

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

MARCH 18, 1997

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:00 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

Present: Council members Cohn, Fargo, Hammond, Kerth, Waters, Yee and Mayor Serna.

Absent: All present except Councilmen Pannell and Steinberg

PLEDGE OF ALLEGIANCE was led by Mayor Serna

Economic Development/Neighborhood and Public Safety Issues

9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

9.1 Neighborhood report by the Parkway Neighborhood Association (D-8)

Gary Little, Area 2 Director, introduced Al Moser to speak about the Parkway Neighborhood Association.

Mr. Moser stated that his neighborhood was in close proximity to several businesses that had closed. These vacant businesses tended to harbor unlawful activities that directly impacted the surrounding neighborhoods. He mentioned that Caesar's Pizza at Mack Road and Center Parkway closed due to rampant gang activities in the area.

Mr. Moser spoke of problems with graffiti, vandalism, and speeding. He argued that money should be spent on more police officers rather than on expanding the Meadowview Community Center. He also stated that there were no nice eating establishments in the neighborhood.

Councilman Waters recommended speaking with the citizens patrol located in the neighborhoods on the south side of Mack Road. He said they should be a big help in recommending solutions to problems.

Councilwoman Hammond thanked Mr. Moser for his efforts and said that more money needed to be spent on the front end so that youth did not end up in jail. She argued that the community center in Meadowview was very much needed.

Councilwoman Fargo thanked Mr. Moser for his report and for working so diligently for his neighborhood.

This information was received and filed.

- 9.2. Recognition of Markess Export Company to commend the Gomez family for its contribution to the local economy
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Mayor Serna thanked the Gomez family for their commitment to the community and presented Marcus Gomez with the resolution.

- 9.3. Tribute to Council member Lauren Hammond by Callie Carnie
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Callie Carnie thanked the Council for their sensitivity to the community and presented Councilwoman Hammond with a plaque commemorating her election to the City Council.

Mayor Serna spoke of how Callie had been the first African American woman to serve on the City Council.

10.0 PUBLIC HEARINGS

- 10.1 Natomas Corporate Center Expansion - entitlements to amend the Natomas Corporate Center Planned Unit Development Schematic Plan and Development Guidelines and reorient building footprints, increase building heights and total allowable square footage for future office development on 19.0 vacant acres in the OB-(PUD) zone in the South Natomas Community Plan area. (P96-073) (D-1)
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A motion was made by Councilman Waters, seconded by Councilwoman Hammond to continue this item to March 25, 1997 at 7:00 p.m. The motion carried with a 7-0 vote, with Councilmen Pannell and Steinberg being absent.

- 10.2 Various matters related to property located at 1232 33rd Street Second [call up by Council member Cohn] (Z96-038) (D-5) (cont. from 2/25/97, item 10.1, [staff])
- A. Planning Commission's denial of an Appeal of a Zoning Administrators Special Permit to construct a 638 sq ft residential unit on 0.13 developed acres in the Standard Single Family (R-1) zone
 - B. Planning Commission's approval of a variance to reduce the required courtyard from 10 feet to 6.5 feet
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A motion was made by Councilman Waters, seconded by Councilwoman Hammond to continue this item to April 1, 1997 at 7:00 p.m. The motion carried with a 7-0 vote, with Councilmen Pannell and Steinberg being absent.

- 10.3 Ordinance amending Title 28 [Permits] of the Sacramento City Code, relating to the relocation of pallet resellers: (continued from 3/4/97, item 10.1) (D-All)
- A. Renumber Chapter 28.04 to Chapter 28.06, amend Sections 28.01.001 and 28.01.002, and adding Chapter 28.04
 - B. Amend the City of Sacramento Fee and Charge Report related to fees for Police Department actions
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A motion was made by Councilman Waters, seconded by Councilwoman Hammond to continue this item to April 10, 1997 at 7:00 p.m. The motion carried with a 7-0 vote with Councilmen Pannell and Steinberg being absent.

- 10.4 Matters relating to the Natomas Basin Habitat Conservation Plan: (D-All) (PPF'd 3/4/97, item 1.8)
- A. Emergency Ordinance amending Title 84 [Development In North Natomas], Section 84.04.400 of the Sacramento City Code, allowing the City Council by resolution to designate areas of the City other than North Natomas, subject to payment of interim fee (requires two-thirds vote)
 - B. Designation of certain undeveloped loped areas of South Natomas subject to payment of interim fee
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Bill Edgar, City Manager, informed the Council that Terry Moore, the Project Manager, was not available for the presentation. He recommended that the hearing be opened for discussion of the issue and be continued to next week.

Mr. Edgar said the City applied for a Habitat Conservation Plan (HCP) with the U.S. Fish and Wildlife Service. The Plan requires each land-use agency to prepare a map showing which lands are subject to mitigation under the HCP. During previous Council sessions, landowners in the undeveloped areas of South Natomas and the Quadrant 1 area of North Natomas questioned their responsibility to mitigate due to prior grading and development activities.

