

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

August 6, 1998

CALL TO ORDER

The Regular Meeting of the Sacramento City Council was called to order by Mayor Serna at 2:02 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, Steinberg, Yee and Mayor Serna

Absent: None

1.0 **CONSENT CALENDAR** (Items 1.1 through 1.14)

A motion was made by Council member Hammond, seconded by Council member Waters, to waive the reading and adopt the Consent Calendar, Items 1.1 through 1.14. The motion carried with a 9-0 vote.

Public Review Items - Informational Only

None

Sacramento Housing and Redevelopment

None

City Council

- 1.1 Supplement No. 4 to City Agreement No. 92-068 for an amount not to exceed \$100,000 with Shute, Mihaly & Weinberger for the City-County Office of Metropolitan Water Planning. (City-County)

Adopted Resolution 98-389.

RESOLUTION NO. 98-389

RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE SUPPLEMENT NO. 4 TO CITY AGREEMENT NO. 92-068 WITH SHUTE, MIHALY & WEINBERGER TO PROVIDE PROFESSIONAL LEGAL SERVICES TO THE CITY-COUNTY OFFICE OF METROPOLITAN WATER PLANNING IN AN AMOUNT NOT TO EXCEED \$100,000.

- 1.2 Approval of Final Map for Twin Palms (P97-110) located at the southwest corner of 6th Street and S Street. (D-4)
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Adopted Resolution 98-390.

RESOLUTION NO. 98-390

APPROVING FINAL MAP ENTITLED "TWIN PALMS"
(P97-110)

- 1.3 Lagomarsino Way Drainage Improvement (PN:XM34) - Award contract to Spinella Heer Construction, Inc., for an amount not to exceed \$146,521. (D-3)
-

Adopted Resolution 98-391 awarding Contract 98-112.

RESOLUTION NO. 98-391

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO SIGN AND EXECUTE A CONTRACT WITH SPINELLA HEER CONSTRUCTION, INC., FOR THE LAGOMARSINO WAY DRAINAGE IMPROVEMENT PROJECT (PN:XM34) FOR AN AMOUNT NOT TO EXCEED \$146,521.

- 1.4 1015 L Street (Lot H Parking Garage) located on the north side of L Street between 10th and 11th Streets - Lease Agreement with John Brito, Peter Covitch, and Joseph Murphy, dba Grips Fast Golf. (D-1)
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Adopted Resolution 98-392 approving Agreement 98-118.

RESOLUTION NO. 98-392

RESOLUTION AUTHORIZING THE EXECUTION OF LEASE AGREEMENT WITH JOHN BRITO, PETER COVITCH, AND JOSEPH MURPHY, dba GRIPS FAST GOLF, FOR THE LEASE OF RETAIL SPACE AT 1015 L STREET

- 1.5 Approval of the 1998/99 Entity Allocation and Disbursement Contract with the Sacramento Transportation Authority for Transportation Sales Tax (Measure A) Funds. (D-All)
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Adopted Resolution 98-393 awarding Agreement 98-119.

RESOLUTION NO. 98-393

RESOLUTION AUTHORIZING EXECUTION OF THE 1998/99 ENTITY ALLOCATION AND DISBURSEMENT CONTRACT WITH THE SACRAMENTO TRANSPORTATION AUTHORITY FOR TRANSPORTATION SALES TAX FUNDS

- 1.6 Ordinance of the City Council of the City of Sacramento levying a special tax for the property tax year 1998-1999 and following tax years solely within and relating to the City of Sacramento North Natomas Drainage Community Facilities District No. 97-01. (D-1)

Passed for publication of title and continued to August 11, 1998.

- 1.7 Sacramento Community Center Theater, located at 1100 14th Street - Approval of plans and specifications; accept bid of Superior Enterprises in the amount of \$129,921; and authorize the City Manager to execute a contract for the ADA Access and Restroom Remodel Project and CIP No. C731. [continued from July 28, 1998, item 1.15] (D-1)
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This item was withdrawn [staff].

- 1.8 Request to reopen the application period for the Franklin Boulevard Project Area Committee due to six vacant positions, four 06-15-98 term expirations for R. Palmer, S. Rooney, F. Biel, and B. Booher and resignation of L. Decker. (D-5)
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Application period opened; applications due August 14, 1998.

- 1.9 Request to open an application period for Natomas Basin Conservancy Board of Directors for three openings. (D-All)
-

Application period opened; applications due August 28, 1998.

