



City of Sacramento Development Oversight Commission

COMMISSION MEMBERS:

Mark Abrahams
Kristina McBurney
John M. Packowski

Holger Fuerst
Michael Malinowski, AIA, Vice Chair
Bruce Starkweather, AIA

Brian Holloway
John Nunan, Chair
Roger Valine

CITY STAFF:

Marty Hanneman, Assistant City Manager
Sabina Gilbert, Deputy City Attorney
Art Gee, Operations Manager
Carolyn Fisher, Staff Aide

*Historic City Hall
915 I Street, 2nd Floor – Hearing Room*

December 4, 2006 – 5:30 P.M.

The Development Oversight Commission is a board of the City Council with review and recommendation authority. Its purpose is to provide a forum for the public to introduce and discuss suggestions, comments, and concerns regarding the city's development services function. The DOC will host public meetings to hear public comments before providing its recommendations to City Council.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in the lobby of the hearing room and should be completed and submitted to the Commission Secretary.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of agenda items is for reference only; agenda items may be taken in any order deemed appropriate by the Commission. The agenda provides a general description and staff recommendations; however, the Commission may take action other than what is recommended. The agenda is available for public review on the Friday prior to the meeting. Hard copies of the agenda, synopsis, and staff reports are available from the Development Services Department at 915 I Street, New City Hall, 3rd Floor (25 cents per page)

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Development Services Department at (916) 808-8095 at least 48 hours prior to the meeting.

MINUTES

December 4, 2006

*Historic City Hall
915 I Street – Second Floor, Hearing Room*

All items listed are heard and acted upon by the Development Oversight Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call - All present (except Starkweather)

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item to be removed for separate consideration.

1. Approval of Minutes for November 6, 2006

Location: Citywide

Recommendation: Approve Commission Meeting Minutes for November 6, 2006

Contact: Art Gee, Operations Manager, 808-5945; Carolyn Fisher, Staff Aide, 808-8095

Action: No public comment. Moved, Seconded (Holloway, Packowski 8:0:0) to approve minutes as submitted.

Staff Reports

Staff reports include oral presentations including those recommending receive and file.

2. Assistant City Manager Update (Oral)

Location: Citywide

Recommendation: Receive and file

Contact: Marty Hanneman, Assistant City Manager, 808-7508

Action: No public comment. Marty Hanneman presented an update on the progress of Citywide MATRIX implementation.

3. Fire Sprinkler Flow Test Requirements Update (Oral)

Location: Citywide

Recommendation: Receive and file

Contact: Bob Chase, Chief Building Official, 808-8024; Carl Hefner, Assistant Building Official, 808-8779

Action: No public comment. As a report back to Commissioner Malinowski's request at the September 11th meeting, Carl Hefner, Assistant Building Official, distributed a draft brochure "Fire Protection Review for New and Remodeled Dwellings" – a combined effort of the Development Services, Fire and Utilities Departments - and asked that

Commissioners review the document and provide feedback to staff. The brochure clarifies existing City policies and when finalized will be distributed to development customers and design professionals as a guide for planning fire protection for residential projects. Commissioner Malinowski commended staff for consolidating a great deal of useful, technical, cross-departmental information into one document, adding that getting the information to the right people is critical. He suggested that the brochure be distributed in utility bills. Fire Marshal Troy Malaspino responded that outreach on these policies and procedures will be done to the relevant design professional associations as well as individual homeowners. He added that the City and County are working together on a residential sprinkler ordinance stating that Chief Cherry supports this approach. Chief Building Official Bob Chase added his commitment to do outreach to the BIA, AIA, General Contractors and homeowners, via Development Services' Homeowner's Night. Commissioner Valine recommended that the final brochure be posted to the Development Services website. He suggested that Building and Fire determine a uniform way of measuring square footage. Mr. Malaspino stated that he will give some thought to it and report back. Bob Chase added that staff will attempt to streamline where possible. Commissioner Malinowski suggested using different terminology i.e. "fire area" to describe combustible area instead of square footage.

4. Public Improvement Agreements/Bond Processing

Location: Citywide

Recommendation: Receive and file

Contact: Ed Williams, Development Engineering Manager, 808-5440; Ronald Fong, Senior Engineer, 808-7915

Action: No public comment. Ron Fong presented staff's proposed changes to the process of acquiring bonds for offsite improvement agreements. Commissioner Nunan applauded the proposed changes and suggested further streamlining of the City Attorney's involvement in the process of generating and approving agreements. Ron Fong replied that a new form and procedures have been put into place for 3-party agreements; City Attorney's established deadline for "pre-approved" agreements is two weeks but they have been turning around agreements much sooner.

