing traffic signal at Massie Court and Stockton Boulevard. (D-8)
-

Adopted Resolution 96-315.

RESOLUTION NO. 96-315

REIMBURSEMENT FOR TRAFFIC SIGNAL AT MASSIE COURT & STOCKTON BOULEVARD

- 1.4 Authorization to submit applications for State-Local Transportation Partnership Program (SLTPP) funding for two street improvement projects: 1996/97 Measure A Overlay Project and 1997/98 Measure A Overlay Project. (D-1,4,6,8)
-

Staff recommendation adopted.

- 1.5 Downtown Plaza Parking Contract with Ace Parking Management Company, City Parking Lots G, K, & U - six month extension, initiate a vendor selection process, and direct the City Manager to develop a vendor selection committee. (D-1)
-

Adopted Resolution 96-316.

RESOLUTION NO. 96-316

A RESOLUTION EXTENDING THE CONTRACT FOR OPERATION OF CITY PARKING LOTS G, K, & U AND DIRECTING STAFF TO INITIATE A VENDOR SELECTION PROCESS FOR DEVELOPMENT OF NEW CONTRACT AND SUBMIT FOR CITY COUNCIL APPROVAL A VENDOR SELECTION COMMITTEE

- 1.6 Approval of amendment to William Land Amusement Rides Lease Agreement #91-043 with Funderland, Incorporated. (D-4)
-

This item continued to July 2, 1996, 2:00 p.m.

- 1.7 Grant a Revocable Encroachment Permit for Riverside Center at 3200 Riverside Boulevard for the purpose of constructing a concrete landing and raised planter. (D-4)
-

Adopted Resolution 96-317.

RESOLUTION NO. 96-317

RESOLUTION GRANTING REVOCABLE ENCROACHMENT PERMIT FOR 3200 RIVERSIDE BOULEVARD

- 1.8 R/S Alley and 26th Street Sewer Replacement (PN: XM04), located between 24th and 26th Streets, and between R Street and the R/S Alley - transfer funds and contract award to Navajo Pipelines in the amount of \$147,224. (D-4)
-

Adopted Resolution 96-318 awarding Contract 96-041.

RESOLUTION NO. 96-318

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO TRANSFER FUNDS FROM COMBINED SEWER SYSTEM RESERVES AND EXECUTE A CONTRACT WITH NAVAJO PIPELINES FOR THE R/S ALLEY AND 26TH STREET SEWER REPLACEMENT (PN: XM04) IN THE AMOUNT OF \$147,224.

- 1.9 Amendment to Old Sacramento Management Agreement #84-043 with the Sacramento Convention and Visitor's Bureau, extending the contract for two years. (D-1)
-

Adopted Resolution 96-319.

RESOLUTION NO. 96-319

RESOLUTION APPROVING PAYMENT PLAN AND AMENDING
CITY AGREEMENT #92-043

- 1.10 Reapplication for the Crank Rock Impact Project, Sacramento (CRIPS) Grant Funding in the amount of \$617,935, from the State of California's Office of Criminal Justice Planning (OCJP). (D-All)
-

Received and filed.

- 1.11 Reapplication for the Community Crime Resistance Program, in the amount of \$125,000, from the State of California's Office of Criminal Justice Planning (OCJP). (D-All)
-

Received and filed.

- 1.12 Bid #1704, Mail Preparation and Pre-Sorting Services - adopt specifications and award to Blue Shield of California for a total amount not to exceed \$610,000. per year. (D-All)
-

Staff recommendation adopted.

- 1.13 City request for federal funding for the Ueda Parkway Trails Project, located in Natomas and North Sacramento. (D-1,2)
-

Adopted Resolution 96-320.

RESOLUTION NO. 96-320

RESOLUTION AUTHORIZING MAYOR SERNA, JR. AND
COUNCIL MEMBERS HEATHER FARGO AND ROBERT KERTH
TO INITIATE FEDERAL PROCESSES FOR OBTAINING
FEDERAL FUNDING FOR THE UEDA PARKWAY PROJECT

- 1.14 Donation of surplus City fire truck, Equipment No. 2097, to the Pioneer Mutual Hook and Ladder Society. (D-All)
-

Adopted Resolution 96-321.