- 1.10 Request to open an application period for Natomas Basin Conservancy Technical Advisory Committee for two openings. (D-All)
-

Application period opened; applications due August 28, 1998.

- 1.11 FY 1998/99 Administrative Services Operating Budget - Amend by adding one FTE Accountant-Auditor III to Administrative Services Department, Accounting Division, and increase the approved budget by \$73,877. (D-All)
-

Adopted Resolution 98-394.

RESOLUTION NO. 98-394

A RESOLUTION INCREASING THE FY99 OPERATING BUDGET FOR THE ADMINISTRATIVE SERVICES DEPARTMENT, ACCOUNTING DIVISION BY ONE (1) FTE AND \$73,877

- 1.12 Request to open an application period for Transportation Programming Guide Community Advisory Committee for November 7, 1998 term expirations scheduled for T. Sandovall, R. Tolmach, W. Seifert, C. Zell, S. Rooney, H. O'Mara, P. Wedge, C. Brown, L. Pereira, E. Cox, and one vacant position. (D-All)
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Application period opened; applications due September 4, 1998.

- 1.13 Request to open an application period for Sacramento Environmental Commission for November 9, 1998 term expiration scheduled for S. Halousek. (D-All)

Application period opened; applications due September 4, 1998.

- 1.14 Ordinance amending section 25.01.019-1 of Title 25 [Motor Vehicles and Traffic] of the Sacramento City Code relating to audio equipment in vehicles. [PFP'd 7/28/98, item 1.9] (D-All)
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Adopted Ordinance 98-029.

ORDINANCE NO. 98-029

AN ORDINANCE AMENDING SECTION 25.01.019-1
OF TITLE 25 OF THE SACRAMENTO CITY CODE
RELATING TO AUDIO EQUIPMENT IN VEHICLES

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2.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS

- 2.1 SACTO Quarterly Report.
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Barbara Hayes, Deputy Director SACTO, presented the report.

Ms. Hayes advised that SACTO was helping in the effort to get people off public assistance. She referred to locations/expansions in the area, including two within the city: Balspar Corporation and Marmon Keystone.

Mayor Serna inquired as to the prospects of locating biotech companies in Sacramento. Ms. Hayes replied that there was a good possibility for this happening.

Council member Hammond commented to Ms. Hays, regarding locating a medical facility on Stockton Boulevard, if staff found the industry, her district would find the space.

Council member Yee inquired as to why Accumetrix had located in West Sacramento. Ms. Hayes responded that there were already a lot of biotech companies located in Vacaville, so that type of employment was saturated in that locale. West Sacramento provided nearby housing and child care, and put together an attractive package for them.

- 2.2 Monthly Status Report by Design Review Board. [oral]
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John Packowski, Chair, Design Review and Preservation Board, presented the report. He stated that the board was working to be more pro-active, was working with the staff and setting benchmarks. He was available for Council questions.

Mayor Serna commented, regarding an overview of the Design Review Board, that he expected the built environment in the City to reflect well-designed buildings and the culture of Sacramento. Administratively, in terms of the City Council, the Mayor urged problem-solving by the Design/Review Board, and getting consensus on controversial items prior to coming before the Council.

Mr. Packowski asked for an example of the Mayor's concerns. Mayor Serna replied that the ramp at City Hall was controversial, as was the fence which had to be taken down after it was installed. Mayor Serna regarded

the latter instance as a needless controversy which was created by the Design Review Board.

Mr. Packowski advised that the Board was striving for a more business-like approach, trying to be more objective rather than subjective. He noted that he had received reports that there were overlapping areas between the Design Review Board and the Planning Commission. Mr. Packowski advised that the Board was doing a more thorough review and trying to increase community involvement.

Mayor Serna responded that he realized all conflict cannot be avoided, but requested being advised in advance if the Design Review Board expected a project to be controversial. The Mayor added that the City was not in the business of designing buildings for people but that the task of the Design Review Board was to guide. The Mayor added that designs needed to reflect the architectural culture of the city. Mr. Packowski agreed, and stated that staff needed to work a step at a time.

Council member Yee was in general agreement with the Mayor. He recognized that controversies do occur now and then, but urged that a project not be stopped if it did not meet with the Design Review Board's approval. Mr. Packowski advised that delays usually occurred due to financial issues.

