



CITY OF SACRAMENTO

30A

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-6426

LORRAINE MAGANA
CITY CLERK

MEMORANDUM

TO: MAYOR ISENBERG

FROM: CITY CLERK

SUBJECT: APPOINTMENT OF ALTERNATE MEMBER TO OLD SACRAMENTO
VARIANCE APPEALS BOARD

DATE: MAY 13, 1980

On May 8, 1980, the City Council approved that the Mayor may make the appointment of an alternate member to the Old Sacramento Variance Appeals Board.

Because of a hearing that is scheduled for May 14, 1980, the Housing and Redevelopment Agency is anxious to have the alternate member appointed so that he may take part in the hearing. The Agency has indicated that Burnett Miller recommended that Richard Teramoto, member of the Sacramento Housing and Redevelopment Commission, be appointed. I have talked to Tom Hoeber and he said OK.

Therefore, it is recommended that Mr. Teramoto be nominated and confirmed tonight so that he may ~~take part in~~ the hearing scheduled before the Old Sacramento Variance Appeals Board.



SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

May 1, 1980.

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OFFICE OF THE MAYOR

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Mayor Phillip L. Isenberg
City Hall
City of Sacramento
Sacramento, California

ALAN TRAMBO

Dear Mayor Isenberg:

Agency staff has placed a matter on the City Council agenda for next Thursday evening for action by the City Council acting as the Agency Governing Board. The matter before the Governing Board will be a resolution authorizing appointment of an alternate member to the Variance Appeals Board for the Old Sacramento Historic Area. A particular factual context gives rise to some urgency for this resolution and, if it is passed, appointment of the alternate member to the Board by you.

An architectural dispute was recently presented to the Variance Appeals Board by a development group, Empire Hotel Associates, a limited partnership, relating to the facade design for the hotel of similar name in Old Sacramento. The member of the Board appointed by you from the business community, Mr. Maynard Nelson, disqualified himself from hearing the matter due to a business relationship with one of the members of the limited partnership, Mr. Arthur Haarmeyer. As a result, only members Thomas Coleman and Melanie Conover were available to hear the matter. After two and one-half days of hearing, an impasse developed between the membership of the available Board. I was consulted and advised the Board that the appeal had not been taken from approved Preliminary Plans or Final Plans as required by the empowering resolution of the Board. Thus, the matter was referred to Agency staff for a one-week period for a final determination as to the approval of the Plans.

By stipulation of the parties the matter will be returned to the Variance Appeals Board on Friday, May 9, 1980 at

CITY GOVERNING BOARD
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BLAINE H. FISHER
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DOUGLAS N. POPE
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FRED G. WADE

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WILLIAM G. SELINE

P.O. Box 1834
SACRAMENTO, CA 95809
630 I STREET
SACRAMENTO, CA 95814
(916) 444-9210

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Mayor Phillip L. Isenberg
May 1, 1980
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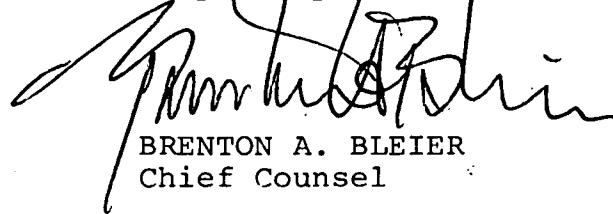
8:00 a.m. for a rehearing of the developers' appeal on this issue.

For this reason, it would be most helpful if you would see fit to make the appointment of the alternate member to the Variance Appeals Board forthwith if the resolution authorizing such appointment should pass at the Council meeting of May 8, 1980.

Of course, if the resolution should not pass, or if the appointment should not be made, the membership of the Board available to hear the rehearing would be identical to that hearing the matter in the first instance. Since it is not anticipated that the evidence will be markedly different and it is not anticipated that the members' views of that evidence will change markedly from the judgments initially reached, it would be a virtual certainty that the developers' appeal would fail for lack of a majority vote.

We very much appreciate your cooperation in this matter. If you have any questions, I would be pleased to provide you with additional information relating to this matter.

Very truly yours,



BRENTON A. BLEIER
Chief Counsel

BAB.bj

cc: Chairman Thomas Coleman,
Variance Appeals Board
Member Melanie Conover,
Variance Appeals Board
Member Maynard Nelson,
Variance Appeals Board
Empire House Associates
Theodore Leonard, Agency Architect
James Henley, City Museum and
History Department