RESOLUTION NO. 96-321

RESOLUTION AUTHORIZING THE DONATION OF SURPLUS
CITY FIRE TRUCK, CITY EQUIPMENT NO. 2097, TO THE
PIONEER MUTUAL HOOK & LADDER SOCIETY

- 1.15 Purchase of Dealer Only and Original Equipment Manufacturer Parts for Vehicles and Equipment - suspend formal competitive bidding and award bid to H. V. Carter Company, Inc., Western Power & Equipment, and F. B. Hart Company, in a combined total amount not to exceed \$280,000. (D-All) (requires two-thirds vote)
-

Adopted Resolution 96-322.

RESOLUTION NO. 96-322

A RESOLUTION SUSPENDING FORMAL COMPETITIVE BIDDING FOR THE PURCHASE OF DEALER ONLY AND ORIGINAL EQUIPMENT MANUFACTURER PARTS FOR VEHICLES AND EQUIPMENT

- 1.16 Authorization to execute an agreement with grant writing consultant, John A. Griffin, for funding of neighborhood policing programs, in an amount not to exceed \$244,300. (D-All)
-

Adopted staff recommendation approving Agreement 96-080.

- 1.17 Request to reopen the application period for the Richards Boulevard Project Area Committee for four vacancies in the Resident Category. (D-1)
-

Application period opened; applications due July 26, 1996.

- 1.18 THIS ITEM MOVED TO ITEM 11.2, EVENING STAFF REPORT
-

- 1.19 Keith B. Kenney Elementary School/Sierra II Community Center Land Exchange with Sacramento City Unified School District; property located at 3525 Martin Luther King Boulevard & 2791 24th Street. (D-5)
-

Adopted Resolution 96-323 approving Agreement 96-081.

RESOLUTION NO. 96-323

RESOLUTION AUTHORIZING EXECUTION OF AN EXCHANGE AGREEMENT WITH THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT EXCHANGING LAND OCCUPIED BY THE KEITH B. KENNEY ELEMENTARY SCHOOL, OWNED BY THE CITY, FOR THE SIERRA II COMMUNITY CENTER SITE, OWNED BY THE SCHOOL DISTRICT

- 1.20 Approval of five Business Improvement Areas FY 1996/97 Budgets; Del Paso Boulevard BIA (D-2), Franklin Boulevard BIA (D-5), Old Sacramento BIA (D-1), Stockton Boulevard BIA (D-5&6), and Downtown Plaza BIA (D-1).
-

Adopted Resolutions 96-324, 96-325, 96-326, 96-327, and 96-328.

RESOLUTION NO. 96-324

RESOLUTION ADOPTING THE PROPOSED FY 1996/97 DEL PASO BOULEVARD BUSINESS IMPROVEMENT AREA BUDGET

RESOLUTION NO. 96-325

RESOLUTION ADOPTING THE PROPOSED FY 1996/97 FRANKLIN BOULEVARD BUSINESS IMPROVEMENT AREA BUDGET

RESOLUTION NO. 96-326

RESOLUTION ADOPTING THE PROPOSED FY 1996/97 OLD SACRAMENTO BUSINESS IMPROVEMENT AREA BUDGET

RESOLUTION NO. 96-327

RESOLUTION ADOPTING THE PROPOSED FY 1996/97 STOCKTON BOULEVARD BUSINESS IMPROVEMENT AREA BUDGET

RESOLUTION NO. 96-328

RESOLUTION ADOPTING THE PROPOSED FY 1996/97 DOWNTOWN PLAZA BUSINESS IMPROVEMENT AREA BUDGET

- 1.21 Reapplication for the Juvenile Gang Violence Suppression Grant in the amount of \$110,400, from the State of California's Office of Criminal Justice Planning (OCJP). (D-8)

Received and filed.

- 1.22 Ordinance amending Title 25, *Motor Vehicles and Traffic*, Chapter 1, Section 25.01.019-1 of the Sacramento City Code relating to radios in vehicles. (D-All)

Passed for Publication of Title and continued to July 2, 1996 for adoption.

- 1.23 Confirmation of: Suzanne Gaytan, Richard Mouck, Terence Dorias, and Gary Collier to the East Del Paso Heights Target Area Committee; Mary Jane Mann and Eugene Nelson to the Ethel McLeod Hart Advisory Committee; and Cynthia Collins to the Sacramento Commission of History and Science. (nominated on 6/18/96) (D-All)

Appointments confirmed.

