

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

SEPTEMBER 19, 2001

The Regular Meeting of the Sacramento City Council was called to order by Mayor Fargo at 3:05 p.m. on the above date in the City Council Chamber located at 915 I Street.

**ROLL CALL**

**Present:** Council Members Cohn, Hammond, Jones, Pannell, Sheedy, Tretheway, Waters, Yee and Mayor Fargo

**Absent:** None

\*\*\* Mayor Fargo commented on the terrorist attacks of September 11, 2001 that occurred in New York and Washington, D.C, and the subsequent outpouring of aid and sympathy from our own community in Sacramento. The Mayor thanked the Fire Department and the community for their generosity in donating time, money, and blood. Mayor Fargo advised that people could contact the Mayor's office for locations to make contributions or to pledge blood for future needs.

**1.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS**

- 1.1 Resolution recognizing September 17-23, 2001 as "Pollution Prevention Week"

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Dave Brent, Dept. Of Utilities, Engineering Services, discussed an innovative two-pronged program now being implemented for storm water management and pollution prevention: 1) a water-wise pest control program for which funding in the amount of \$700,000 has been granted; and 2) an aggressive classroom outreach educational program enthusiastically headed by staff member Rita Pasillas.

- 1.2 Resolution recognizing the University of California as "Master Gardeners" in Sacramento for their contribution to protecting the creeks and rivers from various pollutants.

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Judy McClure, Master Gardener, USCS, spoke on behalf of the Master Gardeners.

Bill Holland and Carol Presnell work actively in the community to teach how to get pesticides out of the garden and educate as to the viable alternatives that exist.

- 1.3 Resolution recognizing Mary Louise Flint, Extension Entomologist for the Department of Entomology and Director of Integrated Pest Management for her part in pollution prevention.

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Ms. Flint was recognized for her work in the protection of local creeks, lakes and rivers through her partnership in the development and implementation of the Sacramento Water Wise Pest Control program.

Ms. Flint reported that pesticide toxicity in environmental waters is a very real problem. She has found people to be receptive to the use of alternative, effective means of pest control.

- 1.4 Recognition of Police Capt. Rick Braziel for being selected to compete in the "2001 Iron Man Competition"

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Captain Rick Braziel was recognized for his past athleticism and hard work which earned him the honor to compete in the International Iron Man race this year in Kailua-Kona Hawaii on October 6, 2002

- 2.0 **CONSENT CALENDAR** (Items 2.1 through 2.13, except 2.6, 2.7, 2.11, and 2.13)

A motion was made by Council Member Waters, seconded by Council Member Hammond, to waive the reading and adopt the Consent Calendar, Items 1.1 through 2.13, except Items 2.6, 2.7, 2.11 and 2.13, which were pulled for discussion and Item 2.5 which was continued to September 25, 2001 at staff request. The motion carried 9-0, all ayes.

Public Review Items - Informational Only

None

Sacramento Housing and Redevelopment

None

City Council Items

- 2.1 Annexation No. 3 to the North Natomas Neighborhood Landscaping Community Facilities District (CFD) NO. 99-02, located in the North Natomas Community Plan Area - Ordinance to levy a special tax for the property tax year 2002-2003 and following tax years solely within.  
(D-1) ( PFP'd 9-11-01, item 2.1)
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Adopted Ordinance 2001-039.

ORDINANCE NO. 2001-039

AN ORDINANCE LEVYING A SPECIAL TAX FOR THE PROPERTY TAX YEAR 2002-2003 AND FOLLOWING TAX YEARS SOLELY WITHIN AND RELATING TO THE CITY OF SACRAMENTO NORTH NATOMAS NEIGHBORHOOD LANDSCAPING COMMUNITY FACILITIES DISTRICT NO. 99-02, ANNEXATION NO. 3, FOR LANDSCAPE MAINTENANCE

- 2.2 Sacramento River Water Treatment Plant Replacement Intake Project (PN: ZF57) - Approval of Change Order No. 4 to CO2001-012 with Balfour Beatty Construction, Inc. in the amount of \$221,654. (D-All)
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Adopted Resolution 2001-628.

RESOLUTION NO. 2001-628

RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 4 FOR THE SACRAMENTO RIVER WATER TREATMENT PLANT REPLACEMENT INTAKE PROJECT (ZF57)

- 2.3 Approval of Final Map and Subdivision Improvement Agreement for Northborough II Village 8 Unit 1 (P00-019), located west of Natomas Boulevard and north of Club Center Drive. (D-1)
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Adopted Resolution 2001-629 approving Agreement 2001-155.

RESOLUTION NO. 2001-629

APPROVING FINAL MAP ENTITLED  
"NORTHBOROUGH II VILLAGE 8 UNIT 1"  
AND SUBDIVISION IMPROVEMENT  
AGREEMENT (P00-019)

- 2.4 Approval of Final Map and Subdivision Improvement Agreement for Northborough II Village 9 (P00-019), located west of Natomas Boulevard and North of Club Center Drive. (D-1)

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Adopted Resolution 2001-630 approving Agreement 2001-156.

RESOLUTION NO. 2001-630

APPROVING FINAL MAP ENTITLED  
"NORTHBOROUGH II VILLAGE 9" AND  
SUBDIVISION IMPROVEMENT AGREEMENT  
(P00-019)

- 2.5 Sacramento River Water Treatment Plant Expansion Project (PN: ZF52). (D-All)
- A. Appropriate \$6,657,000 from the Water Fund Contingency Reserve (413-710-7012-4999) to the Sacramento River Water Treatment Plant Expansion Project (413-500-ZF52-4820); and
  - B. Accept the low bid and award contract to Kiewit Pacific Company, for an amount not to exceed \$79,257,000.

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This item was continued to September 25, 2001 at staff request.

- 2.6 Six-month status report on the Economic Development Treatment Capacity Bank approved by the Sacramento City Council on March 20, 2001. (D-All)

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Matt Slavin, representing himself, stated that he was following up on his correspondence to the City Council, expressing concerns about possible malfeasance relating to sewer credit applications. Mr. Slavin urged Council to conduct an investigation to determine the validity of the Treatment Capacity Bank Program. He asked that Council not accept this 6-month status report, but instead examine the issues he had brought forth.

Mayor Fargo commented that this would be referred to the City Manager for discussion, noting that the issues seem to be about getting the information out regarding the availability of the sewer credits.

Councilmember Hammond stated that she was O.K. with the report, but it seemed to her that the same district's restaurants appear to obtain the credits. Ms. Hammond expressed a desire to speak with Mr. Plescia, Director of Economic Development.

Mayor Fargo felt that an informational piece needed to be written for distribution to commercial quarters.

City Manager Thomas directed that interested parties/staff meet with City Councilmembers to discuss how to best present this information.

Mayor Fargo noted that 5 of 8 districts have received credits (Districts 1,3,4,8 and 2), either residential or commercial.

Councilmember Pannell remarked that the simplest approach would be to tell people that credits are available when they come in to obtain a permit.

This report was for information only.