Mr. Yee advised that there was currently a vacancy for a landscape architect on the Design Review Board, noting that the vacancy had been advertised but remained unfilled. Mr. Packowski responded that he had located a qualified candidate and would be sending that person's application to the board very soon.

Council member Kerth agreed that he did not want indecision on the part of the Design Review Board to halt a project. He urged a set maximum number of meetings allocated to the design review process before the project was moved along. Mr. Kerth observed that given the individual style of each architect, there were many opinions per project. He suggested that changes were made based on personal opinion, rather than established criteria. Mr. Packowski agreed to attempt to adhere more to policy and less to opinion.

Mr. Kerth urged that people be given policy guidelines up front. He felt that to date, the Design Review policy had leaned toward an urban-core approach, which may not be appropriate everywhere in suburban areas. Mr. Kerth stated that staff must consider what was appropriate for the community of each location. Mr. Packowski responded that the Design Review Board was trying for a less automobile-driven society, in compliance with political directives. Mr. Kerth commented that if the misapplication continued, design review might be dismissed from suburban projects.

Council member Cohn commented that he was pleased with the Design Review Board's work in the Central City. For example the Safeway store, which went through the design review process, was appropriate, vs. Lucky's, which did not go through design review.

Mr. Cohn also commended the Design Review Board for the pleasing result of the small shopping complex located at 19th and J. Mr. Cohn advised that he wished to expand design review into commercial corridors in the eastern part of the City.

Mayor Serna observed that there appeared to be a class bias in low-income neighborhoods, particularly those poorly-designed buildings in Oak Park. The Mayor commented about a fight over TIII siting. Mr. Packowski

commented that the outer neighborhoods were neglected, with most focus on the Central City. He suggested that he return for more discussion.

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3.0 PUBLIC HEARINGS

- 3.1 Abandonment of an alley bounded by Fruitridge Road, Stockton Boulevard, 53rd Street, and Young Street; Proceeding No. AP97-18. [ROI adopted 7/21] (D-6)

This item was withdrawn [staff].

- 3.2 Ordinance amending Section 7 of the Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series, as amended), relating to condominium and townhouse development in the Central City (M98-016). [continued from 7/21/98, item 1.11] (D-1,3,4)

Lucinda Willcox, Associate Planner, presented the report.

Ms. Willcox stated that last fall staff had recommended removing the permit requirements for this particular situation, thinking it would help speed the process. But they found now that the special permits actually worked better, and were requesting a reverse of their original change.

The proposed Zoning Ordinance amendment reinstates a requirement for a Special Permit for condominium and townhouse development within multiple family zones in the Central City that was removed from the Zoning Ordinance in a recent amendment. Reinstatement of the Special Permit requirement creates a mechanism to provide for flexibility in lot sizes and configurations that are typically associated with condominiums and townhouses. The recommendation for a Zoning Administrator Special permit rather than the previous Planning Commission Special Permit will allow for lower level review and lower costs in the event that no tentative map is required.

On September 16, 1997, the Council adopted a set of Zoning Ordinance Amendments intended to streamline development of housing projects in the Central City. After approval of the amendments, however, it became clear that removal of the Special Permit requirement had not achieved the goal of streamlining the process for townhouse and condominium development. The Special Permit had served as a mechanism to provide flexibility in setbacks, lot coverage, and lot sizes. Removal of the Special Permit requirement created the necessity for zoning variances and subdivision modifications to accommodate the non-standard lot sizes and patterns that are created in townhouse and condominium developments. *The requirement for a Zoning Administrator Special Permit will allow for lower level review and lower costs in the event that no tentative map is required.*

The proposed amendment will result in fees associated with requests for Special Permits, but will remove the costs associated with application for variances for the Zoning Ordinance. The net effect is expected to be minimal.

Council member Fargo inquired as to whether staff was taking time to look at the variance process. Ms. Willcox responded that staff was looking at that ordinance regarding the Central City and historic areas. Ms. Fargo asked whether anyone was looking at ways to allow things to happen

in the neighborhoods that everyone involved agreed needed to be done without special variances and permits.

City Manager Edgar replied that staff had not had time to do that. One problem is that there are different code enforcement processes in different parts of the codes. Mr. Edgar advised that there is a need to consolidate this information, make it more cohesive. He suggested that staff needed the City Attorney's office to gather the codes together and help consolidate them. He also commented that staff was looking at doing this in code enforcement as early as August.

Ms. Fargo responded that the City needed to use General Fund money to accomplish these. She acknowledged the time issue for staff review but encouraged bundling the variances and making every effort to be fair with people.