- 1.24 An ordinance adding Title 85 to the Sacramento City Code relating to Additional Library Services Assessment District Procedures.

Passed for Publication of Title and continued to July 2, 1996.

2.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

2.1 Presentation by the Sacramento Ballet Board of Trustees

Daphne Gawthrop, Executive Director of the Sacramento Ballet, accompanied by Larry Wodarski, President of the Board of Trustees, was pleased to present \$15,000 to the City as the first installment to repay the loan which the City had granted to assist the Ballet. Ms. Gawthrop expressed her gratitude to Council for the aid that was extended. She said the Ballet had realized \$28,000 more in revenues this year than was expected; approximately \$150,000 has been repaid to Ballet creditors.

Ms. Gawthrop said the Ballet's short term goal is to repay Council, SHRA, and the County. Financial difficulties are not yet resolved, but the future appears brighter. The Ballet has been funded to travel to Victoria, B.C. next year.

Mayor Serna congratulated the Ballet for its successful efforts in getting its financial house in order, and commended it for being a valuable asset to the Sacramento arts community in general.

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3.0 PUBLIC HEARINGS

- 3.1 A. Ordinance amending Paragraph 11.07 of Section 16 of the Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series), to authorize the City Council to exempt from Design Review specified projects or uses located in Design Review Districts. (M94-044) (PFP'd 6-18-96, item 1.17)
- B.
 - 1. Establish the expanded North Area Design Review District, consisting of Council District 2 in its entirety and that portion of Council District 1 North of the American River.
 - 2. Establish design standards and requirements for Design Review within the expanded North Area Design Review District, including minimum standards for new construction of single and two-family structures, and the reconstruction or rehabilitation of the exteriors of such structures.
- C. Amend the Fee and Charge Report regarding the fees and charges for Design Review within the expanded North Area Design Review District. (D-1,2)

A motion was made by Councilmember Pannell, seconded by Councilmember Fargo, to continue this item to July 2, 1996, 2:00 p.m., at staff request. The motion carried by a 9-0 vote.

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4.0 STAFF REPORTS

4.1 Re-organization of the Golf Marshal staff and Pace-of Play Program. (D-All)

Ann Weaver, Golf Manager, said the Golf Division is recommending staffing level changes that will improve the City's Golf Marshal and Pace of Play Programs. These recommendations will bring the Golf Division closer to providing service levels in accordance with golf industry standards, while minimizing program expenses.

The Golf Marshal's primary responsibilities are monitoring the pace of play and enforcing golf course rules. Severely understaffed, the Golf Division currently employs two full-time, career Golf Marshal positions (2.0 FTE) and 2.71 FTE of Auxiliary Golf Marshals. The Auxiliary Golf Marshals are part-time, non-career, and unrepresented. The Golf Division primarily utilizes Auxiliary Golf Marshals during the months of April through October. This "seasonal" employment currently consists of twelve Auxiliary Golf Marshals, each working approximately 457 hours or 0.22 FTE.

The Golf Division recommendation is to eliminate one full-time career Golf Marshal (1.0 FTE) and add 4.0 FTE Auxiliary Golf Marshals, or the equivalent of 18 new Auxiliary Golf Marshals; this change would more than double the marshal staff. A vacant career position exists within the Golf Division, with salary and benefits equivalent to a full-time career Golf Marshal. The person in the eliminated Golf Marshal position will be offered the opportunity to transfer to this vacant position.

Golf Division management has met with and informed Local 39 regarding the proposed personnel changes.

Golf Division is an Enterprise Fund; proposed changes to the Auxiliary Golf Marshal program will cost \$53,621. The cost will be completely offset by savings from the elimination of one full-time Golf Marshal position (\$43,697) and additional salary savings of \$9,924 resulting from implementation of the new 10-step pay schedule. The Golf Division is requesting an additional \$5,050 in its services and supplies operating budget for additional uniforms, radios, and other supplies for the new marshals.

Councilmember Cohn congratulated Ms. Weaver for good work. He noted that the Little Linkers program is a model for the whole country.

Councilmember Pannell inquired as to whether any people of color were being eliminated; Ms. Weaver replied that one part-time worker was. Mr. Pannell requested that something be done to increase the number of minorities on staff; Ms. Weaver replied that was a goal, including the addition of women.