- 2.7 Authorization of the City Manager to sign an agreement of consent with the Arcade Water District. (D-All)

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Marvin Ard, a resident of North Highlands, expressed concerns about the consolidation of the agency, saying that the people impacted by it (23,000 rate-payers) have not been consulted.

City Manager Thomas responded that Arcade Water District is an independent water district, over which the City Council has no authority.

Jim Sequeira, Director of Utilities, advised that the original document was executed in 1964, adding that if the two agencies agree to merge, the terms of the original agreement are to be transferred to the merged body.

Councilmember Jones discussed with Mr. Sequeira the fair market value of the water, vs. the actual cost, and raised the possibility of charging the market value. Mr. Sequeira believed the City would be pre-empted from charging market value.

City Manager Thomas cited other instances in which we treat the water, deliver, and charge more money. The Arcade agreement from 1964 relates to untreated surface water.

Assistant City Attorney Carnazzo stated that in our agreement with the Bureau, Arcade had rights to water as part of the settlement. Mr. Sequeira added that this was a raw water contract.

Mr. Jones requested a meeting with Mr. Sequeira in order to familiarize himself with all existing water relationships.

A motion was made by Councilmember Yee, seconded by Councilmember Hammond, to adopt Resolution 2001-631 approving Agreement 2001-157. The motion passed, 9-0, all ayes.

RESOLUTION NO. 2001-631

A RESOLUTION AUTHORIZING THE CITY  
MANAGER TO SIGN AN AGREEMENT OF  
CONSENT WITH THE ARCADE WATER  
DISTRICT

- 2.8 Citation Authority for new employees of the parking facilities division of the Department of Convention, Culture, and Leisure for the purpose of enforcing certain provisions of the City Code or State Law. (D-All) (continued from 9/11/01, item 2.2)
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Adopted Resolution 2001-632.

RESOLUTION NO. 2001-632

RESOLUTION GRANTING CITATION  
AUTHORITY TO DESIGNATED EMPLOYEES  
WITHIN THE PARKING FACILITIES  
DIVISION OF THE DEPARTMENT OF  
CONVENTION, CULTURE AND LEISURE FOR  
THE PURPOSE OF ENFORCING CERTAIN  
PROVISIONS OF THE CITY CODE OR STATE  
LAW

- 2.9 Appeal of Earl Boltman, dba Goldie's Bookstore, Inc., dba Parkway Books, located at 201 North 12<sup>th</sup> Street, regarding the Issuance by Traffic Engineering of a Notice of Violation and Thirty (30) Day Order to cease use of Illegal Driveway. (D-1)
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This report was for Council information only.

- 2.10 Response to the 2000-2001 Sacramento County Grand Jury Report.  
(D-All)
- A. Adopt report and letter from the City Manager's Office as the official response of the City of Sacramento to the 2000-2001 Sacramento County Grand Jury Final Report recommendations related to: a) the accidental discharge of sewage into the American River; b) providing or enhancing necessary services and benefits for "aged-out" foster youth; and c) accountability for trench restoration in the County of Sacramento and Cities of Sacramento and Folsom;
  - B. Instruct the City Clerk to forward letters and a copy of the City Council report and resolution to the Presiding Judge of the Sacramento Superior Court and the incumbent Grand Jury for review.
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Adopted Resolution 2001-633.

RESOLUTION NO. 2001-633

A RESOLUTION APPROVING THE CITY'S  
RESPONSE TO THE 2000-2001 SACRAMENTO  
COUNTY GRAND JURY FINAL REPORT

- 2.11 Housing and Dangerous Buildings Case Fees and Penalties - Findings of Fact of Overruling protests and replacing liens on properties for unpaid assessments. (D-All )
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Ron O'Connor, Chief Building Inspector, reported that each property owner listed had received all required notices under Titles 8.96 and 8.100, and were afforded both an opportunity to appear for an Administrative Hearing and a Special Assessment Hearing. Each owner had received a final decision notice. Mr. O'Connor stated that none of the listed owners had paid the fees or penalties.

Steven Belzer, U.S. Housing Trust, acting as attorney for Rodney Rose, owner of properties located at 3525 Altos Avenue and 2687 Forrest Street, protested adoption of the resolution.

Mr. Belzer advised that his client buys distressed properties and rehabs them for sale or rent. Mr. Rose was in the process of repairing these two properties when his personal home was flooded. As a result of the flooding, his records were damaged and/or destroyed, preventing completion of repairs to the two properties in question.

Councilmember Sheedy established with Mr. Belzer that Mr. Rose wanted the liens erased, because he felt the means used for listing the properties raised legal questions.

City Manager Thomas referred Mr. Belzer's letter to the City Attorney for a report back.

Assistant City Attorney Carnazzo stated that the City Attorney's office was satisfied that there were no Constitutional problems.

Ms. Sheedy established with staff that Mr. Rose had owned the properties since June, 1994 and October, 1994; Ms. Sheedy commented that this was a long time to wait for action, and expressed her displeasure regarding any delay.

Councilmember Waters asked for clarification regarding the flood issue. Mr. Belzer responded that Mr. Rose owned the properties prior to the orders; his tenants destroyed the premises and moved out. Mr. Waters established with Mr. Belzer that Mr. Rose's own home had been flooded in 1997, and that both of the properties in question had now been demolished, in August, 2001 and November, 1998. The lots were now vacant. Mr. Waters agreed with Mr. Carnazzo's opinion regarding the legality of the action being taken.

Councilmember Hammond commented that if the two properties had been in disrepair since 1994, Mr. Rose's personal home flooded in 1997 and the two properties were demolished in 1998 and 2001, it was appropriate for Council to take action on this today, given the approval of Mr. Carnazzo.

A motion was made by Councilmember Sheedy, seconded by Councilmember Pannell, to adopt Resolution 2001-634. The motion passed, 9-0, with a roll call vote.

#### RESOLUTION NO. 2001-634

A RESOLUTION ACCEPTING THE FINDINGS  
OF FACT OVERRULING PROTESTS AND  
PLACING LIENS ON PROPERTIES FOR  
UNPAID ASSESSMENTS AS SHOWN ON  
ATTACHMENT FOR HOUSING AND DANGEROUS  
BUILDINGS CASE FEES AND PENALTIES

\*\*\*Item 4.3 was heard here out-of-sequence following Item 2.11 because the speaker had to leave to catch a plane.

2.12 Fiscal Year 2001-2002 budget report back schedule. (D-All)

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This report was for Council information only.

- 2.13 Construction of speed humps and speed lumps. (D-All) (requires two-thirds vote)
- A. Approve the suspension of competitive bidding for the construction of speed humps and lumps;
  - B. Authorize the City Manager to enter into a contract(s) totaling no more than \$160,000 for the installation of speed humps and speed lumps.
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Councilmember Pannell inquired as to when the work would be completed on the speed humps and lumps?

City Manager Thomas responded that Councilmember Jones had pressed for acceleration of the project; in order to do that, voting on this issue today requires a 2/3 vote. It does not change existing priorities for these projects; it just expedites the bumps.

