

MINUTES

OF THE

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

REGULAR MEETING

MARCH 24, 1998

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:03 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, Steinberg, Water, Yee and Mayor Serna

Absent: None

PLEDGE OF ALLEGIANCE was led by Mayor Serna

9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

None

10.0 PUBLIC HEARINGS

10.1 Weed Abatement - proposed removal of weeds, rubbish and/or dirt from various parcels of property within the City of Sacramento (D-All)

A. If there are objections

◆ Hear and consider all objections

◆ Refer to Staff for Finding of Fact to return April 7, 1998

Or

B. If there are no objections

◆ Adopt Resolution and order abatements

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Mayor Serna requested Todd Gibson, Ken Smith and Dale Secord to meet with staff outside the Chamber to voice their objections to any notices received related to their properties.

Gary Atchley, Nuisance Abatement Officer, informed Council that he had met with those citizens who had objections to the abatements and would be returning to Council with findings of fact on April 7, 1998.

A motion was made by Councilwoman Fargo, seconded by Councilwoman Hammond to close the hearing and to continue this issue to April 7, 1998. The motion carried with 8-0 roll call vote.

- 10.2 California Environmental Protection Agency (CAL/EPA) Project (PN:BB05); Final Environmental Impact Report for property located at 10th and I Streets (D-1)
- A. Certify the Environmental Impact Report (EIR) adopting Findings of Fact and Statement of Overriding Considerations and Mitigation Monitoring Plan
  - B. Approve the CAL/EPA Building Project subject to the following:
    - 1. Staff is directed to study various parking alternative for the Central Business District and report back to City Council with a Parking Master Plan workshop
    - 2. Staff is directed to identify potential Bikeway Master Plan (BMP) changes to better serve the Central Business District and report back to City Council with recommendations
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Duane Wray, Technical Services Manager, stated that the proposed CAL/EPA Building project was a 25 story, 950,000 square foot office building to be located on a full city block bounded by 10th and 11th Streets and H and I Streets. He said the project was approximately 15 months ahead of schedule because the project team had worked the design, construction-bidding and environmental activities concurrently so that, if approved, the construction could begin by July 1, 1998. He added that the design and environmental review activities were completed and construction bidding was nearly completed. Staff was recommending certification of the EIR and approval of the project.

Mr. Wray introduced the various team members and gave an outline of the evening's presentation.

Bob Williamson, project development team member, said the project started almost six years ago. In December, 1993, the State of California selected the City of Sacramento, with the development team of Thomas Development Partners, A.C. Martin Architects and Turner Construction, for the design and construction of the project on property known as Lot B. In June, 1995, the Council authorized the City Manager to negotiate the lease agreement with the State for the design and construction of the project.

In November, 1996, the Council approved the specific business terms for a lease agreement with the State, and authorized the City Manger to negotiate a development management agreement with Thomas Development Partners. In April, 1997, this lease was executed, and the environmental review began. In August, staff briefed the Council on the project schedule, budget, and processes planned for developing the project.

Mr. Williamson discussed the outreach efforts with various businesses and neighborhood groups, including the Alkali Flat Project Area Committee, the Neighborhood Association Advisory Group, the Downtown Partnership, the Park Advisory Committee and the Sacramento City/County Bicycle Advisory committee.

According to Mr. Williamson, staff discussed the project's size, location, and general features at numerous community meetings. Other discussions including traffic and parking issues, and to answer questions related to the environmental review.

Dave Morgan, Associate Architect, showed slides of the proposed project.

Councilwoman Hammond asked if the project conformed with ADA requirements; Mr. Morgan replied yes, it did.

Councilman Yee asked about the proposed number of employees; if there would be a pedestrian bridge between the CAL/EPA building and City Hall; and if there would be an art-in-public-places budget for this project.

Mr. Morgan replied that there would be approximately 3,000 employees in the new building. The plans did not include a pedestrian walkway, but there would be a substantial budget for arts-in-public-places, with Cesar Chavez Plaza receiving a greater majority of these funds.

Councilwoman Fargo stated that she felt it was a stark, unattractive building. She asked why the pavilion was on the southwest corner.

Mr. Wray replied that the intention was to achieve a separate courtyard for the community to enter and use.

Ms. Fargo asked why eucalyptus trees were chosen; Mr. Wray explained that eucalyptus trees grew quickly.

Ms. Fargo asked if there would be any improvements to street lighting, to which Mr. Wray replied the lighting on I Street would be enhanced, acorn lights would be placed around the project and additional lighting would be added on H Street.