Mayor Serna inquired as to the actual amount of increased coverage with the staffing changes. Ms. Weaver replied that hours of coverage increased from 9,797 to 16,038 hours.

Mayor Serna remarked that there was a need for good marshals, that sensitivity was needed to effectively and diplomatically handle situations as they arise.

Councilmember Steinberg asked if there would be any conflict of interest, referring to any requirement for players to increase the pace of play. He felt that the slower pace of beginning players should be considered.

Mayor Serna remarked that there was need for a driving range near the course, and also a golf training center to create and develop new golfers. He suggested that a proposal be prepared with that aim in mind.

A motion was made by Councilmember Cohn, seconded by Councilmember Kerth, to adopt Resolution 96-329. The motion carried by a 7-1 vote, with Councilmember Fargo being absent and Councilmember Pannell voting no.

RESOLUTION NO. 96-329

RESOLUTION APPROVING THE RE-ORGANIZATION OF THE GOLF MARSHAL STAFF WITHIN THE COMMUNITY AND VISITOR SERVICES GOLF DIVISION; AND INCREASING THE GOLF DIVISION FY 1996-97 SUPPLIES AND SERVICES OPERATING BUDGET

4.2 Approval of proposed Tow Services Agreement. (D-All)

Jane Christenson, Office of the Chief of Police, requested a temporary delay for this presentation, as it was advertised for 2:00 p.m.

ITEM 4.2 WAS HEARD OUT OF SEQUENCE (FOLLOWING ITEM 5.1)

4.3 Voter approval of a portion of the Landscaping and Lighting Act Assessment. (D-All)

Michael Coleman, Senior Management Analyst, said if the "Right to Vote on Taxes Act" passes in November 1996, a portion of the city-wide Landscaping and Lighting Act will end after 1996-97, unless it is approved by:

- 1) the mail-in ballot approval procedure prescribed in the Act (during the 1997-98 L&L Assessment hearings in May/June 1997), or
- 2) a majority voter approval on or before November 5, 1996.

The "park facilities and related operation and maintenance" portion of the assessment is \$10.89 for a single-family homeowner.

Should the initiative pass, it will have a draconian effect on the City's ability to provide adequate public services to address essential public services unless the City obtains majority - and in some cases 2/3 - voter approval of long-standing revenue sources.

The initiative would require that assessments be approved through a mail-in ballot procedure in which votes are weighted by the value of the assessment. All assessments existing after June 30, 1997 would have to comply with this procedure unless:

- 1) the proceeds from the assessment are exclusively used to pay for capital costs or maintenance and operation of sidewalks, streets, sewers, water systems, flood control, drainage systems, or vector control (such as mosquito abatement),

- 2) the proceeds from the assessment are exclusively used to repay bonded indebtedness,
- 3) the assessment received majority approval from the voters,
- 4) the assessment was approved by all those assessed.

Regarding the city-wide Landscaping and Lighting Assessment district, the street-related portions of the assessment would comply with the initiative under exception #1; the bonded debt portion of the assessment would qualify under exception #2. The "park maintenance and graffiti" portion of the assessment remains; it generates \$1.8 million at a cost to a single-family homeowner of \$10.89.

If the initiative passes, in order to continue this portion of the assessment beyond June 30, 1997, the City would need to:

- 1) satisfy the mail-in ballot approval procedure during the 1997-98 L&L Assessment hearings in May/June 1997, or
- 2) satisfy exception #3 by attaining majority voter approval prior to the effective date of the initiative (November 6, 1996).

On May 1, Council directed staff to prepare a ballot measure for submission to the voters on November 5, 1996. On Friday, June 14, 1996, California Secretary of State Bill Jones announced that the "Right to Vote on Taxes Act" has qualified and will appear on the November ballot.

The County of Sacramento estimates that it will cost the City \$58,500 to place an item on the November ballot. Staff recommends that this amount be appropriated from the 1996-97 Landscaping and Lighting District contingency reserve.