Councilmember Cohn questioned when the I Street/Mid-Town lumps would be completed, to which Marty Hanneman, City Traffic Engineer, responded that I Street wanted to delay until NTPT issues were resolved.

Councilmember Jones thanked Mr. Hanneman and Mr. Kashiwagi, Director of Public Works, for their responsiveness. He urged completion by fall.

A motion was made by Councilmember Pannell, seconded by Councilmember Jones, to adopt Resolution 2001-635. The motion passed 9-0, all ayes.

RESOLUTION NO. 2001-635

RESOLUTION APPROVING THE SUSPENSION  
OF FORMAL COMPETITIVE BIDDING AND  
AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CONTRACT FOR THE  
CONSTRUCTION OF SPEED HUMPS/LUMPS

### 3.0 PUBLIC HEARINGS

- 3.1 Abandonment of a Pedestrian and Drainage Easement at Marysville Boulevard and Doolittle Street - Abandonment Proceedings No. AP01-11. (D-2) (continued from 9/11/01, item 3.2)

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Ron Perry, Engineering Technician III, Development Services, reported that this item was continued from September 11, 2001 due to a legal terminology revision in the resolution.

Councilmember Sheedy commented that it was acceptable now as written.

A motion was made by Councilmember Sheedy, seconded by Councilmember Hammond, to close the hearing and adopt Resolution 2001-636. The motion passed 9-0, all ayes.

#### RESOLUTION NO. 2001-636

RESOLUTION ADOPTING FINDINGS OF FACT  
AND APPROVING ABANDONMENT OF A  
PEDESTRIAN AND DRAINAGE EASEMENT AT  
MARYSVILLE BOULEVARD AND DOOLITTLE  
STREET

COUNCIL DISTRICT 2  
ABANDONMENT PROCEEDING NO. AP01-11

- 3.2 Natomas Corporate Center Office Building (P00-157). (D-1)
- A. Ratify the Addendum to a previously adopted Negative Declaration;
  - B. Adopt the Mitigation Monitoring Plan
  - C. Approve the Natomas Corporate Center PUD Guidelines Amendment;
  - D. Approve the Natomas Corporate Center Schematic Plan Amendment;
  - E. Execute an agreement requiring the applicant to pay South Natomas Community Improvement Funds.

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David Kwong, Acting Senior Planner, reported that the City Council had approved the Natomas Corporate Center PUD and Development Guidelines on December 14, 1982 (P82-066). The project site was a part of the Promus Homewood Suite Hotel project (P96-090) which included a tentative map subdividing this 1.4 acre parcel from the larger 6.5± site. The adjacent proposed hotel site is still vacant and this site, although

zoned OB-PUD, is also designated support commercial. To date, this site has still not attracted a support commercial use as allowed within this PUD, particularly as the site is located in the interior of a business park.

Mr. Kwong stated that the project area is within the Natomas Corporate Center PUD which had been required by development agreement to pay SNCIF fees. At the time the South Natomas Facilities Benefit Assessment District was formed, areas under development agreement were excluded from the District. In January, 1993, the development agreement expired. In lieu of annexing the property into the FBA District, projects have been conditioned to enter into an agreement to pay SNCIF fees at the FBA rate.

Mr. Kwong recalled that on July 26, 2001, on Consent, the Planning Commission recommended approval of the PUD Guidelines Amendment and the Schematic Plan Amendment. The Planning Commission also approved a Special Permit for a 17,000 square foot office building and also ratified an Addendum to a previously adopted Negative Declaration and adopted a Mitigation Monitoring Plan in that same action. (See attachment to this staff report.)

Councilmember Hammond confirmed with Mr. Kwong that this item related to an office building; she expressed concerns that some commercial buildings are set closer to the street, while some are set back, that there appeared to be some inconsistency.

Mr. Kwong responded that some commercial buildings were set closer to the street, more "up front" in order to attract more pedestrian activity and be closer to transit stops.

Ms. Hammond and Mr. Kwong discussed some parking issues, as to there being one row of parking in front of the building, near the entrance, but the site plan, page 35, calls for turf in front of the building, mature trees, and a raised berm.

Mayor Fargo and Ms. Hammond discussed the speed limit at that location, which is 25mph to 35mph, with stop signs. Ms. Hammond noted that there was a similar situation in District 5, though not an office building. The Mayor requested clearer maps in the future.

Councilmember Tretheway expressed approval of the architectural firm that is contracted to build it.

A motion was made by Councilmember Tretheway, seconded by Councilmember Jones, to close the hearing and adopt Resolutions 2001-637, 2001-638, and 2001-639 approving Agreement 2001-158.

Mayor Fargo noted that on page 15, the map shows the hotel on the west side of the Corporate Center, whereas on the map on page 35, it is shown on the east side. She asked if the hotel were being moved? Mr. Kwong responded that the hotel entitlement may have expired by now; if proposed again, there will be a re-evaluation. A Special Permit expires after two years.

The motion passed 9-0, all ayes.

RESOLUTION NO. 2001-637

A RESOLUTION RATIFYING THE ADDENDUM TO A PREVIOUSLY ADOPTED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING PLAN FOR NATOMAS CORPORATE CENTER PUD GUIDELINES AND SCHEMATIC PLAN AMENDMENT, LOCATED IN SOUTH NATOMAS, (P00-157) (APNs:227-0042-041)

RESOLUTION NO. 2001-638

A RESOLUTION TO AMEND THE NATOMAS CORPORATE CENTER PLANNED UNIT DEVELOPMENT GUIDELINES AND TO AMEND THE NATOMAS CORPORATE CENTER SCHEMATIC PLAN, ON 1.47± GROSS ACRES LOCATED IN SOUTH NATOMAS, BORDERED ON THE SOUTH AND WEST BY NATOMAS PARK DRIVE (P00-157) (APN:274-0042-041)

RESOLUTION NO. 2001-639

A RESOLUTION RELATING TO THE APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND BANNON INVESTORS LTD. TO ACCEPT PAYMENT OF SOUTH NATOMAS COMMUNITY IMPROVEMENT FUND FEES IN-LIEU OF A REQUIREMENT FOR ANNEXATION TO THE SOUTH NATOMAS FACILITIES BENEFIT ASSESSMENT DISTRICT FOR PROPERTY BOUNDED BY NATOMAS PARK DRIVE TO THE WEST AND SOUTH, KNOWN AS "LPA OFFICE BUILDING" (P00-157) APN:274-0042-041

3.3 Matters relating to Adult Entertainment. (D-All)

- A Ordinance amending Chapter 5.04 of Title 5 of the Sacramento City Code, relating to Adult Related Establishments and adding Chapter 5.06 to Title 5 of the Sacramento City Code, relating to Adult Entertainment Businesses, such as Adult Cabarets (PFP'd 8/21/01, item 1.14)
  - B. Ordinance amending Sections 17.16.010, 17.24.030 and Section 17.88.030 of Title 17 (Zoning Code) relating to Adult Entertainment Businesses and Adult Related Establishments (PFP'd 9-4-01, item 2.13)
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Mayor Fargo commented that there were many hours spent on this Adult Entertainment matter by the Law and Legislative Committee, hearing from different interested parties; she deferred to Councilmember Cohn for further input regarding the pulse of the community surrounding this issue.

