

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

September 16, 1997

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:10 p.m. on the above date in the City Council Chamber located at 915 I Street.

ROLL CALL

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

Absent: None

PLEDGE OF ALLEGIANCE was led by Mayor Serna

9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

9.1 Resolution recognizing Mexican Independence Day

Mayor Serna expressed his thanks to Councilmember Hammond for her assistance in drafting the resolution for Mexican Independence Day. The Mayor presented the resolution to Sr. Rogelio Ortiz, Presidente Comite Patriotico. Sr. Ortiz is the person responsible for initiating the celebration of Mexican holidays in Sacramento.

Sr. Ortiz accepted the resolution, commenting that it was an honor to receive the award on this special day, and saying that liberty was dear to the hearts of the people.

Mayor Serna commented that by the year 2005, according to estimates published in a demographic book by Dan Walters entitled "The New California", one-half of the population will be Latino or Mexican and/or Asian-American. No one ethnic group will be dominant. The Mayor said efforts must be made to assure that citizenship takes place in immigrant communities, as well as urging ethnic minorities to vote.

9.2 Resolution honoring the legacy of the Honorable Judge Lorenzo Patino on the anniversary of his death

Mayor Serna commented that presenting this resolution draws attention to a friend, a courageous man. Judge Patino was a former student of the Mayor's at CSUS; the Mayor recalled his humor and pleasant personality, noting that he had also worked to help pass legislation benefiting farmers. Jerry Brown, former Governor of California, appointed Mr. Patino as Judge.

Nelly Patino, Judge Patino's widow, accepted the resolution on behalf of her son and mother and Lorenzo's family.

Lorenzo Patino, Jr. echoed his mother's comments, and expressed his thanks for keeping his father's memory alive.

Russ Miller, Dean of University of Northern California Lorenzo Patino School of Law, expressed his thanks to City Council for its help. Dean Miller said the greatest compliment is to see students living Lorenzo Patino's dream at law school.

Mayor Serna recognized many law students who were present; he remarked that Lorenzo was a delight and would not be forgotten.

Councilmember Waters presented to Nelly Patino a framed letter which was sent by Jerry Brown, former Governor of California, honoring Judge Lorenzo Patino.

Councilmember Hammond presented a resolution from Assemblywoman Deborah Ortiz and Senator Richard Polanco and Senator Art Torres.

John Valencia commented that he had been the valedictorian of the first graduating class at Lorenzo Patino School of Law.

9.3 Recognition of Title V participants

Kelly Montgomery, Neighborhood Services/Planning, recognized those citizens participating in an unusual partnership between the City, the County, and school districts. This joint effort has resulted in better reading and math scores for students, as well as better attendance.

Mayor Serna recognized the volunteers and read Item 11.2 "The Community That Cares" into the record.

Supervisor Dickinson, County of Sacramento, commented about "The Community That Cares" collaborative, noting that it was an effort to encourage self-determination and turn over to the community control of its own neighborhoods, making them a better place in which to live.

Mr. Dickinson congratulated those who have participated in their own neighborhoods, making them a better place to live.

Ray Johnson, Executive Director of the Governor's Office of Criminal Justice Planning, expressed approval of the community's collaboration, noting its positive results.

* * * * *

**** Item 11.2 was heard out of sequence here.

10.0 PUBLIC HEARINGS

- 10.1 Central City Housing Strategy Implementation - streamlining process for developing small housing projects and making minor housing additions in the Central City. (PFP'd 9/2/97, item 1.8) (cont. from 9-9-97, item 3.1) (M97-013) (D-1,3,4)
- A. Ratify the Negative Declaration
 - B. Ordinance amending Sections 2,3,5,6,7, and 12 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, As Amended
 - C. Ordinance amending Title 38 [Streets and Sidewalks], of the Sacramento City Code, Section 38.13
 - D. Ordinance amending Title 40 [Subdivision Regulations], of the Sacramento City Code
-

Art Gee, Principal Planner, presented the report.

The proposed Zoning Ordinance and City Code Amendments streamline the requirements for developing small housing projects in the Central City by removing requirements for some Special Permits and variances. These amendments focus on encouraging housing for owner-occupancy, facilitating infill development on small lots, and easing the process for making minor additions to existing structures.