- * If the \$10.89 rate portion is put on the ballot in November and fails, the 1996-97 assessment remains. (It simply would not be approved to continue at that level beyond 1996-97).
- * If the initiative passes and the \$10.89 rate portion is put on the ballot in November and fails - or- if it is not put on the ballot, the Council could still attempt to get the rate approved (at the same or a higher or lesser amount) using the mail-in ballot procedure in May-June 1997.
- * If, in November, the "Right to Vote on Taxes Act" fails and the \$10.89 portion is on the ballot, the City will have unnecessarily spent time and money.

Any future increases on any portion of the Landscaping and Lighting Assessment (including street-related, parks maintenance/graffiti, or bonded debt) would require mail-in ballot approval under the "Right to Vote on Taxes Act".

Councilmember Steinberg inquired what would occur if Council placed the measure on the ballot, it failed in November, and at the same time the State-wide "Right to Vote" measure passed, would Council then have the ability to confirm the assessment via the mail-in procedure?

Mr. Coleman replied affirmatively; that there would still be options in the spring.

Councilmember Fargo inquired as to what would occur after the first year, whether Landscaping and Lighting would have to be approved anew each year? Mr. Coleman replied that it was unclear whether it would be an annual or continual assessment, that it could be interpreted either way. He said that once approved, the position was to regard it as requiring ongoing approval for any increase; the base level could be grandfathered in.

Ms. Fargo asked if there would be an inflator clause built in; Mr. Coleman replied that there would not.

Ms. Fargo expressed her support for placing the measure on the November ballot for voter approval of a portion of the Landscaping and Lighting Act Assessment. She said she felt it was a safety move which reflected support of constituents; she felt voters might need some explanation of the issue.

Councilmember Cohn asked Mr. Coleman if it would be wise to specify a time-frame for the Lighting and Landscaping assessment portion in question, or was there a one-year limit?

Mr. Coleman replied that the Resolution included in the staff report was not time-specific.

Mr. Cohn referred the question to Deputy City Attorney Bill Carnazzo, who responded that the existing language provides the best flexibility, should the "Right to Vote on Taxes Act" pass.

A motion was made by Councilmember Fargo, seconded by Councilmember Steinberg, to adopt Resolution 96-330. The motion carried by a vote of 9-0.

RESOLUTION NO. 96-330

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO A CITY WIDE PARK MAINTENANCE AND LANDSCAPING ASSESSMENT AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY NOVEMBER 5, 1996 AS CALLED BY RESOLUTION NO. 95-600.

* * * * *

- 5.1 Joint public hearing to consider adoption of second amendment to the Richards Boulevard Redevelopment Plan
- A-B. Find that the use of taxes allocated from the amended project area for the purpose of improving, increasing and preserving the community's supply of low and moderate income housing outside the amended project area will be of benefit to the amended project;
 - C. Rule on written and oral objections to the proposed second amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project;
 - D. Approve the second amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project;
 - E. Amend the Five-Year implementation plan for the Richards Boulevard Redevelopment Project;
 - F. Approve and adopt the second amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project;
 - G. Overrule written and oral objections and adopt written findings in response to written objections received from affected property owners and taxing entities and overrule such written objections to the second amendment to the Redevelopment Plan for the Richards Boulevard Redevelopment Project
-

Councilmember Fargo said this item is actually an amendment to the Richards Boulevard Redevelopment Area which has frequently been discussed in the past. She felt there should really be a representative of Blue Diamond present, since the boundaries were being amended to include Blue Diamond.

Larry Dicke, Chief Financial Officer of Blue Diamond Growers, noted that current boundaries include only 60% of Blue Diamond property; the 40% not included encompass an area of 16th-19th Streets, and D Street to the railroad tracks. That is the portion which would be included with this amendment.

Ms. Fargo said the item has been through the public review process, by both businesses and members of the community, and had met with no known opposition. Ms. Fargo then moved the item, sections A-G.

Councilmember Cohn noted that the area around 16th Street still required a lot of work.

Pedro Hernandez, a property owner within the area, registered objections. Mr. Hernandez cited errors in the staff report regarding Map #7 and said that there are really four residences, not two as indicated. Mr. Hernandez commended SHRA for its concern regarding blight in the area, but said the blight was really caused by a bingo hall and parking lot which were not maintained.

Mayor Serna questioned whether two pieces were left out on the map; Mr. Hernandez replied that the map was unclear and he was registering an objection due to its incorrectness.

Mayor Serna inquired of staff if a conflict existed, non-conforming use for industrial zoning? Staff members replied that there were four non-conforming structures within the rezoned area.