Councilman Cohn said he felt the 10th and I Street facade to be the most appealing. He asked about applying a coating to all the windows for environmental efficiency.

Mr. Wray replied unfortunately, that would be too expensive.

Councilman Waters asked if the \$1 million budget for art-in-public-places for this project would be spent in Cesar Chavez Park and if the Council would have input.

Sam Jackson, City Attorney, replied that Council would have final approval.

Michael Smith, from Thomas Development, spoke about the project's budget and core items.

Mr. Yee asked if an independent cost analysis had been done on the project. Mr. Wray replied that the State had their estimators review the design team's estimates.

Mr. Yee asked if the State would be responsible for the day-to-day maintenance of this building; Mr. Wray replied yes, they would.

Ms. Fargo remarked that the architect's drawing did not show any street trees.

Mr. Williamson assured Ms. Fargo that almost all existing trees on the block would be maintained, with remaining bare spots to be planted. Pruning of the trees would be on-going during construction.

Ms. Fargo asked if the three public hearing rooms and the day-care center would be available to City employees. Mr. Wray replied yes, they would.

Ms. Fargo suggested that some of the \$1 million planned for art-in-public-places be reserved for *performing* arts.

Mr. Wray responded that the art-in-public-places budget was actually closer to \$1.5 million, and that the State had determined that all money was to be in visual arts, none in performing arts.

Ms. Fargo asked how this policy could be changed.

John Goldman, from the State Department of General Services, replied that the bond counsel advised the policy could not be changed under the current lease.

Ms. Fargo asked how long the construction cycle was, and if the art-in-public-places money could be deposited now. Mr. Wray replied no, that money would be received by the City after all construction was completed.

Mr. Williamson discussed the EIR analysis. He said mitigation measures had been identified to reduce impacts for air quality and noise, public services and shadow and wind speed. However, the issue of parking had yet to be mitigated. Because the EIR required 218 parking spaces, staff was requesting Council to override its decision from the May 26th workshop to allow staff to come back to Council to discuss this issue.

According to Mr. Williamson, staff would be meeting with bicycle enthusiasts to jointly discuss bicycle facilities and routes.

Mr. Williamson said, that as a part of the process of obtaining project approval, all significant effects on the environment with implementation of the proposed project had been eliminated or substantially lessened, where feasible. Furthermore the City determined that any remaining significant effects on the environment found to be unavoidable were acceptable due to the overriding considerations.

According to Mr. Williamson the proposed project would: (1) help to achieve the City's goals to maintain and strengthen downtown's role as a major regional office, retail, commercial and governmental center; (2) support the public investment in the transit system by developing intense office uses within close proximity to light rail stations and transit corridors; (3) provide physical improvements to the site and area which would be an asset to the character of the downtown area; (4) provide public amenities in support of the Downtown Cultural and Entertainment District Master Plan; (5) provide for an efficient and financially beneficial use of an underutilized City property by demolishing a substandard parking garage and constructing a building that would provide a long term revenue source to the City; and (6) provide for a strengthening of the downtown's business, cultural, and entertainment environment by combining currently dispersed State agencies into one site.

Mr. Williamson summarized his report by requesting Council to certify the EIR, and to approve the CAL/EPA building project with the understanding that staff would study various parking alternatives and bikeway master plan changes for the central business district and report back to Council with recommendations.

Ms. Fargo asked with whom staff was working regarding the parking problem and the date of the next workshop. Mr. Williamson replied staff was working with the Downtown department and the next workshop would be May 26th in the Council Chamber.

Tom Lee, Director of the Downtown department, added that it would be a four hour workshop with community groups to identify public and private parking sites.

Ms. Fargo stated that she had concerns that the overriding conditions did not include lighting improvements. She also asked about mitigation measures for the wind tunnel effect.

David Mohlenbrok, Associate Planner, replied that the EIR had not evaluated the lighting. He added that the vibrations associated with the construction of the project could feasibly cause some damage to historic buildings in close proximity. Mitigation measures would be taken and any damage would be rectified. Wind mitigation was addressed in the EIR as unavoidable. Statistics revealed that wind speeds in excess of 36 m.p.h. would occur for approximately 6 hours on a yearly basis.

Councilman Kerth asked if there was going to be a "drop-off" zone for people who would be working in the building.