5. Infill MATRIX Team

Location: Citywide

Recommendation: Receive and provide input

Contact: Carol Shearly, Director of Planning, 808-5893; Scot Mende, New Growth Manager, 808-4756

Action: No public comment. Carol Shearly presented staff's proposal for the creation of an Infill MATRIX Team. Commissioner Packowski asked for clarification on "Clear Design Standards" as they relate to the objectives of the Infill MATRIX Team. Ms. Shearly replied that the team will look at standards already in place and see where they might be improved. Commissioner Packowski added that because mixed-use infill development is very complex and constantly evolving he questioned whether staff will have adequate time or knowledge to make those determinations. Ms. Shearly responded that the Development Services team members will bring the necessary

design knowledge and project level experience to the team decision making process. Commissioner Holloway stated that because neighborhood acceptance is often a big hurdle to infill projects we need to better educate neighborhood leadership about the value of infill. Commissioner McBurney again stated how important early notification of neighbors is, so that obstacles can be resolved early and benefits of projects to the neighborhood clearly explained. Commissioner Malinowski asked how the team will measure its success. Carol Shearly replied that success would be measured through some form of recordkeeping to be determined. Commissioner Packowski asked how the team will relate to the Design and Preservation Commissions. Ms. Shearly replied that through project review, process improvements will be recommended to the commissions.

6. Commissioner Training Program (Oral)

Location: Citywide

Recommendation: Receive and file

Contact: David Kwong, Current Planning Manager, 808-2691; Wendy Klock-Johnson, Staff Services Administrator, 808-5099

Action: No public comment. Wendy Klock-Johnson presented Development Services' general orientation and training program for new Board and Commission members. David Kwong added that staff will present ideas regarding detailed orientation and training for new members, i.e. parliamentary, project workflow and policy issues at a future meeting. Commissioner Malinowski advised that during new member orientation the City Attorney's office should delineate issues under the purview of each Board or Commission. He added that the relevant industry associations (AIA, etc.) should be consulted on the training program so that private sector issues i.e. costs, availability of materials, etc., are covered. He also stressed the importance of continuing education, suggesting that training occur on an annual basis. Commissioner Holloway added that orientation materials should include a listing of what the role and responsibility of each commission is not, in addition to what it is. He urged that an effort needs to be made to reverse the trend of commissioners not to meet with the public, applicants or visit project sites due to potential conflicts of interest that the City Attorney has cautioned them against. New members should be advised accurately that they are in fact able to do so, within parameters, so that they can "act as the eyes and ears of the City Council" and make the best decisions for the City. Commissioner Nunan pointed out that the revamped commissions will be doing less project review work. Commissioner Holloway agreed but added that they will continue to hear project Appeals. Commissioner Nunan asked that a DOC member be involved in the orientation for new members, for purposes of providing a summary of the evolution of the development process. Ms. Klock-Johnson assured him a DOC member would be invited to bring this message to the training sessions.

7. Design Commission/Preservation Commission Update

Location: Citywide

Recommendation: Receive and provide input

Contact: David Kwong, Current Planning Manager, 808-2691; William Crouch, Urban Design Manager, 808-8013

Action: No public comment. Bill Crouch provided an update on the status of the new Design and Preservation Commissions. Commissioner Malinowski stated that he would like the DOC to support through a formal motion, flexibility in the residency requirement for professional applicants. Commissioner Holloway agreed that flexibility and broadening the base of expertise for those who serve was the intent of the DOC when it initially considered the DRPB reorganization. Commissioner Packowski added that the City is missing out on a lot of talent due to the current requirements. In response to Commissioner's Valine's question regarding the downsides of flexibility in the residency requirement for professional category applicants, Commissioner Nunan stated that there is an understandable concern by some (i.e. neighborhood groups) that too much flexibility in the residency requirement will result in outside forces influencing City projects and policy. He added that because the Commissions are transitioning from project review bodies to policy advisory bodies it makes even more sense not to limit applicants. He suggested that if the residency requirement is lifted that, all things being equal, preference be given to local residents. Bill Crouch replied that the City Manager favors this approach. Commissioner Valine added that perhaps non-residents be limited to a certain percentage of seats on the commissions. Commissioner Holloway complimented and thanked city staff for their efforts to bring the DOC's vision for reorganizing the design review and preservation process to fruition.