The Central City Housing Strategy, adopted in late 1991, encourages the development of housing in the Central City and seeks to remove obstacles to housing development. As part of Phase 2 of implementation of the Housing Strategy, a citizen-based Working Group was formed to assist staff in formulating recommendations and conducting additional outreach. The Working Group recommended breaking the Phase 2 work effort into two tiers, so that potential housing projects could benefit from streamlining actions more quickly, rather than being linked to the entire Phase 2 efforts. The first tier includes relatively non-controversial ordinance and code amendments. The second tier will include rezoning proposals and other actions that might be more controversial or would require more public outreach and would therefore take more time.

Lucinda Willcox, Associate Planner, commented that the revisions were recommended because existing requirements were complicating and discouraging development of these projects. Staff wants to allow duplexes on corner lots, and remove the requirement for on-site parking, since some lots are too small and cannot accommodate this.

Ms. Willcox presented a number of slides which demonstrate examples of buildings constructed within the last 5 years; 387 new houses have been built, comprised of small duplexes, condos, and larger housing units.

Mayor Serna commented that this was a good project, noting that staff has gone after codes that inhibit building, and saying that this action should ease difficulties. Ms. Willcox noted that even though various requirements may be relaxed, all projects would still be required to go through the Design/Review process.

**** Mayor Serna recognized Reverend Jesse Jackson, who was seated in the audience at this Council meeting. Councilmember Pannell advised that in addition to Reverend Jackson, Senator Lee of Oakland was present.

Councilmember Fargo commended staff for taking the pain out of the planning process, as to setbacks, driveways, etc. Ms. Fargo noted that these revisions would aid in duplicating some of the favorite neighborhoods in Sacramento, and would encourage more quality housing in the Central City.

Councilmember Cohn concurred with Ms. Fargo's remarks, and expressed his thanks to Ms. Willcox and Mr. Gee.

A motion was made by Councilmember Cohn, seconded by Councilmember Fargo, to close the hearing and (A) adopt staff recommendation; (B) adopt Ordinance 97-057; (C) adopt Ordinance 97-058; and (D) adopt Ordinance 97-059. The motion carried with a 9-0 roll call vote.

ORDINANCE NO.97-057

AN ORDINANCE AMENDING SECTIONS 2,3 5, 6,7,
AND 12 OF THE COMPREHENSIVE ZONING
ORDINANCE OF THE CITY OF SACRAMENTO
(ORDINANCE NO. 2550, FOURTH SERIES, AS
AMENDED), RELATING TO CENTRAL CITY HOUSING
REGULATIONS (M97-013)

ORDINANCE NO. 97-058

AN ORDINANCE AMENDING SECTION 38.13 OF THE CITY OF SACRAMENTO CITY CODE, RELATING TO STREETS AND SIDEWALKS (M97-013)

ORDINANCE NO. 97-059

AN ORDINANCE AMENDING CHAPTER 40 OF THE SACRAMENTO CITY CODE, RELATING TO SUBDIVISION REGULATIONS (M97-013)

* * * * *

**** Note: Item 11.1 was heard out of sequence following Items 9.3 and 11.2.

11.0 STAFF REPORTS

- 11.1 Sacramento River Parkway Plan (Intent Motion adopted 5-27-97, item 10.1) (M91-006) (Continued from 8/26/97, item 11.1) (D-1)

Scot Mende, Senior Planner, presented the report.

On January 14, 1997, the City Council passed a motion of intent to approve the Sacramento River Parkway Plan Update (with staff proposed revisions) and the Environmental Impact Report. The motion also directed staff to return to the Council with additional analysis to assist the Council in formulating a strategy for acquiring private lands in the Greenhaven & Little Pocket areas. On May 27, 1997, the Council provided an alternate Intent Motion to consider a Wildlife Sanctuary proposal, provided that certain key features were built into the proposal.

Mr. Mende requested that Council continue this item for 30 days (until October 20, 1997), in order that staff may continue its attempt to negotiate with the property owners adjacent to the Sacramento River, with regard to Phil Hiroshima's proposal for a Wildlife Sanctuary.

Councilmember Waters interjected that Mr. Hiroshima, who has most of the facts, was delayed back East at a trial.

