



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

Information  
March 6, 2007

Honorable Mayor and  
Members of the City Council

**Title:** Appeal Withdrawal: 500 Capitol Mall (P05-108-DR05-241)

**Location/Council District:** 500 Capitol Mall (District 1)

**Recommendation:** Receive and file.

**Contact:** Shirley Concolino, City Clerk, (916) 808-5442

**Presenters:** NA

**Department:** City Clerk Department

**Division:** NA

**Organization No:** 0700

### Description/Analysis

**Issue:** On February 27, 2007 the City Clerk received written notice that the third party appeal submitted by Jody Jones of the California Department of Transportation on the basis that the Environmental Impact Report (EIR) prepared for 500 Capitol Mall is not in compliance with the California Environmental Quality Act (CEQA) was withdrawn.

**Policy Considerations:** NA

**Environmental Considerations:** NA

**Commission/Committee Action:** NA

**Rationale for Recommendation:** As required by Sacramento City Code (SCC) Section 17.200.030, an appeal must be noted on the agenda of the next regularly scheduled meeting when the appeal is withdrawn in writing by the appellant. The matter may be called up during the (10) day period from the date of the meeting pursuant to the provisions of SSC Section 17.200.040. If the tenth day falls on a non-business day, the last day to appeal is the next business day.



**Financial Considerations:** NA

**Emerging Small Business Development (ESBD):** NA

Respectfully Submitted by:   
Shirley Concolino, City Clerk

**Table of Contents:**

Report	pg. 1
<b>Attachments</b>	
1 Letter of Withdrawal	pg. 3

**Shirley Concolino - Re: 500 Capitol Mall - Draft Letter**

**From:** Marty Hanneman  
**To:** Will Kempton  
**Date:** 2/26/2007 12:08 PM  
**Subject:** Re: 500 Capitol Mall - Draft Letter  
**CC:** Eileen Teichert; Jody Jones; Ray Kerridge; Shirley Concolino

Thanks Will. I will forward this email to our City Clerk as your official Appeal withdrawal.  
Marty

>>> Will Kempton <will\_kempton@dot.ca.gov> 2/26/2007 11:44 AM >>>  
Marty: This language is acceptable. As it stands, with this letter in hand, we will withdraw our appeal, accept the \$75,000 for project mitigation, and drop any plans for litigation on the 500 Capitol Mall project. We do plan to attend the City Council Meeting, but will have positive things to say about the collaboration process. We now need to set up a meeting on the Railyards Project as soon as possible. I intend to call Ray and Sen. Steinberg to thank them for their efforts. Thanks for your assistance.

"Marty Hanneman"  
<mHanneman@cityofsacramento.org>  
02/26/2007 10:46 AM  
"Ray Kerridge"  
<RKerridge@cityofsacramento.org>  
Subject  
500 Capitol Mall - Draft Letter

Hi Will,  
The following is what we propose to put in a formal letter to you. Please

review and let me know if this works.  
Thanks.  
Marty

Dear Mr. Kempton:

Thank you for taking the time to address this important issue. Per our discussion on February 23rd, The City of Sacramento acknowledges its lead agency responsibilities to address potential significant impacts to traffic including on the state highway system that may result from City approved projects. We are committed to work in good faith with Caltrans and our other regional partners to provide feasible mitigation measures to address these impacts.

Again, I really appreciate your personal involvement in resolving this matter.

Sincerely,

Ray Kerridge  
City Manager