The Mayor directed staff to clarify the areas in doubt to Mr. Hernandez by July 2, 1996. He said there would be no final action today, June 25, 1996.

A motion was made by Councilmember Fargo, seconded by Councilmember Cohn, to (F) pass for publication of title and continue to July 2, 1996; and (G) continue hearing to July 2, 1996 for new documentation; adopt ordinance. The motion carried by a vote of 9-0.

THIS ITEM WAS HEARD OUT OF SEQUENCE.

4.2 Approval of proposed Tow Services Agreement. (D-All)

Jane Christenson, Office of the Chief of Police, said, as previewed during its budget hearing on May 28, 1996, the Police Department is proposing several changes to the City's current public tow program which will be incorporated into a new tow services agreement. A summary of the changes is as follows:

- * incorporates by reference the California Highway Patrol Tow Service Agreement (Attachment A) which requires that police-initiated tow rates cannot differ from retail customer rates
- * establishes a contract administration fee to recover Police Department costs related to the administration of the City's public tow operation; the proposed fee is a flat fee of \$7.15 per tow referral and would be charged to tow company operators based on the number of tow referrals per month
- * proposes a vehicle release fee of \$67 for cost recovery of tow-related law enforcement costs; this fee would only be charged to violators (i.e. not accident or stolen vehicle victims)
- * streamlines the process whereby the Police Department can discipline tow operators who are unresponsive to customer needs and/or in violation of the agreement
- * outlines a process whereby operator discipline appeals will be referred to a "Tow Review Committee" comprised of representatives from the Police Department, the community, and the tow operator group
- * as proposed, the opportunity to serve on the City's public tow rotation list would be open to any operator who is willing to abide by the terms of the agreement

New traffic laws which became effective this year regarding 30-day impounds for those drivers with suspended or revoked drivers' licenses are expected to increase tow-related traffic enforcement costs significantly at a time when resources to do so are scarce.

Two new fees are proposed: a Contract Administration Fee of \$7.15 per tow, and a Vehicle Release Fee of approximately \$67. With the inclusion of these two proposed fees, cost recovery revenues from the tow agreement are estimated at \$545,224 annually.

Councilmember Steinberg inquired as to whether any costs were levied upon stolen vehicle victims when they recovered their vehicles. Ms. Christenson said that the agreement does not exempt theft victims from the towing cost; the proposal is aimed at cost recovery. Mr. Steinberg stated that theft victims should be able to recover their vehicles without cost. He asked the reason for the additional charges; Ms. Christenson replied that they were to cover additional Police Department costs.

Mr. Steinberg reiterated that it was his desire to see innocent victims exempted from all charges for recovery of their vehicles.

Councilmember Waters remarked to Councilmember Cohn that approximately 9 months ago, Police Chief Venegas had been asked to address this issue in the item under discussion. Mr. Waters said the issue had not been addressed, that victims need to be notified and not charged at all.

Mr. Cohn agreed with Mr. Waters comment. He said there had been no report back and no basic policy established; he desired a voting option.

Mayor Serna inquired as to whether the issue had ever gone before the Law and Legislation Committee; he remarked that it needed committee work.

Councilmember Ortiz remarked that it was important to recall the history on this issue, that it was a long-standing one. The task had originally been assigned to Mr. Little, who had since transferred to Neighborhood Services. Only a portion of the issue had been addressed; there was an administrative problem regarding the process necessary to lower or eliminate entirely any charges to theft victims. Ms. Ortiz reminded Council that towing funds help finance other increased costs.

Councilmember Kerth requested a complete list of which instances justify the fee of \$67; he felt that work was needed regarding the stolen vehicle storage policy, that no charge should be levied until the victim/owner of vehicle had been notified.

Mr. Waters asked if this issue might be returned to Law and Legislation; he also inquired as to the legality and/or possibility of towing vehicles home for theft victims. Discussion included possible traffic roadblocks, as well as whether there would be insurance issues, e.g., recovery of towing costs from insurance companies.

John Valencia, representing California Towing Group, felt that the issue had come full circle. He said the industry would continue to work with the City regarding the towing of vehicles, that he felt progress had been made with the Police Department. Mr. Valencia stated that the position of tow operators was one of opposition to any attempt to "stick" tow operators with stolen vehicle costs. He discussed implementation issues under the Police Department contract.

