

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 3, 1998

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 7:05 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, Waters, Yee and Mayor Serna

Absent: None

PLEDGE OF ALLEGIANCE was led by Mayor Serna

9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

- 9.1 Resolutions celebrating Government in Action, recognizing the following five student participants from Hiram Johnson High School: Anthony Tuck, Kristine Shaffer, Koi Saechao, Thuy Ngo Nguyen, and Samone Loria

The resolutions were presented by Mayor Serna to the five students who thanked the Council for this recognition.

Certificates of appreciation were presented by Hiram Johnson to Council members Cohn, Steinberg and Pannell for being guest speakers on government at the school.

- 9.2 Recognition of Jared Call, Brandon Burch, and Alonzo Nelson for saving the life of a 4 year old boy

Gary Costamagna, Fire Chief, explained the acts of heroism to the Council. The resolutions were presented by Mayor Serna to Mr. Call, Mr. Burch and Mr. Nelson.

- 9.3 Resolution recognizing March 3, 1998 as "Peace Corps Day".

The resolution was presented by Mayor Serna.

10.0 PUBLIC HEARINGS

- 10.1 Appeal of the City Managers denial of an adult related business permit for the proposed Club Fantasy at 851 Richards Boulevard (2/3 vote required). (D-1)
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Sam Jackson, City Attorney, stated that Council member Fargo had requested that this appeal be heard by the City Council rather than a hearing officer.

Councilwoman Fargo made a motion that the Council suspend Resolutions 90-617 and 96-132 for the purpose of hearing the Club Fantasy Inc. Appeal. The motion was seconded by Councilman Waters.

Councilman Steinberg asked why the Council should hear this appeal. He argued that a 9 member body was bulky.

Ms. Fargo responded that her request was not unusual. This was the City's first "juice bar", and the issue was controversial. She said the community wanted a public process.

Mr. Steinberg said he had concerns, especially since litigation was pending. He asked the City Attorney what the Council would be speaking to.

Sam Jackson, City Attorney, replied the Council would be speaking to the appeal of the applicant.

Councilman Yee asked if the applicant had to go through a hearing before going to court.

Mr. Jackson replied that a hearing was the next step.

Gary Stonehouse, Planning Director, stated that the Club Fantasy's site use did not comply with zoning regulations because there was an existing school and playground on an adjacent parcel, less than 1000 feet in distance.

Mayor Serna stated that he would not be supporting the resolution to hear the appeal because the issue was in litigation. He called for a vote of the Council.

The motion, requiring a two-thirds vote, failed 5-3 with Council members Kerth, Yee and Mayor Serna voting no.

11.0 STAFF REPORTS

11.1 Progress report on acceleration of 7th Street Construction. (D-1)

Wendy Saunders, Development Manager of the Downtown Department, stated that on September 30, 1997, the Council held a workshop on a variety of matters concerning Union Pacific Railroad. Of primary concern was the schedule for the extension of 7th Street between the downtown and Richards Boulevard areas. Due to contamination in the railyards area, and required remediation, construction for 7th Street was not anticipated until 2003. Council requested the City Manager and staff to work with interested community parties to develop a 7th Street acceleration strategy to allow construction by the year 2000.

Ms. Saunders spoke of the formation of a task force composed of property owners in the Richards Boulevard area, Union Pacific Railroad and the California Department of Toxic Substances Control to address

7th Street. The three issues addressed were remediation, infrastructure and financing. According to Ms. Saunders, all the alternatives for acceleration of 7th Street were predicated on obtaining approval by the Public Utilities Commission (PUC) of an application for a roadway crossing of the railroad's main line. Staff understood that PUC approval of an at-grade crossing might be difficult to achieve, and that such approval was unlikely to occur without the active cooperation and support of the railroad. Staff had requested Union Pacific to inform the City of its position on this matter.

Mayor Serna and Councilman Steinberg requested staff, in their report back to Council, to include information on the City condemning the land and requiring Union Pacific to pay for its remediation.

Mr. Starsel, representing Union Pacific, informed the Council that there had been a great cooperative effort on everyone's part regarding the 7th Street expansion. However, he said an at-grade crossing would cause tremendous problems with traffic.

Councilman Kerth asked Mr. Starsel when he had decided that he would not support an at-grade crossing.

Mr. Starsel replied he made that decision in February because he felt it was unsafe.

Councilwoman Hammond asked if the location accommodated more than 18 trains a day. Mr. Starsel replied yes, it did.

Johan Otto, a property owner, said the task force needed to find a way to accomplish this extension, as downtown tenants were being lost every day.

Councilman Yee asked if there was an alternative to an at-grade crossing; Mr. Otto recommended building a below grade structure.

Cleve Livingston stated that a grade-separated crossing was the only alternative. He felt that Union Pacific should bear the expense.

Connie Miottel, representing the property and business owners in the Richards Boulevard area, urged the Council to keep pressure on Union Pacific to move forward with this issue.

Mayor Serna stated that staff and the City needed to be speaking to people at Union Pacific who could and would make a decision.

Councilwoman Fargo inquired when the report back was anticipated; Ms. Sanders replied in three weeks.

This information was received and filed.

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 Carol Carter, representing A.C.T., spoke to the Council about her group's concern with neighborhood blight, code enforcement and abandoned housing in the hopes that the City would be more proactive on these issues. She thanked Council members Kerth, Hammond and Steinberg for meeting with her.

14.0 COUNCIL IDEAS AND QUESTIONS

None

15.0 ANNOUNCEMENTS

None

ADJOURNMENT

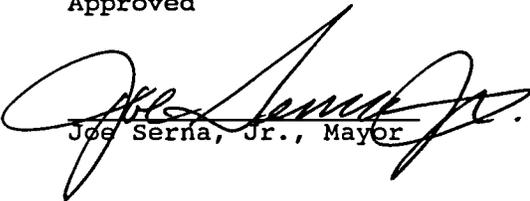
There being no further business to come before the Council,
the meeting was adjourned at 8:15 p.m.

Submitted



Valerie A. Burrowes, City Clerk

Approved



Joe Serna, Jr., Mayor