Mr. Williamson replied that staff had discussed this issue and identified an area on 10th Street, just south of I Street, and on 11th Street. He said there needed to be a "15 minute zone" for employees to drop off their children in the daycare center. He told Mr. Kerth he would keep him informed of this issue and when it would be coming back to Council.

Ms. Fargo requested that the parking workshop include discussions of both on-street and off-street issues.

Mr. Kerth asked Mr. Mohlenbrok to discuss staff's analysis of the cumulative impacts of this project on the transportation system.

Mr. Mohlenbrok replied that staff had used SACOG data specifically developed for the City's population and traffic.

Mr. Kerth argued that this methodology was incorrect and said the City should be requiring transportation system mitigation.

#### Public Testimony

Dale Secord, Bike Advisory Committee, asked Council to direct staff to work with CAL/EPA to have on-site bicycle facilities, and to establish a time table and funding source for a bike safety master plan.

Mayor Serna asked staff if Mr. Secord should address the committee formed to discuss bike safety. Mr. Williamson replied yes, and added that staff was planning on creating a Bikeway Master Plan for the entire central city.

Mr. Secord stated that he was looking to have a time frame and budget source identified *before* the permit to build was approved.

Mr. Williamson responded that it was procedural for staff to have a base

building permit approved and then for staff to come back for other permits to address specific issues later.

Mr. Secord also requested the purchase of two light rail cars for bicycle users during the peak hours, and permission for the bicycle advisory committee to submit comments on the Bicycle Master Plan.

William Kopper, representing Electrical Workers #340, stated that he would be submitting his comments to the Council in writing.

Timothy Stevens, an EIR specialist with the State of California, informed the Council that the EIR was inadequate and illegal. He said there should be spaces provided for 250 bicycles, and adequate opportunity for citizens to comment on the transportation management plan.

Eric Maher said his major concern was the lack of adequate parking. He recommended that mass transit improvements were needed, especially with buses.

Charles Kersey requested that the Council treat bicyclists' needs as seriously as the parking issues.

John Pederson stressed the importance of safety for bicyclists.

James Morgan, a CAL/EPA employee, said the parking plans were grossly inadequate. He added that required parking should not be more than three blocks from the project site. He recommended building a large, commercial parking lot.

Kristen Haynie spoke about her concern with the parking situation.

Councilman Cohn encouraged all of the speakers to attend the parking workshop to discuss solutions.

Myron Amerine thanked staff for their concern for bicyclists.

Maci MacCormack said she owned three buildings within a block of the project site. She said the additional dirt in the air will ruin her air conditioners and requested staff to address this issue.

Mr. Cohn asked what recourse Mrs. McCormack had.

Sam Jackson, City Attorney, replied that all standard tort remedies would apply.

Mr. Williamson stated that the air conditioners could be inspected prior to the start of construction and after to assess the damage, if any.

Councilwoman Hammond asked about the number of hours the shadow of the building would cover H Street.

Mr. Mohlenbrok replied during the winter time the shadow would cover H Street behind the building from mid-morning to mid-afternoon. During the summer, the building's shadow would not cover H Street.

Mrs. McCormack replied her businesses would not survive the three years of construction for the project.

Ms. Fargo asked the hours of construction and the number of days required for pile driving. Mr. Williamson responded construction could occur between the hours of 7:00 a.m. and 6:00 p.m. The pile driving would take approximately 60 days.

Ms. Fargo asked for the report back date. Mr. Williamson stated the parking issue and bikeway master plan would be brought back to Council on May 26th.

Ms. Fargo said that she wanted staff to address improvements to street lighting at 12th and I Streets and 11th and K Streets. She also asked for a report back on the possibility of using art-in-public-places money on performing arts.

A motion was made by Councilwoman Fargo, seconded by Councilman Cohn to close the hearing and to adopt Resolutions 98-089 and 98-090, as amended. The motion carried with a 8-0 roll call vote.

#### RESOLUTION 98-089

RESOLUTION OF THE CITY OF SACRAMENTO CITY COUNCIL CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING PLAN IN SUPPORT OF THIS APPROVAL OF THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY (CAL/EPA) BUILDING PROJECT (CIP #BB05)

#### RESOLUTION 98-090

A RESOLUTION OF THE CITY OF SACRAMENTO CITY COUNCIL APPROVING THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY (CAL/EPA) BUILDING PROJECT (CIP #BB05)

### 11.0 STAFF REPORTS

- 11.1 Ordinance adding Chapter 62.02 to Title 62 [Municipal Elections] of the Sacramento City Code relating to campaign contribution limitations; related Campaign Reform Measures (PFP'd 3-17-98, item 1.4; Law and Legislation 2-17-98) (D-All)
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Debra Nyland, Management Analyst, informed the Council that the Law and Legislative Committee had heard this item at their February 17, 1998 meeting at which time they directed staff to transmit the report to the full Council.