A motion was made by Council member Fargo, seconded by Council member Kerth, to close the hearing and adopt Ordinance 98-030. The motion carried with a 7-0 vote, with Council members Cohn and Waters being absent.

ORDINANCE NO. 98-030

AN ORDINANCE AMENDING SECTION 7 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO (ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED), RELATING TO CONDOMINIUM AND TOWNHOUSE DEVELOPMENT IN THE CENTRAL CITY (M98-016)

- 3.3 *Granite Regional Park Planned Unit Development (P96-009)* - located between Power Inn Road, Florin-Perkins Road, 14th Avenue, and Light Rail Transit/Jackson Highway: [continued from July 21, 1998, item 10.4] (D-6)

Various entitlements to allow the construction of 3.4 million square feet of office development, 165,000 sq. ft. of new retail, park buildings and industrial development, and a 145± acre regional park.

- A. Environmental Impact Report;
- B. Mitigation Monitoring Plan;
- C. General Plan Amendment on a 260± acre site removing 114.3± acres from Parks, Recreation and Open Space to Regional Commercial and Office (97.28± acres), Community/Neighborhood Commercial and Offices (15.3± acres), Heavy Commercial or Warehouse (1.7± acres) leaving 145± acres in Park, Recreation and Open Space;
- D. Government Code 65402, consistency finding for the sale of City property;
- E. Establish the Granite Regional Park Planned Unit Development Guidelines;
- F. Establish the Granite Regional Park Planned Unit Development Schematic Plan;
- G. Approve the allocation of Granite Regional Park PUD Land payments to Regional Park General for Park Improvements (PN: LK62);
- H. Direct staff to proceed with the preparation of an amendment to the 1994 Development Agreement with Regional Park General concerning the development of Granite Regional Park PUD and Granite Regional Park;
- I. Rezone from Heavy Industrial (M-2S) to Office Building PUD (OB-PUD) (91.22± acres), General Commercial PUD (C2-PUD) (6.06± acres), Shopping Center PUD (SC-PUD) (15.3± acres), Light Industrial PUD (M-1-PUD) (1.7± acres), leaving 145± acres in Agriculture Open Space (AOS-PUD).

Deputy City Manager Crist presented the initial portion of the report.

The project is located in the southeast part of the city and consists of about 260 acres. He gave a brief history, and stated that this is a public/private partnership. He stated that the team, made up of many city staff and the Regional Park General would review the complex. Mr. Crist advised that staff would return with the amended Development Agreement and the Master Plan for the park.

Don Smith, Associate Planner, continued the presentation. Mr. Smith discussed the Environmental Impact Report (EIR); designated areas on the maps; and advised that the park is composed of two basins, divided by splines. Employees of the office buildings located in the park will have to pay for parking, which is expected to be an incentive for them to ride Regional Transit. Free parking would be provided for park users.

There were two big issues: 1) traffic generated; and 2) entitlements for the tentative master parcel with major special permits. An appeal was filed; the appellant felt that mitigation measures regarding traffic impacts were not adequate. New measures had been provided to compensate. The builder would now have a certain number of signed and approved construction contracts in advance. Mr. Smith advised that the appeal had been withdrawn, and pending Council action today, was being held in abeyance.

Michelle Rudek, Landscape Architect, outlined various park amenities and features. The cost, if we were to construct it, would be \$35 million. A phasing scenario had been prepared. Mr. Rudek gave an overview of the specifics.

Joe Broadhead, Neighborhoods, Planning and Development Services, continued the presentation. The Granite Environmental Review Process conducted a traffic survey, which identified eight intersections that would be impacted. Mr. Broadhead stated that the mitigation measures would solve seven of the eight. He continued with comments about traffic and traffic circulation and reviewed the mitigation recommendations.

Mr. Broadhead stated that today staff was asking the City Council to adopt (1) the revised findings of fact with overriding considerations for the proposed site; (2) the mitigation monitoring plan; and (3) certify the EIR.

Mr. Smith commented that the Council was asked to approve entitlements listed on the staff report. He stated that this had been a team effort and that members of the team were available today to answer any questions from the Council.

Council member Steinberg strongly supported staff recommendations, saying that over the past year and a half, staff had faced a daunting project. He felt that the park would be a great enhancement to the area and noted that the challenge would be to manage anticipated traffic problems. Mr. Steinberg acknowledged by name the many staff members involved.