Councilmember Cohn stated that his tenure as Chair during discussions of this subject was very brief; he advised that staff had attempted to work out a resolution that was a bit less ambitious than the earlier versions, and he believed that this one was workable, without overreaching.

Captain Rich Braziel reported that now there were two ordinances before Council that would amend Titles 5 and 17. Capt. Braziel explained that 5.04 was now split, with 5.04 dealing with adult-related establishments including massage technicians and escorts; 5.06 now deals with adult entertainment, including arcades, bookstores, cabarets, motels, hotels, theaters, and modeling studios. Ordinance 5.04 is dealing with just amendments, procedural changes due to Case Law which are the only changes in that existing ordinance other than splitting out 5.06. In 5.06, the permit requirement was extended which is currently in place for

massage technicians and escorts, to performers including live entertainment. The language which normally applied to performers has now been applied to 5.06; development standards in 5.06 for businesses now include laws applying to lighting, both interior and exterior; signage, both interior and exterior; and operational standards regarding dressing rooms that are separate from the main area, entrance and exits for performers, and customers that are going in, the clientele, there are security requirements.

Capt. Braziel advised that the owner of Club Fantasy, an adult-related business, made a last-minute request to make some changes to the ordinance on page 30 regarding security. Their concern is to adjust the current second security guard requirement based on occupancy to instead reflect the need based on actual patron attendance at any given time.

Capt. Braziel discussed Chapter 17, saying that the changes proposed were just clean-up items to make reference to the procedural change that we now have two sections in 5.04 and 5.06. Staff will be returning to Council at a later date with the actual fees for permits for the performers; staff is now working with the Revenue Division to establish those fees. These will be less than the fees for massage technicians, because of the educational requirements for massage technicians. Background checks will be done.

Councilmember Jones asked Deputy City Attorney Rich Archibald, regarding the zoning ordinance, whether there were any cases in which courts have upheld ordinances that provide for a distance greater than 1,000 feet from churches, schools, or residential areas. Mr. Archibald responded that the 1,000 foot requirement was not new, but a carryover. In certain urban areas, the courts have struck down distance requirements of 250 feet and 500 feet; the key is having a suitable number of sites available for these businesses to locate.

Mr. Jones asked if there were any jurisdictions with restrictions of over 1,000 feet that haven't been challenged. Mr. Archibald responded that he was not aware of anything greater than that that hasn't been challenged. Mr. Jones asked about the permitted zones, noting that there were quite a few of them. He asked if there were some way to reduce the number of zoning types in which this adult use was permitted; he felt that there were already too many. Mr. Jones was concerned regarding the zoning categories in which it was acceptable to allow "adult" activity.

Mr. Archibald responded that again, this is not a change to an existing ordinance, that a study of sites had been done for the initial ordinance. If any change to the ordinance was sought, there would have to be an appropriate study done to ensure adequate sites.

Mayor Fargo commented that this was discussed at length when Club Fantasy was first introduced as a venue in Sacramento; a related issue that came up then was about the location of a child care facility in a nearby school. At that time, there was much discussion about locating businesses that some find unpleasant or inappropriate in a residential area. The 1,000 foot requirement was seen to be the standard at the time, and it was believed it would not be defensible to require a greater distance than that. Mr. Archibald advised that the definitions now include schools and child care facilities.

Mr. Jones' concern was also with the multiple zoning categories in which this type of business was now permitted to locate. There is one facility like this in town; Mr. Jones stated that in his opinion, that was one too many. He questioned how many sites must be provided..1,000? 500? Or is it sufficient to have sites for just another one? If it was on the low end, he expressed concern about re-enacting an ordinance that provides so many zoning categories in which this sort of facility can go.

Mayor Fargo responded that a map had been done before the GIS system was up that indicated there were actually only a few areas in town where there was similarity to where gun dealers can be located, with some of the same restrictions of distance from housing, churches, and schools. It includes a portion of District 1 and a portion of District 6.

Mr. Jones confirmed his awareness that these zones were largely found in (his) District 6. He reiterated that his concern was about the scope of the zones. Mr. Jones stated that he was not prepared to vote for the zoning ordinance; he felt that the changes being proposed in terms of regulating the business activity in amending Chapter 5.04 in Title 5 don't make a lot of sense, because it appeared to actually increase the amount of regulation we have in this business, and appropriately so. He re-stated that he would not vote to support the zoning change, and asked as a courtesy that they be taken up separately.

Mayor Fargo was uncertain as to whether Capt. Braziel could respond to her question, or whether it was a legal issue, but she commented that when Club Fantasy was proposed earlier, using it as the example, there was a conflict and questions

about whether the child-care facility was a school, and there was confusion about which ordinance was to be used to determine location. The Mayor asked whether that had been clarified, to the point where this issue will not come up again in that way?

Mr. Archibald confirmed that there were separate requirements and restrictions for adult-related establishments as opposed to adult entertainment establishments. Those discrepancies have been eliminated and broader definitions have been provided so that all day care facilities and schools up through high school are included, but colleges are not. There have been some cases suggesting that colleges probably aren't sensitive uses entitled to protection, since many of their students may be patrons of the facilities from which we are trying to protect them. But, other than that, these inconsistencies or discrepancies have been eliminated.

Mayor Fargo thanked Mr. Archibald for the clarification, saying that was one of the goals of this administrative effort.

Councilmember Cohn urged approval of the changes proposed, in large part because of those clarifications, as well as the land use part. Mr. Cohn stated that while this may not be perfect, and Council may want to consider more changes in the future, it is good to remember that now there is a much more imperfect situation that is more prone to individual disputes, whereas at least here the areas have been narrowed where there could be a possible dispute. Mr. Cohn supported the idea that perhaps in the future Council could consider something more restrictive, but the reason this current proposal was presented was that there were some balances that had to be struck; with this ordinance, it was unlikely there would be a law suit. Mr. Cohn urged adoption of the changes, getting them on the books, and then in the future, amendments could always be considered.

Councilmember Waters directed his comments to Mr. Archibald, to follow up on what the Mayor said regarding the discussions that had been raised around the child care issue that was close to the Club Fantasy at the time. Mr. Waters asked whether the gray area had been plugged, that it wasn't a stand-alone child care center that is in the sole-business category, but the child-care facility was in this instance was located in the lottery building?

Mr. Archibald responded that had been taken care of, that it falls within the definition of school, which includes any child or day care facility and continues, but at any event,

includes a nursery school, kindergarten. Mr. Waters established with Mr. Archibald that even though it is within the building, for example, if a child care facility were provided in the CalePA building, it would be covered.

Mayor Fargo recalled that one of the problems that arose last time was that the child care facility that was located near the Club Fantasy was located in a building leased by the State and they were not on the list of permitted child care facilities because they are with the State and did not have to comply. That's why they were not identified earlier on; there were a number of issues that came into play in that context. The Mayor expressed her appreciation of staff's work on this issue.