Mr. Edgar said the purpose of the HCP was to mitigate for the cumulative impacts of development, and not for the loss of habitat, if it occurs, on each specific development site.

According to Mr. Edgar, U.S. Fish and Wildlife Services reduced habitat ratios with the understanding that there would be a commitment by the City to habitat development. The plan has been submitted, now the Wildlife Services are asking what properties would be required to pay.

Mr. Edgar said his position was that pre-existing uses that had been developed should be exempt. In North Natomas, undeveloped properties would pay the fee, developed properties would not pay the fee. In South Natomas, undeveloped land between I-5 and the Canal should pay the fee; all property west of the canal should pay the fee.

Mr. Edgar stated that Wildlife Services would defer to the City Council for a policy decision on exempting properties. He warned that if the Council exempted too many properties, Wildlife Services would not be happy. Staff's position was that all undeveloped property in North Natomas should pay, and any property that had a signed agreement to pay should be required to pay. However, staff was looking for direction from Council.

Mayor Serna asked for objective criteria for exemption. He said he did not want to exempt property on an arbitrary basis.

Councilman Cohn asked if exempting Coke/Raley would be o.k. Mr. Edgar replied yes it would, if that was Council directive.

Mr. Cohn said that he saw an inconsistency on Coke/Raley's part; namely, they entered into an agreement to pay, and now they were protesting paying. He said it bothered him that staff recommended that they should not pay.

Bill Edgar replied that Terry Moore had been working for over two years on this project. He assumed that the Coke/Raley property was pre-existing, and therefore didn't have to pay. However, the City Attorney's office made it clear that Coke/Raley was responsible for paying due to a signed agreement.

Sam Jackson, City Attorney, clarified this issue by stating that Terry Moore did not have the authority to exempt Coke/Raley and the signers of the agreement knew that there was an agreement in place.

Councilwoman Fargo stated that it was very appropriate to hear this testimony and to have time to think about it this week.

Ms. Fargo asked if the recommendation from Council to Wildlife Services had to be in writing. Mr. Edgar replied that he was not aware of it having to be in writing.

Ms. Fargo asked what the time line was. Mr. Edgar replied that staff was driving this issue because the community wanted to start building in Natomas.

Ms. Fargo asked if the County had submitted a plan. Mr. Edgar replied that the County Executive had informed him they were working on one.

Ms. Fargo asked about the City's 100 acres around ARCO arena deeded by Buzz Oates.

Mr. Edgar replied that if it were used for public schools, parks, etc. it would be exempt, but if developed for commercial use, it would pay.

Mr. Edgar summarized for Council that school sites, parklands and public sites were exempt.

Ms. Fargo asked about the Incredible Universe. Mr. Edgar replied they were defined as pre-existing and would therefore be exempt.

Councilman Waters asked for clarification on those who were exempted, and asked if Coke/Raley did not pay, would that be o.k. with Wildlife Services.

Mr. Edgar replied he could not guarantee how the Agency would react, but said that good rationale for any exemption would probably be o.k.

Mr. Jackson added that whenever the Council recommended an exemption there needed to be distinct findings.

Councilman Yee stated the importance of being fair.

David Martinez, Deputy City Manager, stated that Mr. Moore had been able to move this issue forward with Wildlife Services. The City needed to move forward with development once this fee issue was resolved.

John Bohl, representing Coke/Raley, said requiring his client to pay was unfair and inequitable. If Arco Arena, SMUD, Pacific Bell and Incredible Universe were being exempted, then so should Coke/Raley.

He argued that it was not a matter of money, but that all land owners should be treated equally.

Mayor Serna asked Mr. Bohl if it was his understanding that public property should pay. Mr. Bohl replied that was correct.

Mr. Jackson stated that he would check on that issue.

Mr. Cohn stated that the biggest concern that he had was the inequity; i.e., Incredible Universe was developed after Coke/Raley, and Incredible Universe was being exempted.

A motion was made by Councilwoman Fargo, seconded by Councilman Kerth to continue this issue to March 25, 1997. The motion carried with a 7-0 roll call vote, with Councilmen Pannell and Steinberg being absent.

11.0 STAFF REPORTS

11.1 Plaza Park: 1997 Summer Concert Series. (Cont. From 2-25-97, item 4.2) (D-1)

A motion was made by Councilman Waters, seconded by Councilwoman Hammond to continue this item to March 25, 1997 at 2:00 p.m. The motion carried with a 7-0 vote, with Councilmen Pannell and Steinberg being absent.

12.0 SHRA

None

13.0 CITIZENS ADDRESSING COUNCIL AGENCY OR AUTHORITIES BY PERSONAL APPEARANCE OR TELEPHONICALLY ON MATTERS NOT ON THE AGENDA

14.0 COUNCIL IDEAS AND QUESTIONS

None


15.0 ANNOUNCEMENTS

None

ADJOURNMENT

There being no further action to come before the Council, the meeting was adjourned at 8:30 p.m.

Submitted


Valerie Burrowes, City Clerk

Approved


Joe Serna, Jr., Mayor