Mr. Steinberg observed that the Development Agreement was difficult, predated the costs and the traffic study, and that it has been refined over the past year and a half. Much traffic mitigation would be needed and would be done concurrently with the development of the office buildings. Mr. Steinberg advised that the builder was paying \$1.5 million for traffic mitigation, which was more than a fair share. Mr. Steinberg commented that this community needed more regional parks and

this one would provide a good mix. Mr. Steinberg urged Council support, noting that the project had the support of the community.

Dane Domich, Granite Regional Park Partners, advised that the members of the partnership were George Separovich, Carl Pannetoni, Granite Construction, and himself. Mr. Domich acknowledged staff's work and their success in pulling the project together, adding that it was a good project.

Mayor Serna asked whether the capacity of 3.4 million square feet was geared to attract State buildings? Mr. Domich responded that this area did not warrant Class A space, it was basically a suburban business location, with proximity to public transportation and light rail. He felt that the prospective tenants would not be the same as those who would consider Downtown Sacramento.

Mayor Serna asked about possible impact to the Downtown area and the East End project. He did not want anything that would compete with Downtown Sacramento. Mr. Domich reiterated that he believed office buildings in Granite Regional Park would not appeal to the same users as those who would be attracted to the Downtown.

Mayor Serna inquired as to the status of the Power Inn Grade Separation. Mr. Theocarides advised that it was currently under construction and that utilities were being relocated. He said estimated completion was Summer 1999.

Council member Kerth asked Gary Little when the discussion about park maintenance standards for the City would be brought before the City Council. Mr. Little advised that the next available workshop date was in October.

Mr. Kerth stated that a policy decision was needed concerning park maintenance. Presently there seemed to be a flagship standard for large, main parks and that smaller parks suffered from lower standards and were not kept up as well. Mr. Kerth questioned whether, with this proposal, Council would not be saying that Granite Regional would be a preferred park. Mr. Little responded that it would not result in "special handling" and added that the aim was to make it a non-profit situation.

Mr. Kerth said there was a bad need for the park. He spoke of the maintenance budget, and was willing to share a piece of that pie, but was unwilling to see any of the current pieces eliminated for the new park.

Mr. Little observed that the only park having a separate crew was William Land Park. He assured Mr. Kerth that staff would return with the discussion on maintenance standards. Mr. Little advised that the greening of Granite Regional Park was the first step. The stadium and other facilities might be financed through some other entities. Mr. Kerth did not want to displace anyone else's projects with this one, observing that some have waited for a long time. Mr. Little responded that he wanted the park to be turnkey, but the City Council would set the priorities.

Mr. Kerth felt that the Granite Park builders were on the right track, that it was good to receive private assistance. He added that the City was able to deliver average maintenance, but would need help elsewhere.

Mr. Little commented that the funding element of the Master Plan would be addressed when staff returned.

Mr. Kerth commented, regarding transportation, that the first developers got the best, whereas subsequent builders must fix infrastructure problems. Mayor Serna observed that the problem was endemic in the system; projections were difficult.

Mr. Kerth requested a firm schedule for park maintenance. Mayor Serna did not want to refuse monetary contributions to the City for specific parks and he urged moving ahead. Mayor Serna explored the issue of the construction of the community center with private sector sponsors.

Council member Cohn commented that the solution must not rob Peter to pay Paul. He insisted the weakest link must be well-maintained, which was challenging with a limited budget. Mr. Cohn established with Ms. Rudek that the proposed amphitheater would seat 3,000 people, would have a stage, and at first would be a grass bowl. It would accommodate such programs as Shakespeare in the Park, and music events. Ms. Rudek advised that the amphitheater would be smaller than Memorial Auditorium and larger than the Community Center Theater. Mr. Cohn established that eventually a concert seating area would replace the grassy area completely.

Mayor Serna asked how this stage compared with the one in McClatchy Park. Ms. Rudek advised that this would be larger, more complete and more costly. It was noted that \$3.5 was set for this facility.

Mr. Cohn established with Ms. Rudek that the depth from the top to the floor would take advantage of the natural slope, a forty foot difference. Mr. Cohn congratulated the development team, saying it was a fine project, reflecting good planning as to the use of existing transit access.