#### PUBLIC TESTIMONY

Dave Camacho, Co-Owner of Club Fantasy, spoke in support of the proposed ordinance. Mr. Camacho commented that Captain Braziel had answered some of the questions and concerns he had earlier. He added that it had been a long, hard journey for him and he was very grateful to the Council and to the Police Department for working with him on this issue. Mr. Camacho stated that Captain Braziel was very forthright with him, and the meetings were very productive; Mr. Camacho expressed his gratitude to Captain Braziel, and wanted the City to know that.

Mr. Waters was under the impression from Captain Braziel that Mr. Camacho had planned to speak on the changes he desired (ref: page 30 regarding the 75 person criteria for security coverage). Captain Braziel confirmed that he had language drafted to cover Mr. Camacho's concerns around that issue, if Council wished to consider that at this time.

Mr. Camacho referred then to page 30 of the proposed ordinance, section 5.06.280 (b) Section 1, pertaining to security guards. "If the occupancy of the business is more than 75 people, another security guard is required." Mr. Camacho's concern was: "This is cost-prohibitive for us, since our occupancy exceeds 75; we rarely have more than 50 patrons in the building at any one time, except for the weekends. Is it possible to have an additional guard only if we have more than 75 people in the building, which just makes sense economically for us?"

Mr. Waters asked for clarification as to whether Mr. Camacho was referring to the capacity of the building in relation to Fire Department regulations, or that only 75 people could be in that building at one time, against what number? Mr.

Camacho responded that the capacity of his building was set (by Fire Department regulations) at 299. Mr. Waters confirmed that Mr. Camacho's patrons normally do not number more than 75 at any one time, except for the weekends. Mr. Waters asked to hear Captain Braziel's alternative suggestion.

Captain Braziel advised that he had met with Mr. Camacho on numerous occasions, that other officers had gone at various times, and found only 5 or 6 people in the establishment, so the Captain felt it was a fair solution to Mr. Camacho's request.

The language worked out with the City Attorney would read: "If the number of persons on the premises exceeds 50 persons an additional security guard shall be on duty." Captain Braziel recommended the number 50 based on initial conversations with Mr. Camacho, which gives a little slump room; in other words, when his patrons number 50, he knows he must put someone else in there; when it drops below 50, and he knows the trends of his customers, then he can release the security officer at that time.

Mayor Fargo confirmed with Captain Braziel that if more than 50 people show up, Mr. Camacho knew he must call in an addition security officer, that the officer would be in an "on-call" situation, and that Captain Braziel found that acceptable.

Mr. Waters confirmed with Captain Braziel, referring to subsection 1, that within Mr. Camacho's experience, it would be possible for him to have someone on site before the number of patrons jumped up to 75. Captain Braziel pointed out that the way the ordinance is written now, it requires him to have 2 security officers based on his established Fire Department occupancy/capacity of 299 patrons, so he would have to have 2 security officers whenever he was open. Captain Braziel stated that numerous times when he and other officers have been in the business, they observed that Mr. Camacho only had 5 to 10 patrons. Mr. Waters confirmed with Captain Braziel that if there were occasions when there were more than 75 patrons in the building and Mr. Camacho had not complied with the requirement for 2 security officers, he could be cited.

Mayor Fargo asked whether the City Attorney's office had reviewed the language, to which Mr. Archibald responded affirmatively, saying he was generally comfortable with it. He added that there was another option: that would be not to just immediately call someone, but simply to not allow more than 50 patrons in at one time. Mr. Archibald felt that option may have to be implemented occasionally, in the event

that a security officer would not be available on very short notice.

Mr. Waters clarified with Mr. Archibald that he had stated not allowing additional patrons in after 50 were present in the establishment, even though the existing ordinance says 75; Mr. Archibald responded that Captain Braziel is recommending that if we are going to go with this option of not requiring a second security officer until a certain number has been reached, that number be lowered from 75 to 50.

Mr. Waters expressed his thanks to Captain Braziel, for as the Mayor and Councilmember Cohn stated, this issue has continued on for 3 or 4 years from the day that Club Fantasy applied for its permit; Mr. Waters felt a good resolve had now been reached on the issue.

Councilmember Tretheway deferred to Councilmember Waters for the motion, even though Club Fantasy was located in District 1, since Mr. Waters had been so instrumental in pursuing a solution to the problem.

A motion was made by Councilmember Waters, seconded by Councilmember Tretheway, to adopt Ordinance 2001-040, as amended, amending Title 5 of the City Code.

Deputy City Attorney Archibald clarified that the amendment was to Section 5.06.280, paragraph (b), sub-section (1); the second sentence will be amended to read: "If the number of persons on the premises exceeds 50 persons an additional security guard shall be on duty".

The motion passed with an 8-0 roll call vote, with Councilmembers Cohn, Hammond, Jones, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo voting aye and Councilmember Yee being absent.

Mayor Fargo then called for a motion regarding the Zoning Code changes relating to Title 17.

A motion was made by Councilmember Tretheway, seconded by Councilmember Waters to adopt Ordinance 2001-041. The motion passed with a 7-1 roll call vote, with Councilmembers Cohn, Hammond, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo voting aye; Councilmember Jones voting no; and Councilmember Yee being absent.

ORDINANCE NO. 2001-040, AS AMENDED

AN ORDINANCE AMENDING CHAPTER 5.04 OF TITLE 5 OF THE SACRAMENTO CITY CODE, RELATING TO ADULT-RELATED ESTABLISHMENTS, INCLUDING BATH-HOUSES, MASSAGE SERVICES, AND ESCORT SERVICES, AND TO MASSAGE TECHNICIANS AND ESCORTS; AND ADDING CHAPTER 5.06 TO TITLE 5 OF THE SACRAMENTO CITY CODE, RELATING TO ADULT-ENTERTAINMENT BUSINESSES, INCLUDING ADULT ARCADES, ADULT BOOKSTORES, ADULT NOVELTY STORES, ADULT VIDEO STORES, ADULT CABARETS, ADULT HOTELS/MOTELS, ADULT THEATERS, AND MODELING STUDIOS, AND TO ADULT PERFORMERS AND FIGURE MODELS.

ORDINANCE NO. 2001-041

AN ORDINANCE AMENDING SECTIONS 17.16.010, 17.24.030, 17.24.050 AND SECTION 17.88.030 OF TITLE 17 (THE ZONING CODE) RELATING TO ADULT-ENTERTAINMENT BUSINESSES AND ADULT-RELATED ESTABLISHMENTS

- 3.4 **City Hall Project** (D-1) (continued from 9/4/01, item 12.1, 9/11/01, 12.2)
- A. Certification of the Environmental Impact Report (EIR); adopt Findings of Fact and Statement of Overriding Considerations and Mitigation Monitoring Plan;
  - B. Establishment of a Capital Improvement Project for the relocation of the Sacramento Youth Hostel Mansion (PN:CF46); and
  - C. Appropriation of \$4,500,000 from the reserve for the City Hall Project to the relocation of Sacramento Youth Hostel Mansion (PN:CF46);

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Bob Williamson, Supervising Architect, presented chronological background information concerning this project. In the 1999-2004 CIP Program, the City Council provided seed funds for a Civic Center Administration facility (PN:BB81) that would consolidate office space and quantify the costs of building ownership.