Motion to recommend to Council that Design and Preservation Commission membership not be limited by place of residence or business ownership. Moved, Seconded (Nunan; Malinowski 8:0:0.)

8. Performance Trend Measurements

Location: Citywide

Recommendation: Receive and provide input

Contact: Art Gee, Operations Manager, 808-5945; Lucinda Willcox, Customer Service Manager, 808-5052

Action: No public comment. Lucinda Willcox presented an update on how Development Services will establish and track performance trend measurements (PTM). She thanked Commissioners, Abrahams, Nunan and Valine for their assistance in helping to identify next steps, and distributed a document detailing the outcome of this prior meeting. Regular updates to the DOC are planned. Commissioner Nunan stated that he thinks staff has made a good start and is taking a very creative approach. Commissioner Fuerst suggested that the PTM goals be clearer, adding that he would like to see more of a baseline measurement. Commissioner Valine also commended staff for their commitment to putting performance trend measures in place and to improving the organization. Commissioner Nunan added that the planned quarterly review of PTM data will allow for quick adjustments to processes when required to improve efficiency. Commissioner Packowski observed that the Boards & Commissions could benefit from the PTM concept noting that the public is the Customer of the Boards.

9. Development Fee Proposal Discussion

Location: Citywide

Recommendation: Receive and provide input

Contact: William A. Thomas, Development Services Director, 808-1918; Gregory J. Schulte, Program Manager, 808-7116

Action: No public comment. Bill Thomas, Art Gee and Greg Schulte presented staff's rationale behind changing the way development fees are calculated, and reviewed current proposals for streamlining the fee process. Bill Thomas recommended that the DOC appoint a subcommittee of DOC members and industry professionals to further vet out this issue which Commissioner Nunan agreed to do. Commissioner Valine asked about the possibility of building incentives into the fee structure to reward or punish applicants. Bill Thomas replied that possible incentives discussed so far include projects that possess sustainability, historic preservation or infill elements. Commissioner Nunan asked about the status of implementing a job cost system in Development Services. Bill Thomas replied that the City has hired a consultant to do a cost analysis of DSD's operations but the consultant is waiting to proceed until the big picture scope of the project has been identified. Greg Schulte added that E-Caps, a permanent cost accounting system, will be rolled out Citywide in approximately one year; an interim solution for DSD in being considered. Commissioner Starkweather has recommended a specific software system for this purpose and DSD and Central IT staff is looking into it. Commissioner Malinowski expressed that while he likes simplicity of a flat fee concept he believes that the proposed option of calculating fees based on MATRIX development type is better and allows for factoring in the nuances of each project and will better reward "good" applicants. He suggested that staff take one option to Council. Bill Thomas stated that one fully vetted out concept with industry partner buy-in will eventually be taken to Council. Commissioner Fuerst asked how a traffic study can be wrapped into an EIR when it is RFP-based? David Kwong replied that perhaps the process can be revamped to roll both processes into one RFP. Commissioner McBurney said that while she likes the streamlining inherent in the proposed changes, she feels that the new fee structure will punish applicants with projects requiring Design Review. She added that the flat fee concept isn't fair because all applicants are not created equal when it comes to community outreach. Bill Thomas assured her that the final fee proposal will address the issue of incentives for good applicants. Commissioner Holloway pointed out that a controversial project does not mean equal a bad project. He added that he does not favor either option and thinks that for now it is a good idea to keep options fluid. In response to Commissioner Packowski's question regarding timeframe on the development of the new fee process, Bill Thomas stated that he will take a concept to Council in January and added that the revamped fees may be in place by the end of this fiscal year but surely by the end of 2007.

Public Comments - Matters Not on the Agenda

10. No public comment.

Questions, Ideas, and Announcements of Commission Members

11. Election of 2007 Commission Chair and Vice Chair

Location: Citywide

Recommendation: Approve 2007 Commission Chair and Vice Chair appointments

Contact: Art Gee, Operations Manager, 808-5945; Carolyn Fisher, Staff Aide, 808-8095

Action: No public comment. Moved, Seconded (Holloway, Fuerst 8:0:0) to elect Commissioner Malinowski 2007 Development Oversight Commission Chair. Moved, Seconded (Abrahams, Holloway 8:0:0) to elect Commissioner Valine 2007 Development Oversight Commission Vice Chair.

Adjournment - 7:30