Mr. Steinberg expressed concern regarding the citywide level of park maintenance. He was glad to see fellow Council members respect each other's projects and funding. Mr. Steinberg noted that this was a unique situation, in that the private sector had the same incentive as the City because of their tenancy. Mr. Steinberg added that the result of the SEAT study was expected soon with Federal and State transportation dollars as well as possible assessments to help ease the traffic problems.

Mayor Serna asked whether the issue was ever raised concerning privatizing maintenance on the project. Mr. Little advised that it had been discussed for the immediate and adjacent areas. The Mayor remarked that it would help the City's park maintenance budget enormously. He added that when the VLF (vehicle licensing fee) was taken away (by the State), more solutions would be needed.

Council member Fargo commented that the Natomas Community Center was a different situation in that the assessment was paid by residents there. She stated that it should be called "private investment." Discussion ensued with the Mayor regarding the costs of \$12 million.

Ms. Fargo was pleased to see Granite Regional Park come forward with minimal controversy, noting that the area needed such a facility. She added that it was important to pull together quantities of facilities, such as tennis courts and ball fields, for lessons and tournaments. Ms. Fargo inquired about paths for walking. Ms. Rudek advised that there would be pedestrian trails to light rail, with immediate access for Phase I.

Ms. Fargo noted that in Phase I, restrooms were portable, which she felt was a good feature, since they cost less than building permanent rest rooms, cost less to clean, and discouraged loitering.

Ms. Fargo observed that there was no on-street parking and asked Don Smith whether money would be saved if there were. Mr. Smith responded that the streets could be widened, but as they existed now they were too narrow to accommodate parking. Ms. Fargo determined with Mr. Smith that staff was involved with the Transportation Management Association.

Ms. Fargo observed that this was a good project, adding that she appreciated the lack of controversy.

Council member Pannell inquired as to how many regional parks the City now had. She established with Mr. Little that there were no regional parks planned for the south area, although a swimming pool was projected, as well as a library in Valley Hi. Mrs. Pannell expressed her approval of Granite Regional Park, saying it was a good project.

Council member Yee expressed his appreciation that there was so little controversy, saying this was a good project. He anticipated that Granite Regional Park would relieve some of the pressure on other local parks. Mr. Yee expressed concern regarding the phasing process to get it in place. He suggested that lessons could be learned from the problems in Land Park. Mr. Yee supported previous comments made concerning corporate sponsors.

Mr. Yee advised that even though Land Park had a special crew, maintenance was still inadequate. He acknowledged budget restrictions.

Council member Hammond expressed her thanks to Mr. Steinberg for meeting with the opposition. Ms. Hammond urged job outreach in the neighborhood, to seek people in the area who were unemployed to work on the project.

PUBLIC TESTIMONY

Dick Walker, representing the College Glen Neighborhood Association, located between Watt and Howe Avenues, believed this to be a great project and urged Council approval.

Trong Nguyen, Vice Chair of Power Inn TMA, expressed his excitement about the project, as a long-term business owner in the area. He felt this was a unique, sensible project, a good infill development which would balance out the Army Depot and the Solid Waste project. Mr. Nguyen thanked Council members for their support.

Anne Parke, representing herself, spoke against the project, saying it would adversely affect the area around 69th Street and 14th Avenue. Ms. Parke stated that people in the area were unaware of the project and neighbors were not organized. Ms. Parke cited the inadequacies of the EIR (per Tina Thomas). She stated that her client negotiated, but others were not necessarily in compliance.

Mr. Steinberg advised that public outreach efforts went back to 1991, adding that he personally held 8-10 fully-noticed meetings in the community and that there was extensive public outreach. The EIR, he added, reflected approval of the project in stages. That was part of the condition of approval, that as construction progressed, traffic would be mitigated. Mr. Steinberg added that impacts to 14th Avenue did not occur during the first three phases, but later in the project.

Pelle Clark, Associate Civil Engineer, Public Works, testified that there would be 100% mitigation for the first phase of development, adding that signed contracts must be in place. Mr. Clark indicated that 14th Avenue was in the future, at full build-out.

Ms. Parke advised that she had been an environmental analyst since 1971. She pointed out impacts to 14th Avenue, saying that there was a severe inadequacy and stated that she might appeal. She wanted a delay for the project.

Mr. Kerth asked Ms. Parke about her specific concerns, to which she replied that she had 10 pages of comments outlining significant impacts. Ms. Parke advised that there were 60 single family homes on a two-lane road which already had a significant amount of morning traffic because of Hiram Johnson High School. Her concerns included the impact of traffic noise as well as inconvenience and safety.