On April 25, 2000, the Council decided that moving the Mansion to the lots located on the northwest corner of 10<sup>th</sup> and H Streets, constructing 380 vehicle parking spaces, and a 150,000 square foot office building with new Council Chambers on the half block adjacent to City Hall was the preferred project. This decision was contingent upon environmental review.

On July 17, 2000, the Notice of Preparation of a Draft Environmental Impact Report for the City Government Center Project (PN:BB81) was issued for public comment.

On August 29, 2000, the City Council awarded a design/development contract to David Taylor Interests, Inc.

On November 14, 2000, the City Council modified the preferred project by increasing the size of the new building from 150,000 to 200,000 gross square feet. The Council also established a CIP for exterior refurbishment, structural upgrading, and associated interior modifications for the Neoclassical City Hall (PN: CF31). As part of this action, Council decided to relocate occupants of City Hall during the 24-month construction period to the vacated Police Headquarters (former Bank of America).

On December 12, 2000, the City Council further refined the preferred project to remove the annex buildings (includes the fire station) and construct a 5-6 story "embracing" design just north of the Neoclassical City Hall.

On April 12, 2001, the recommendation to include civic elements within the project was discussed. The City Council agreed that the City Hall project should include the suggested civic elements. The design team was directed to study the various civic elements and parking and report back which of these fit within the recommended budget increase.

On May 2, 2001, staff prepared a memorandum to the Council Ad-Hoc Committee recommending that only one level of parking be constructed as part of the project.

On June 15, 2001, the Draft EIR was issued for public comment.

On July 18, 2001, the City's Design Review and Preservation Board met to review the EIR and comment. (See letter dated July 30, 2001 from Chris Elliot, Board Chairperson, attached to final EIR on file in City Clerk's office).

On July 31, 2001, staff presented update information on project progress and design of office spaces within Police Headquarters - Bank of America building.

Mr. Williamson stated that some concerns have been expressed about the preferred project's decision to demolish the annex buildings (which include a fire station). These concerns include challenges to the process of design and historical evaluation of the project. Please see page I-23 (hand-numbered page 31) of the staff report for findings and Partial Mitigation Measures to address these concerns.

A motion was made by Councilmember Tretheway, seconded by Councilmember Yee, to close the hearing and adopt Resolution 2001-640. The motion passed with an 8-1 roll call vote, with Councilmembers Cohn, Hammond, Pannell, Sheedy, Tretheway, Waters, Yee, and Mayor Fargo voting aye and Councilmember Jones voting no.

#### RESOLUTION NO. 2001-640

RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT; ADOPT THE FINDINGS OF FACT AND THE MITIGATION MONITORING AND REPORTING PROGRAM; AND ESTABLISHING A CAPITAL IMPROVEMENT PROJECT (CIP) FOR THE PURCHASE OF PROPERTY AT 10<sup>TH</sup> STREET AND H STREET AND RELOCATION OF THE SACRAMENTO YOUTH HOSTEL MANSION; AND APPROPRIATION OF \$4,500,000 FROM THE RESERVE FOR THE CITY HALL PROJECT

#### 4.0 STAFF REPORTS

- 4.1 **City Hall Project.** (D-1) (continued from 9/4/01, item 13.1, 9/11/01, item 13.1)
- A. Authorization for the City Manager to exercise the option agreements with 10<sup>th</sup> and H Partnership for the purchase of properties located at the northwest corner of 10<sup>th</sup> and H Streets;
  - B. Execute agreements with Golden Gate Council of American Youth Hostels, Inc. for the lease of site and relocation of Sacramento Youth Hotel Building (Mansion) (PN:CF46).

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The Golden Gate Council of American Youth Hostels, Inc. has agreed that it is in the best interest of the City and their organization to relocate the Youth Hostel mansion to the new

site at 10<sup>th</sup> and H Streets.

Two agreements have been developed between the Golden Gate Council of American Youth Hostels, Inc. and the City.

Barbara Wein, representing American Youth Hostels, Inc. was present for the discussion about moving the Hostel.

Bob Williamson, Supervising Architect, stated that the Ground Lease agreement provides that the Hostel will be relocated and continuously operated at the 10<sup>th</sup> and H Streets site for a term of 55 years. The lease stipulates that the property remain a youth hostel. Also included in this agreement is an option to purchase the property anytime after the first five (5) years of the lease. This option requires that the property be appraised by a mutually acceptable commercial appraiser at the "Fair Market Value". The cost of the lease is one (\$1) dollar a year and in consideration of this below market rate, the City has rights of use of the property at no cost for a range of functions.

Mr. Williamson noted that the agreement provides that the cost of relocation will include all the costs associated with moving, preparation and development of the new site, and reopening of the Hostel in May, 2002. The relocation costs fall into several categories. (See Exhibit A of the staff report.) The Relocation/Reconstruction costs are based on bids and defined fees. The One-Time Associated Costs are upside estimates. The Monthly Operating Costs are monthly estimates based on current costs. They are calculated for a May 1, 2002 re-opening. If the City delays this re-opening, (non-building code issues such as toxic soils), additional costs may be incurred. The Project Contingency is the last category; this contingency may be used for unknown site problems. Any unused contingency will return to the City. The amount of this relocation agreement is \$2,161,867.

Councilmember Jones stated, regarding the option to purchase, that he felt the City should be paid at least what it has cost the City. Mr. Williamson responded that it is likely the property value would change over time. Mr. Jones wanted to see a floor price established, so that the City could recover its investment.

City Manager Thomas acknowledged that a provision could be added establishing a floor price, which would then create a renegotiating status. He stressed that this was a time-sensitive issue, and did not feel that the value of this property would decrease over time. Mr. Thomas noted that there was risk on both sides, adding that from a policy

perspective, this could be modified due to mutual interest and cooperation. He did not recommend acting on anything to initiate renegotiation.

Mr. Jones urged a protective amendment which would allow the City to have at least the recovery of cost.

Councilmember Cohn appreciated the City Manager's position and expressed his desire to hear the Hostel's comments. He noted that the estimate was done two years ago, and spoke in support of the suggested arrangements.

\*\*\*Mr. Cohn remarked that the CalePA building has a very progressive recycling program, in which there are recycling bins located at every employee's desk. Mr. Cohn requested a report back regarding the feasibility of such a program for City Hall.

Mayor Fargo requested a report back on the Transient Occupancy Tax, as to whether the Youth Hostel was excluded, and if so, what would the impact be to the City and its visitors? The Mayor noted that this Hostel was one of the best in the nation, and that it draws people to Sacramento.