In summary, Ms. Nyland stated that the City had repealed its campaign contributions ordinance in January, 1997 following the enactment of Proposition 208, which established lower, and conflicting limits. Proposition 208 was subsequently held invalid by a Federal District Court, leaving the City with no contribution limits in place for local elections other than special elections.

The Law and Legislation Committee reviewed the prior contribution limits and related provisions, and recommended their re-establishment, subject to amendments in the applicable election and off-election limits, and subject to the establishment of a separate set of contribution limits for political action committees.

Ms. Nyland stated that the Committee requested reports back regarding a lobbyist registration ordinance; an ordinance establishing additional disclosure requirements on those engaging in independent expenditures affecting local City elections; and a campaign reform ordinance which includes a public finance program. In addition, the Committee requested a proposal regarding what would be involved in implementing electronic reporting.

Councilman Cohn spoke of his interest in having electronic filing of campaign statements; and requested the City Clerk to report back in May, 1998 during the budget hearings with a plan to scan in filings and post them on Internet by July, 1998.

Councilman Kerth stated that he was unprepared to move forward with what was proposed. He said the Council needed to broaden the debate and to get more information.

Councilwoman Hammond said she agreed with Mr. Kerth, adding that she had run her campaign under Proposition 208 limits and it was extremely difficult to get her message out. She said she was not opposed to reform, but was opposed to arbitrary reform.

Councilman Waters argued that if a person was corrupt, he/she would be corrupt with any limits.

Mr. Cohn argued that 60% of Sacramentans voted for Proposition 208.

Councilman Steinberg recommended putting the former ordinance in place for the upcoming election with a sunset clause after the election. Then the issue could be studied in depth with involvement from the community. An alternative would be to use an interim ordinance.

Public Testimony:

Anne Rudin, former Mayor, spoke in favor of contribution limits. She argued that independent expenditures could be controlled, and recommended doubling the limits for PACS.

Ms. Hammond confirmed with Mrs. Rudin that she had never campaigned with limits. Mrs. Rudin replied that was correct. She said she set her own limits and never accepted more than \$100 from a single source.

Kris Greenlee, representing the League of Women Voters and Common Cause, stated that her organization believed that limits should be based on what the common person could donate.

Jim Knox, from Common Cause, recommended re-instating the former ordinance.

Mr. Kerth asked if Sacramento should have limits just because other cities do. He said he did not see the cause/effect of limiting contributions to voter confidence.

Mr. Waters stated that he had never seen any case law to convince him that a group of people could be controlled by limiting contributions. Mr. Steinberg asked Mr. Knox if he agreed that perception was important to the voters; Mr. Knox replied yes, he did.

Donna Chips, League of Women Voters, requested that the City's ordinance be re-instated.

Alexander Vasquez spoke against contribution limits saying the limits put a strangle hold on candidates trying to get their message out. True democracy requires that we assist the candidates anyway we can.

A motion was made by Councilwoman Fargo, seconded by Councilman Cohn to reinstate the prior 1992 City ordinance for the current cycle with amendments recommended by the Law and Legislative Committee.

Mr. Steinberg asked if he could make an amendment that the ordinance sunset after the November election and that in the interim, the Mayor appoint a commission of citizens to look at this issue.

A substitute motion was made by Councilman Kerth, seconded by Councilman Waters to form a Council-appointment committee to report back on this issue in December. The motion carried with a 5-3 vote, with Council members Cohn, Fargo, and Steinberg voting no.

12.0 SHRA

None

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

None

14.0 COUNCIL IDEAS AND QUESTIONS

None

15.0 ANNOUNCEMENTS

None

ADJOURNMENT

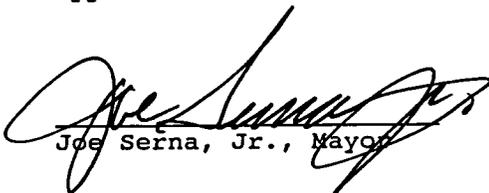
There being no further business to come before the Council, the meeting was adjourned at 11:52 p.m.

Submitted,



Valerie A. Burrowes, City Clerk

Approved



Joe Serna, Jr., Mayor