Ms. Parke's next point of concern was the proposed amphitheater. She stated that Colonial Park North had many blue-collar workers who were early risers. She anticipated that audible programs would disrupt sleep. The EIR had errors, it stated that there will be 1200 parks and recreation workers, an incredible number.

Ms. Parke advised that 23 adverse impacts resulting from the project had been identified. She wanted time for the residents to discuss the issues.

Mr. Kerth commented that the whole issue was now ready for a vote, adding that this was not the last time it would appear before Council. Mr. Kerth remarked that every EIR process was a "best guess" and not without flaws. Issues could be fixed as work progressed. He added that stopping today would be difficult.

Mr. Kerth requested that Ms. Parke please work with neighborhood groups and return at another time. Ms. Parke responded that there was only a narrow window of opportunity legally.

Mr. Steinberg indicated his willingness to meet with Ms. Parke to discuss her concerns and advised that he would make a motion today to move the project forward and direct the City Attorney to meet with Ms. Parke to discuss resolution of her concerns.

Chuck Dalldorf, representing Packard Bell NEC, Inc., spoke in support of the project, saying it was a unique, good, joint-operating project.

Ann Kohl, representing the Transportation Commission of ECOS, TMA, spoke in support of the project. She suggested that the City stage transit. She mentioned decreasing parking and serving workers where they come from. She recommended an endowment for Regional Transit. Ms. Kohl commented that Measure A generated funds for transit impact development. She urged the City to embellish its system toward a complete transit system along the corridor.

Andrea Cline, on behalf of Jackson Properties, spoke about the traffic impacts. She stated that the City had addressed her concerns. She understood that the measures adopted needed to comply with CEQA (California Environmental Quality Act). She said that if the measures were adopted she would withdraw her appeal.

Mr. Kerth questioned Pelle Clark about the questions raised. Mr. Clark responded that staff did look at 14th Avenue, 65th Expressway, and Power Inn Road and acknowledged that there were impacts to those roads, and

funding was uncertain. Staff did not look at 72nd nor the intersection of Redding and 14th Avenue.

Don Smith advised that there would not be any significant impact at 14th Avenue, that this was an existing problem which this project did not affect. Mr. Clark discussed the SEAT study and gave specifics on locations, stating that regarding the issue of right-of-way being taken on 65th and 14th Avenue, there were mitigation measures planned.

Mr. Broadhead spoke to this point. Staff had identified the issue and potential constraint to mitigation. In the future, there would be a whole separate process.

A motion was made by Council member Steinberg, seconded by Council member Hammond, to close the hearing and adopt (A-B) Resolution 98-395; (C-D) Resolution 98-396; (E-F) Resolution 98-397; (G) Resolution 98-398; (H) Resolution 98-399; and (I) Ordinance 98-030, with direction to staff and the City Attorney to meet with Ms. Parke regarding mitigation about her concerns. The motion carried with a 9-0 roll call vote.

Mayor Serna observed that after years of experience reading EIRs, none were completely flawless. It was necessary to look at the benefit to the entire city, not just one block.

RESOLUTION NO. 98-395

A RESOLUTION OF THE CITY COUNCIL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION, AND ADOPTING A MITIGATION MONITORING PLAN FOR APPROVAL OF THE PROPOSED GRANITE PLANNED UNIT DEVELOPMENT

RESOLUTION NO. 98-396

RESOLUTION TO APPROVE THE DESIGNATION OF A PLANNED UNIT DEVELOPMENT (PUD) OF 260± ACRES TO BE KNOWN AS THE "GRANITE REGIONAL PARK PUD", TO APPROVE THE GENERAL PLAN AMENDMENT AND FIND THE DESIGNATIONS CONSISTENT WITH GOVERNMENT CODE 65402 FOR THE PROPERTY WITHIN THE PUD. (P96-009) (APN:079-0291-003,004,005,006 AND 079-0310-006, 013,015, 016, 022, 025, 028, 046 TO 049). DISTRICT 6

RESOLUTION NO. 98-397

RESOLUTION TO APPROVE THE DESIGNATION OF A PLANNED UNIT DEVELOPMENT (PUD) OF 260± ACRES TO BE KNOWN AS THE "GRANITE REGIONAL PARK PUD" AND TO APPROVE THE SCHEMATIC PLAN AND DEVELOPMENT GUIDELINES FOR THE PUD. (P96-009) (APN:079-0291-003,004,005,006 AND 079-0310-006, 013,015, 016, 022, 025, 028, 046 TO 049). DISTRICT 6