Seth Merewitz, attorney representing American Youth Hostels, Inc., expressed his thanks to staff and to Assistant City Attorney Carnazzo for the agreements which were produced in record time, and for the long-term nature of the agreement. The Mansion is to close on November 1, 2001; it will be moved on December 31, 2001, and is slated to re-open in May, 2002.

Mr. Merewitz commented that the provisions of the agreement assure that the building will not be torn down later for a high-rise; there are restrictions on the property with the purchase option, but AYH would be willing to pay the Fair Market Value if there were NO restrictions.

Ms. Wein, commented that AYH had agreed to cooperate with the City and appreciates the Council's support for this project, which she regarded as a win-win situation. Ms. Wein expressed the desire that this would be the last move for the Mansion; she added that 13,000 visitors stayed at the Hostel last year, that it was known as the best in the world. People are attracted here by the Mansion, but also by the friendly people of this community.

Ms. Wein advised that Steve Haynes, the new manager of the Hostel, had 22 years of experience in operating such a facility.

Councilmember Jones commented that the City was blessed to have such a great Hostel; he asked if the Hostel Board would agree to add a clause to ensure that the City would recover the value paid for property in the first instance.

Mr. Merewitz responded that the original option was based on a price with restrictions; AYH would agree to pay FMV if there were no restrictions. This would involve a more complex discussion. Mr. Jones felt it would be a fair deal, just to add a clause. Mr. Merewitz responded that he did not know if American Youth Hostels, Inc. would be interested in speculative real estate.

A motion was made by Councilmember Yee to adopt Resolution 2001-641 approving Agreements 2001-159, 2001-160, 2001-161, and 2001-162.

Councilmember Yee commented that Councilmember Jones was not with the City years ago when this issue was first addressed. Mr. Yee complimented Ms. Wein on being a great negotiator for AYH. Mr. Yee stated that the Hostel's position must be understood, in that they wanted the disruption to their operation minimized, and they wanted to feel whole. Mr. Yee expressed his approval of the agreement(s), adding that, regarding Fair Market Value pricing issues raised by Mr. Jones, it was stipulated instead that there are to be restrictions placed on the use of the property/hostel, which cannot be altered. Mr. Yee was delighted to see it moved to its original location.

The motion was seconded by Councilmember Tretheway. The motion passed, with an 8-1 roll call vote, with Councilmembers Cohn, Hammond, Pannell, Sheedy, Tretheway, Waters, Yee, and Mayor Fargo voting aye and Councilmember Jones voting no.

Mayor Fargo commented to the New Manager, Mr. Haynes, that it would be her pleasure to introduce him to the Convention and Visitors Bureau staff.

4.2 Annual status report of the City/County Bicycle Advisory Committee (BAC). (D-All)

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Ed Cox, Alternate Modes Coordinator, cited 1999-2001 accomplishments and challenges related to the Bikeway Master Plan. The City and County recently updated the Plan to meet minimum State requirements, thereby becoming eligible for Bicycle Transportation Account (BTA) Funds.

Mr. Cox reported that the City's Police Department received a grant for youth helmet and bicycle safety; the City's Transportation Programming Guide was updated to include new criteria for bridges; SacBAC prepared and/or reviewed various policies to be presented to the City Council and the County Board of Supervisors, which include BAC recommendations for City/County Bicycle-Related Policies, a Draft Policy on New or Expanded Freeway Interchanges and Over-crossings, and the U.S. Dept. of Transportation Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure.

Also under "accomplishments": The CSUS bicycle and pedestrian underpass on Elvas Avenue was opened in time for the 2000 Olympic Trials, providing access to Folsom Blvd. And the 65<sup>th</sup> Street Light Rail Station. CSUS prepared a draft campus-wide bikeway master plan to make better connectivity at the campus. The bicycle path adjacent to the Blue Diamond Almond Growers Facility (20<sup>th</sup> and C Streets) was opened. SMAQMD successfully launched its matching grant program for bicycle parking facilities and is extending the program. Finally, Sacramento County adopted a standard design cross-section to assure adequate bicycle facilities on newly-constructed major roads.

Mr. Cox referred to Attachment B of the staff report, which demonstrated that while progress is being made, there must be at least 17 miles of bikeways constructed per year to keep up with planned facilities. New parks, roads and streets not in the Master Plan would also need to be built.

Mr. Cox defined the goal of the BAC as the institutionalizing of bicycling as part of a balanced transportation system. To attain that goal, approximately 78 points listing steps that need to occur are addressed in Attachment C of the staff report, all in varying stages of completion.

Leah Brooks, a County appointee, stated that the City/County Bicycle Committee believes that convenience improvements are needed for bicycle facilities, such as paths for new developments.

Ms. Brooks asked that staff be directed to review Attachments B, D, and F. She expressed disapproval of gated communities, because they block access. Street overlays should be monitored for smooth, two-way conversions, she advised. Ms. Brooks expressed her thanks to the Council, Mr. Cox, and ended by saying the County and she were open to suggestions.

Mayor Fargo assured that SACBAC issues would be brought forward again at a later date to address specific actions.

Councilmember Cohn commended Ms. Brooks, Mr. Cox, and Mr. Siefert for their work on bicycle actions. He noted that improvements had been made regarding connectivity at Sac State, but expressed concerns regarding the openings into American River Parkway to the South area, and southeast. Mr. Cohn felt that something should be done to make it easier to get to Sac State and American River Parkway. He noted that on the north side of the river, access is poor, and asked to see action taken on these reports.

Councilmember Tretheway spoke appreciatively of the work of SACBAC, saying he intended to support it in District 1. Mr. Tretheway stated that he would like to see it taken to SCAN; and remarked that it was an innovative cycling community.

Councilmember Pannell commented that she was looking forward to improved bikeways in South Sacramento, and asked if Mr. Cox worked with Parks and Utilities, to which he replied that he did, and that there were daily changes. Ms. Pannell urged that on-street bikeways are maintained in good repair for a connection to light rail.

Councilmember Jones questioned Mr. Cox concerning Attachment D, SACBAC recommendations for City/County Bike-related policies. Mr. Cox responded that this was being addressed, adding that there was some potential new material to be considered. At this time, he had wanted to bring forward the Committee's suggested policies; he believed that an update for the Bicycle Master Plan is in order, since the Plan was recently revised to allow for State grants. The update should be done around January, 2002.

Councilmember Jones asked that the City Manager assign staff to evaluate Attachments D, E, and F before the Master Plan is brought forward. City Manager Thomas agreed, saying that a Task Force would be established to interface with other departments, to assure compatibility.

Councilmember Cohn commented to Ms. Brooks and Mr. Siefert that the City now is experiencing a new phenomenon, due to a critical mass coming into Sacramento; we have a different culture here than in the Bay area. Mr. Cohn felt that progress could perhaps be faster, but felt that progress was being made. His desire was to avoid confrontational policies.

Walt Siefert commented that Sacramento enjoys high levels of cycling to work, saying that there are more trips by bicycle than by Regional Transit. Mr. Siefert touted the benefits of cycling: improved health, low emissions, less dependence on oil. Regarding Mr. Cohn's critical mass comment, Mr. Siefert

felt there was a lot of Police Department enforcement.