Councilmember Cohn referred to earlier Council discussions regarding this item; he commented that negotiating habitat could take a long time. When the intent motion returns in 30 days, Mr. Cohn wanted to be certain that the Parkway Plan would be adopted.

Mr. Mende said there were really two intent motions before the City Council: 1) the May 27, 1997 motion: is the Sanctuary concept viable? And 2) if not, return to the original January 14, 1997 motion.

Mr. Cohn urged that the final Plan could be adopted, and then discuss the other points. Mr. Waters concurred, speaking on behalf of Mr. Hiroshima as well.

Councilmember Fargo asked why this would take 30 days? Why not 1-2 weeks? Mr. Mende replied that Mr. Hiroshima would be back in Sacramento this week; there are details to be worked out, he may need to meet with property owners, and will then return to City Council.

Ms. Fargo established with Mr. Mende that some progress had been made during discussions with property owners, but there were still unresolved issues. Ms. Fargo commented that a lot of time had been spent to date without resolution; it was her hope to reach conclusion soon, with agreement from all points of view. Ms. Fargo stressed the

need to position for the future, even though there are limited funds at this time.

Councilmember Steinberg observed that there were both controversial and non-controversial parts to this issue: he suggested the adoption of the basic plan tonight, addressing problem areas later.

Mayor Serna asked City Attorney Jackson whether, since this item had already been continued, it was still a "live item"? Mr. Jackson replied affirmatively.

Mr. Mende stated that staff needed 4 weeks to return with Findings of Fact, override the EIR, etc. He requested staff direction to return with the resolution. Mr. Mende noted that a number of key issues were left unresolved.

Mayor Serna asked whether an acquisition strategy would be needed prior to the adoption of the plan? Mr. Mende responded that there are several sections in the draft version related to acquisition; in essence, he asked whether staff was being directed to remove them from the Plan and return later with those issues?

Mr. Steinberg noted that Mr. Mende's position was that Council could not adopt the item tonight because there are as yet no EIR Mitigation Measures or Findings of Fact. A strong intent motion was being requested.

Ms. Fargo asked why another intent motion would be needed, why the January 14, 1997 motion would not be sufficient? She asked, if Council opted to remove implementation strategies, couldn't the Plan be readied for passage? Mr. Mende clarified that staff was being asked to bring back a plan without the acquisition; City Council could vote tonight to remove acquisition, implementation measures from the plan, and make a separate motion to that effect.

Ms. Fargo asked whether staff would return in 30 days with an entire Plan, in a form that City Council could adopt, rather than bringing it piecemeal? Mr. Mende replied that if this item were continued without a vote, staff would return in 30 days regarding a Habitat Conservation Plan/Wildlife Sanctuary, then the EIR would be returned 30 days after that.

Mayor Serna asked whether any progress was being made in the neighborhood, saying it was not evident, since there were no people present. The Mayor remarked that the issue must be concluded soon, or it would become a ballot issue.

Mr. Cohn's position was that the issue was being over complicated; he suggested that staff return in 4 weeks with all necessary findings to adopt the non-controversial part, leaving out the acquisition strategy. Staff could return with an amendment after that.

Mr. Waters noted that he had been working closely with Councilmember Yee on this, noting that homeowners basically do not support a Habitat Conservation Plan, but will likely prefer an alternative path. Mr. Mende responded that the alternative bike trail off of the levee was listed as an interim bypass trail.

Councilmember Kerth indicated a level of discomfort with voting on this issue tonight and said he would abstain if it were pressed.

Councilmember Yee commented that this item was advertised as "intent to continue". Mr. Yee agreed with Mr. Kerth, saying he preferred to coordinate with Mr. Hiroshima's schedule. Mr. Yee was concerned that the opposing sides were not present to comment, which gives the public an unsatisfactory message.

Mr. Jackson reiterated that once an item was listed on the agenda it can be acted upon, even though the staff recommendation is to continue the item; once properly noticed on the agenda, City Council may do whatever it wants.

Mr. Yee's position was that both sides should be given the opportunity to express themselves.

Councilmember Waters commented that he had received many phone calls; he did not recall any similar situation in which the City Council overruled the staff's recommendation to continue the item. Mr. Jackson stressed that legally it is permissible for the Council to take any action.