RESOLUTION NO. 98-398

RESOLUTION APPROVING THE ALLOCATION OF GRANITE REGIONAL PARK PUD LAND PAYMENTS TO REGIONAL PARK GENERAL FOR PARK IMPROVEMENTS (PN:1k62) (P96-009)

RESOLUTION NO. 98-399

RESOLUTION DIRECTING STAFF TO PROCEED WITH THE PREPARATION OF AN AMENDMENT TO THE 1994 DEVELOPMENT AGREEMENT WITH REGIONAL PARK GENERAL CONCERNING THE DEVELOPMENT OF GRANITE REGIONAL PARK PUD AND GRANITE REGIONAL PARK (P96-009)

ORDINANCE NO. 98-030

AN ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REZONING 260± ACRES LOCATED WITHIN THE GRANITE REGIONAL PARK PUD FROM HEAVY INDUSTRIAL (M-2S) TO OFFICE BUILDING (OB-PUD) (91.22± ACRES), GENERAL COMMERCIAL PUD (C-2-PUD) (6.06± ACRES), SHOPPING CENTER PUD (SC-PUD) (15.3± ACRES), LIGHT INDUSTRIAL PUD (M-1 PUD) (1.7± ACRES), LEAVING 145± ACRES IN AGRICULTURE OPEN SPACE (AOS-PUD); (P96-009) (APN:079-0291-003, 004, 005, 006 AND 079-0310-006, 013, 015, 016, 022, 025, 028, 046 TO 049)(D-6)

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A MOTION WAS MADE BY COUNCIL MEMBER COHN, SECONDED BY COUNCIL MEMBER HAMMOND, TO ADJOURN THE AFTERNOON MEETING AT 5:00 P.M., TAKE A 10 MINUTE BREAK, AND CONTINUE THE REMAINDER OF THE AFTERNOON ITEMS (4.1-8.1), TO THE EVENING MEETING. THE MOTION CARRIED WITH A 9-0 VOTE.

4.0 STAFF REPORTS

- 4.1 Annual City/County Bicycle Advisory Committee (SACBAC) Status Report. (D-All)

For Council action on this item, please see evening minutes.

- 4.2 Update on First Year of City/Sacramento Zoological Society Management Agreement. (D-4)

For Council action on this item, please see evening minutes.

- 4.3 Report back on Housing Issues pertaining to the Newton Booth Office Annex Project located at 2205, 2215 & 2217 27th Street; 2700 & 2706 V Street (APN: 010-0187-001 - 005, 007). (D-4)

For Council action on this item, please see evening minutes.

- 4.4 Ace Parking Management Company - Amendment No. 1 to City Agreement No. 97-161 extending term of agreement for a period of three years from October 1, 1997 through September 30, 2001 for operation and maintenance of Lots G, K, and U. (D-1)

For Council action on this item, please see evening minutes.

- 4.5 "2000" U.S. Olympic Track and Field Trials Status Report. [oral] (D-All)

For Council action on this item, please see evening minutes.

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5.0 **SHRA**

Public Hearing

- 5.1 Tax Equity and Financial Responsibility Act (TEFRA) Hearing for Sun Garden Plaza Apartments located at 6248 Lemon Hill Avenue. (D-6)
- A. Approve the issuance of \$3,400,000 in tax-exempt mortgage bonds by the Association of Bay Area Governments (ABAG) Finance to refund bonds originally authorized by the City Council for the acquisition and rehabilitation of the Sun Garden Plaza Apartments; and
 - B. Approve the holding of a Tax Equity and Financial Responsibility Act (TEFRA) public hearing in connection with the proposed bond refunding.

For Council action on this item, please see evening minutes.

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6.0 **COUNCIL IDEAS AND QUESTIONS**

For items discussed under this subject, please see evening minutes.

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7.0 **CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON AGENDA)**

For citizens' comments, please see evening minutes.

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8.0 **CLOSED SESSION**

- 8.1 Pursuant to Government Code Section 54956.8 for matters pertaining to real property negotiations relative to former CHP Academy property located at 2810-2814 Meadowview Road.

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ADJOURNMENT

Please see motion above and the evening minutes for continuation.

Submitted



Valerie A. Burrowes, City Clerk

Approved



Jimmy Yee, Mayor