Councilmember Tretheway remarked that his favorite road sign was a big yellow diamond that says "Share the Road", with a picture of a cyclist, which he saw in Lake Tahoe.

This report was for Council information only.

\*\*\*Item 4.3 was heard out-of-sequence following Item 2.11.

4.3 North Natomas Transportation Management Association (TMA)  
Community Facilities District (CDF) Annual Report - 2001.(D-1)

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Carol Shearly, Natomas Manager, introduced Rhonda Abell, Executive Director of Natomas TMA, who outlined the TMA Successes and Challenges to date.

Rhonda Abell reported that this year the TMA accomplishments conveyed the organization's shift from formation efforts into providing services and products to North Natomas residents and employees (see Exhibit C for the Business Plan - Scorecard). The revenues come primarily from the CFD annual assessments, annual membership dues from the County and non-CFD City businesses, grants, and other sources of funding. Tasks completed and services provided with the revenue this year included:

- conducted baseline travel survey
- produced a residential brochure
- provided bicycle and carpool subsidies
- received grants from TEA-21 and SACOG to implement baseline survey and subsidy program
- created residential database of over 2,000 households
- formed a Bikeways/Trails Subcommittee to help design the Natomas Master Bikeway Plan
- conducted a "Transportation Community Event" focused on electric vehicles and kids' safety
- launched the NNTMA web site - [www.nntma.org](http://www.nntma.org)
- implemented the STARS Program
- promoted the ride-sharing [1800COMMUTE.ORG](http://1800COMMUTE.ORG) internet link via web site
- provided start-up funding for the Natomas Business Association, and
- advocated for the Downtown Natomas Airport (DNA) light rail extension and express bus service to North Natomas.

Ms. Abell added that plans for next year include the addition of a chat room on the website, and a pilot program to provide fixed air pump stations along the bikeway system.

Erik Ferguson, Consultant, discussed what is happening now, regarding 20% emissions during peak travel, a 59% reduction, a 13% emissions reduction. Mr. Ferguson attributed these reductions to the fact that some people are telecommuting, car pooling and bicycling.

Terry Teeple, Vice President, Pacific-Teal Development, commented that the report today describes progress and introduces folks to alternative modes of transportation. He added that WalMart and Home Depot were delinquent in payment of their assessments. Mr. Teeple asked Council for assistance from the City Attorney to bring in these assessments.

Mayor Fargo expressed her appreciation of the report and the efforts of all parties.

Councilmember Tretheway promised to enlist the assistance of the City Attorney regarding the assessments. Mr. Tretheway commented to Ms. Abell that South Natomas also has a TMA; he asked if she planned to work with South Natomas, to which Ms. Abell responded affirmatively, saying the two were trying to merge activities.

Mr. Tretheway discussed the work being done on encouraging the use of electric vehicles; Ms. Abell indicated that the TMA was working with SMUD for a pilot project on that issue. Mr. Tretheway complimented Ms. Abell on behalf one of the best TMAs in the City.

Councilmember Hammond established with Ms. Abell that there were electric charging stations located in North Natomas.

Mayor Fargo asked Assistant City Attorney Carnazzo how to go about collecting the delinquent assessments from the businesses mentioned? Mr. Carnazzo assured the Mayor that the assessments would come to the Attorney's office, that under the Mello Roos, procedures for collection were in place.

Carol Shearly, Natomas Manager, commented that these businesses were not part of the CFD; they opted out, and chose to pay annual dues instead.

This report was for Council information only.

5.0 SHRA

None

6.0 REGIONAL ISSUES

None

7.0 COUNCIL IDEAS AND QUESTIONS

7.1 Councilmember Cohn commented that the 3-R Program for seniors with Alzheimer's has outgrown the current facility at Hart Community Center. Mr. Cohn added that he had spoken with Don Murphy, Director, Parks and Recreation, to determine where additional space can be made available for this purpose within any of the City's other appropriate facilities.

7.2 Councilmember Cohn observed that, according to an article in the Sacramento Bee, Trader Joe's has evidently decided not to pursue the controversial proposed site for its new store on L Street. Mr. Cohn requested that the City Manager, Bob Thomas, work with Economic Development to secure a suitable site elsewhere in the City, one that would not require a discretionary permit. Mr. Cohn stressed the need to act quickly in this matter.

7.3 Councilmember Pannell announced that interested parties still have an opportunity to sign up for the American Heart Association Walk on Saturday, September 22, 2001. To register, please contact Reneé Domingo, 446-6505.

7.4 Councilmember Sheedy commented that Woodlake School is already working with the 3-R Program. She added that she may have a location suitable for Trader Joe's.

Ms. Sheedy raised the issue of Regional Transit bus pass costs for students, asking for the Council's opinion as to how to seek RT's support.

Councilmember Cohn noted that the RT Board had authorized a pilot program, now completed, which the students had suggested. Coverage was given to this program in the Sacramento Bee. There will be a rally on Sunday, September 23, 2001 at Trinity Cathedral, 27<sup>th</sup> and L Streets, Sacramento concerning the issue.

Ms. Sheedy stressed the importance of getting the students to school, adding that the cost of transportation should not impair in any way the students ability to attend school.

Mayor Fargo added that there were several components to the issue, pointing out that this was rarely an issue north of the river, where in most locations students were provided with free transportation. Ms. Fargo suggested that Sacramento City Unified School District needs to provide some resources for Regional Transit in order to assist them.

Mr. Cohn stated that the students are proposing that RT reduce the current student fare from \$22 to \$15, with a reduction in the one-time fare as well. For Sacramento City students, a \$5 discount is sought, lowering the fare to \$10.

Councilmember Pannell encouraged interested parties to attend the rally on Sunday.

#### 8.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON AGENDA)

None

#### 9.0 CLOSED SESSION

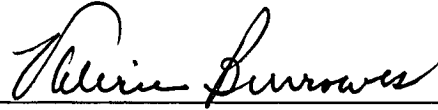
9.1 Pursuant to Government Code Section 54956.9(a) for a matter pertaining to pending litigation: Florin Perkins Landfill vs. City of Sacramento, Sacramento County Court Case No. 00AS05633.

9.2 Pursuant to Government Code Section 54957.6 - Chief Negotiator: Dee Contreras to discuss matters pertaining to negotiations with recognized employee organizations: Sacramento Police Officers Association; Sacramento Area Fire Fighters, Local 522; Stationary Engineers, Local 39; International Association of Machinists and Aerospace Workers; Sacramento-Sierra Building and Construction Trades Council; Plumbers and Pipefitters, Local 447; Western Council Engineers; and Auto, Marine and Specialty Painter, Local 1176.

**ADJOURNMENT**

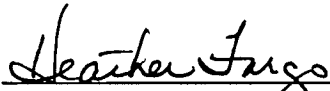
There being no further business to come before the Council, the meeting was adjourned at 6:05 p.m.

Submitted



Valerie A. Burrowes, City Clerk

Approved



Heather Fargo, Mayor