Mr. Waters remarked that it was not the City's intent to "stick" tow operators with stolen vehicle costs. Mr. Valencia said the issue had not been addressed in the staff report; he referred to Mr. Little's earlier proposal.

Mayor Serna instructed that the issue be sent to the Law and Legislation Committee, to be returned by September or sooner for Council vote.

THESE ADDITIONAL REMARKS REGARDING ITEM 5.1 WERE HEARD OUT OF SEQUENCE.

A motion was made by Councilmember Waters, seconded by Councilmember Cohn, to reconsider item 5.1. The motion passed by an 8-1 vote, with Councilmember Pannell voting no.

James Fletter, Richards Avenue PAC, urged Council to adopt the ordinances and resolutions adopting the second amendment of the Richards Boulevard Redevelopment Plan. He said the Richards Boulevard PAC was aware of the blight in the area in question and wished to initiate a public improvement and facilities program for C Street and Muir Park.

A motion was made by Councilmember Fargo, seconded by Councilmember Cohn, to pass for publication of title and continue to July 2, 1996. The motion carried by a vote of 9-0.

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6.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON AGENDA)

6.1 Mike Barnbaum gave Council an update from Senator Johnston's office regarding SB441 (baseball teams).

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7.0 COUNCIL IDEAS AND QUESTIONS

7.1 Mayor Serna nominated Linda Deos to the Sacramento History and Science Commission, and Alexis J. Yee-Garcia to the Sacramento Youth Commission for District 7.

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8.0 CLOSED SESSION

ITEM 8.1 CONTINUED TO JULY 2, 1996.

8.1 Pursuant to Government Code Section 54956.8 to confer with the City's real property negotiator with respect to the acquisition price to be paid for the following properties: Assessor's parcels 237-0070-014, -015, and -016, owned by KVA Corporation Ltd.; 237-0070-023 and -024, owned by Sunrise Windswept; 237-0070-025 owned by Angela G. and Katherine Tsakopoulos; and 237-09070-026 owned by George and Drosoula Tsakopoulos.

ITEM 8.2 CONTINUED TO JULY 2, 1996

8.2 Pursuant to Government Code Section 54956.8 to confer with the City's real property negotiator with respect to the sale price for property owned by the city, to potential purchaser Senior Gleaners, which property is located at 3185 Longview Drive, North Highlands, CA 95660 (APN 240-0330-0004), consisting of 11.61 acres of which 6.78 acres is vacant land, and 4.83 acres is improved land currently under lease to Senior Gleaners

ADJOURNMENT

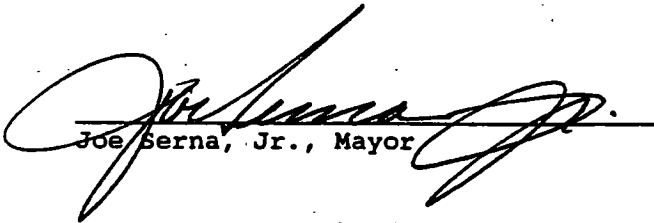
There being no further business to come before the City Council, the meeting was adjourned at the hour of 2:20 p.m.

Submitted



Valerie A. Burrowes, City Clerk

Approved



Joe Berna, Jr., Mayor

MINUTES

OF THE

**SACRAMENTO CITY COUNCIL
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
HOUSING AUTHORITY OF THE CITY OF SACRAMENTO
ECONOMIC DEVELOPMENT COMMISSION
PARKING AUTHORITY OF THE CITY OF SACRAMENTO
SACRAMENTO CITY FINANCING AUTHORITY**

REGULAR MEETING

June 25, 1996

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at the hour of 1:10 p.m. p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Councilmembers Cohn, Fargo, Kerth, Ortiz, Pannell, Steinberg, Waters, Yee and Mayor Serna

Absent: None

1.0 CONSENT CALENDAR (Items 1.1 through 1.24)

A motion was made by Councilmember Pannell, seconded by Councilmember Fargo, to waive the reading and adopt the Consent Calendar, Items 1.1 through 1.24. The motion carried with a 8-0 roll call vote, with Councilmember Ortiz being absent.

Public Review Items - Informational Only

None

Sacramento Housing and Redevelopment

None