Mr. Cohn commented that Council could give staff direction to return in four weeks.

Anne Rudin, former Mayor and Chair of Friends of Sacramento River Greenway, spoke in support of advocates of the Parkway Plan. Ms. Rudin noted that there were two separate issues: acquisition issues were not discussed as part of the original Plan. Ms. Rudin urged that Council not wait until all of the issues were resolved before adopting the Plan.

Ms. Rudin pointed out that it provides for a Habitat Conservation Plan. Further, the Plan allows the City to receive funds; the Governor vetoed \$1.5 million in funding because the City didn't have a plan in place. Any further delay creates the risk of not receiving any outside funding.

Ms. Rudin suggested that the Feasibility Study could be started, along with the Conservation areas, at the same time as the Plan is adopted; the Corps of Engineers and Reclamation Board could be asked to consider building berms at the levee side of the river in order to bypass private properties. The State Greenways Management Board could be asked to develop a Conservancy Plan. Ms. Rudin urged that work could begin on many aspects now, without further delay.

Amy Rutledge commented that she had worked on this issue, saying that she wanted to see a line on the map. Ms. Rutledge noted that it takes a long time to work out the details, saying that it was important not to lose the vision, that we must grasp these opportunities to receive funding. Ms. Rutledge urged Council to put the Plan in motion.

Ms. Fargo established with Mr. Mende that the EIR consultant advised that it would take 30 days to write the Findings of Fact and the Overrides, that a reasonable date to return with the Plan would be October 21, 1997.

Mayor Serna directed staff to return on October 21, 1997 with the Parkway Plan minus the acquisition section.

A motion was made by Councilmember Waters, seconded by Councilmember Fargo, to continue the item to October 21, 1997, minus the acquisition section. The motion carried with a 9-0 vote.

**** Note: Item 11.2 was heard out of sequence after Item 9.3.

- 11.2 "The Community That Cares" Grant second year evaluation report, located in North Sacramento & Del Paso Heights. (D-2)

Marilyn McGinnis, Sacramento County Executive's Office, presented the report.

In July, 1995, Sacramento County was awarded \$1.5 million over the next three years for implementation of a comprehensive juvenile

delinquency prevention program from OCJP.

"The Community That Cares" is a collaborative effort, providing services to high-risk youth from birth to eighteen years of age in the Del Paso Heights/North Sacramento community. This second year evaluation reports encouraging signs of progress on a number of indicators: increased parent/child bonding; reduced contact with Children's Protective Services for those involved with the Block Grandparent Program and the Family Unity Family Counseling Program, as related to allegations of abuse or neglect; increased reading and mathematics achievement, and increased school attendance. For youth served by the North Area Neighborhood Alternative Center, there was a decrease in involvement with the Juvenile Justice System.

Statistical evaluation was provided by Minicucci Associates.

Councilmember Pannell remarked that he was impressed with the work done so far; he spoke supportively of the program and its results.

Councilmember Kerth applauded the program, noting that while it was funded by the government, the results were due to the efforts of the people participating; the percentage changes are big changes. Mr. Kerth expressed his thanks to Ray Johnson, Office of Criminal Justice. Mr. Kerth commented that the people should be proud of their achievements, noting that the good that is done today continues on.

Councilmember Steinberg congratulated those involved for their achievement, saying that big results had been attained within a short time. Mr. Steinberg asked how the programs would be sustained, once the grant funding is over? Ms. McGinnis replied that planning was started a year ago; in the meantime, other grants and funding sources are being sought.

Councilmember Fargo asked how to take what is learned here to train other people in other communities? Ms. Fargo commented that she was impressed; she expressed congratulations to those involved.

Kelly Montgomery, Area Director, Area 4, responded that staff was working hard to model the Title V program to extend into other areas. The Leadership Development Academy has received requests to go to other area schools, etc., to develop Leadership Development Academies there. Participants in the program are working specifically on transferability.

Mayor Serna commented that the kudos were well deserved tonight, saying that "there are no throw-away children in Sacramento". The Mayor expressed his pride in staff and all participants, saying the City is made a great City because it cares about its children, that this is an excellent program for at-risk youth.

Carly Valez commented that she was working as a partner with Marjorie Turner, and that it was a very positive experience. Ms. Valez noted that there is a strong volunteer core at the firehouse; she expressed her thanks to all.

Councilmember Cohn commented that he represents Swanston Estates; it is not part of Title V, but received a grant from Kaiser Hospital, through some mitigation requirements, to use Title V as a model in the community.

For Council information; received and filed.

**** Councilmember Kerth announced that the Del Paso Heights Improvement Club's Humanitarian Award was presented to Joe Mims earlier this evening. Mr. Pannell commented that Mr. Mims was the first person he had worked for in the City.

12.0 SHRA

None

* * * * *

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

13.1 Reverend Jesse Jackson addressed Council on behalf of the Rainbow Coalition and Save the Dream Coalition. Reverend Jackson advised Council concerning a peaceful march scheduled for October 27, 1997, in protest of Proposition 209. Reverend Jackson stressed the need for continuing opportunities for youth, noting the importance of keeping hope alive, and pointing out that it costs less to educate a young person than to incarcerate him.

Senator Lee, of Oakland, joined Reverend Jackson in expressing thanks to City Council for its support; she noted that the Coalition is important. The momentum began in San Francisco and will be continued.

13.2 Ken Knoll, Director, Sacramento Festival of Cinema, outlined scheduled events for September 19-27, 1997.

13.3 Mayor Serna assured numerous citizens who were present to speak on behalf of retaining Sergeant Castiglia in his current position with the Police Academy program that the program would be continued. The Mayor advised those present that the City Charter does not allow the Mayor or Council to interfere in the management decisions of the City Manager or Department Heads, including Police Chief Venegas.

Citizens who spoke in support of Sgt. Castiglia, praising his skill and effectiveness with young people were: Al Ikemoto, Penny Tiboni, Eme Iturralde, Kimberly James, Chad Norred, Su Boddie, Susan Hinkson, Miguel Gutuen, Michael Tyler, and Judith Avery.

* * * * *

14.0 COUNCIL IDEAS AND QUESTIONS

14.1 Appointments to Del Paso Heights Redevelopment Advisory Committee: Ollie Mack, Community Based Organization; Barbara Whittaker, Business Owner; and Mark Perlberger, Community Based Organization. [Mayor] (D-2)

14.2 Appointments of Corey B. Taylor, representative and John Effman, alternate to the Youth Commission for District 6.

14.3 Appointments to the Meadowview Development Committee: Charles Farrell, incumbent; Clementine Nettles, incumbent; Chand Singh, incumbent; Sarah Richey; Annie Levingston; Carmen Mirazo. (D-8)

A motion was made by Councilmember Yee, seconded by Councilmember Waters, to accept appointments for Items 14.1-14.3. The motion carried with a 7-0 vote, with Councilmembers Hammond and Pannell being absent.

14.4 Councilmember Fargo requested that staff come forward to brief concerned citizens as to what preparations were being made to protect the area during potentially severe El Nino winter storms.

14.5 Councilmember Cohn advised that at 3:00 p.m. today, Police Chief Venegas and District Attorney Jan Scully announced that the Police

Department had made a sweep, resulting in the arrest of 17 alleged serial taggers who have caused thousands of dollars worth of damage due to graffiti.

14.6 Councilmember Cohn, relating to Reverend Jackson's earlier comments concerning alternative solutions to youthful incarceration, reported that a Neighborhood Accountability Board has started in the area. Offenders come before a group of businessmen and neighbors, who sentence them to perform so many hours of community service. This appears to work effectively as an alternative discipline.

14.7 Councilmember Fargo announced that from 10:00 a.m. until 4:00 p.m. on Saturday, September 20, 1997, the First Annual Almond Festival "Go Nuts in the Park" will be held in the newly renovated Muir Park at 16th & C Streets; she urged all to attend.

14.8 Councilmember Cohn announced that from 4:00 p.m. until 7:00 p.m. on Saturday, September 20, 1997, there will be a free concert at University Park, University and Howe Avenue, featuring the Bill Rase Band.

* * * * *

15.0 ANNOUNCEMENTS

None

* * * * *

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at the hour of 10:20 p.m.

Submitted


Valerie A. Burrowes, City Clerk

Approved


Joe Serna, Jr., Mayor