



**Supplemental Material
Received at the Meetings of
City Council
Redevelopment Agency
Housing Authority
Financing Authority
For**

November 27, 2007

Item 17:

- a. Letter to "Whom it May Concern" from Roxanee Fuentez regarding her opposition to the expansion of Mercy Hospital at its present site
- b. Petition from those opposed to the Mercy project who attended the meeting
- c. Letter to the Mayor and Council from William Abbott, Attorney for Clarice Luther, regarding a response to Comment 16-2 on the DEIR of Project PO4-215 with a letter from Rose Luther attached
- d. Letter to the Mayor and Council from Rose Luther regarding the Heritage Elm Tree adjacent to the proposed Sacred Heart School project with William Abbott's Letter attached
- e. Letter to the Mayor and Council from Steve Luther regarding the inadequacy of the greenspace set-back at the entrance of the proposed Sacred Heart School project

Regarding The Mercy Hospital Expansion and Sacred Heart School Proposal

To whom it may concern:

I do not support the expansion of Mercy Hospital at its present site. It would cause too many problems for the surrounding neighborhood. Also, according to p.2-12 of the Draft EIR, with the building of the cardiac center, the number of licensed beds would be reduced from 342 to 141 in 20 years. I fail to see how this would better serve the needs of the community. Mercy Methodist Hospital in South Sacramento has plenty of room for this heart center.

The current plan also calls for moving Sacred Heart School across the street, tearing those beautiful homes down, and replacing much of the site with a parking lot -- not a good reason to relocate the school. I support building a new school on the existing school site, with a significant separation between school buildings and the hospital. This would not cause the destruction of any of the nice homes on the other side of 39th Street.

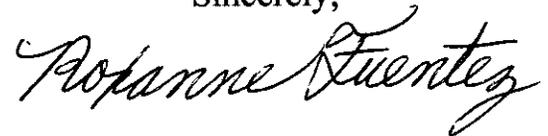
During construction of the new school, students can use the vacant school at Depot Park, formerly the VAPAC School. This school is in excellent condition, has a beautiful courtyard and can accommodate the number of students that Sacred Heart has. The owner of Depot Park, Mr. Fisher, will be happy to lease this site to the school.

With this plan, Sacred Heart School will have the same brand new buildings designed by their architect. The heritage trees will be preserved. On the old Mercy Care site, a new green space can be created for use by the school, the community and residents of Mercy McMahon Terrace.

There are so many unanswered questions concerning this project and the alternatives, that a final decision should be postponed until these questions are resolved.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne Fuentez".

Roxanne Fuentez
1100 64th St
Sacramento, CA 95819
916-739-0226

127 people here — but these people were excluded from the meeting tonight

Voluntary Sign-In Sheet for City Council Meeting, November 27, 2007

I Am Opposed to the Mercy Project!

Please, City Leaders!
Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!

- 1. Richard Maw
- 2. Rose Brooks
- 3. Lisa L. Huss
- 4. Gary Kangle
- 5. Robert
- 6. N W
- 7. Sheila Mullins
- 8. Madeline Mullins
- 9. Claudia Borden
- 10. Mary Clark
- 11. Eloise Bistis
- 12. DAVID LUTHER

I Am Opposed to the Mercy Project!

Please, City Leaders!
Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Steve Luther
2. Nancy Luther
3. Dave
4. Martin Palomar
5. Kathy Provenzano
6. Stuart Hoover
7. Pamela Byan
8. Helga Liles
9. Judy Gould - air quality from pts
10. Wm B. B. - cooking to etc?
11. Juan Brank
12. Penelope Taylor - I live on 38th St. - keep modest apts. + homes on H St.

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Deborah Jackson 520 Palau Wy, 95819
2. Bernd Kornau 520 Palauwy, 95819
3. SUSAN RAGNO 1065 47TH ST 95819
4. Bill ERSER 755 San Miguel 95819
5. Susan Lanier " " " "
6. Jane Ann Lotendre 407 Meister Way 95819-2023
7. Richard Lotendre " " " " "
8. Pamela Kennedy 572 40th St. Sac, 95814
9. Jerry Balshar 84F-38th St Sac 95816
10. Jedd Morgan 533 39th St Sacto 95816
11. Lynn Pletcher 733 SAN ANTONIO WAY Sacto 95819
12. Jim Ferry 972 41st St ✓ 95819

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!

1. Rhonda Newkirk
2. Liane Berry
3. Diann Tratos
4. David W. Deery
5. Vicki Deery
6. Jim Rogers
7. Nichol Duncan
8. Johann Rypoz
9. ~~John Rypoz~~
10. ~~Andrew Anderson~~
11. Marny Wasserman
12. Bud Dussan

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Marilyn Wilson
2. Michael B. Burkott
3. Toni Chapralis
4. Holly Greenwood
5. Hathleen M McLean
6. Glenn Brank
7. GREG PROWELL
8. William J Pitt
9. Lisa Pitt
10. KARON REYNOLDS
11. HARRY BURSANS
12. Joan L Mangold

I Am Opposed to the Mercy Project!

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Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Shirley Thompson
2. Pam Kennedy
3. Sandy Kennedy
4. Kathryn Hahlweem
5. Jack K. Miif
6. Alice H. Miif
7. THOM E. STAFFORD
8. Sharon Nelson
9. Annie Conley
10. Maggie Conley
11. Jerome Luther
12. CAROL Luther

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!

1. Sullivan Luther
2. Holly Luther
3. Olivia Luther
4. Rebekah Conley
5. Marion Pace
6.  Kevin CLARK
7. ~~Stephen Cahill~~ - Stephen Cahill
8.  Robyn Conley
9. Dick & Diane Behle
10. Eileen Con.
11. Stanley Jones
12. Dorel Reiter

I Am Opposed to the Mercy Project!

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Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Orlina Kiest

2. Jean Markwood

3. Nancy R. Huffitt

4. David Pong 161 San Antonio Way ⁹¹⁶⁻⁶⁰⁰⁻⁸⁸⁷⁷

5. Wai Yen Lee "

6. Josephine Braun 533 39th street, 916-736-1218

7. Michelle Morgan 517 39th st. 457-7044

8. John Pope 972 41st st 453-1333

9. _____

10. _____

11. _____

12. _____

I Am Opposed to the Mercy Project!

Please, City Leaders!
Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Brenda Welben
2. Wm. N. N.
3. James Kirk PhD
4. Laynee Kuhn
5. Kelly Long
6. Mic McHugh
7. Paul Blankenship
8. Stephanie Neuman
9. Karen Baumann
10. LISA HOWARD
11. Laura Winningham
12. Lance Poulsen

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Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Elizabeth Payne
2. Holger Salm
3. Kathleen Lynn
4. Paul Blankenship
5. Tom Griffith
6. Janet Maira
7. LOUIS FORTIER
8. Ben Meyer
9. Markum Schmullig
10. Howard Taylor
11. Pam Kennedy
12. Sandy Kennedy 40th St.

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Matt Zberg 3942 Kst 95816
2. Wine bread ~~no~~
3. Marsha Slattery 623
42nd / ST
4. Kurt Campbell 55135th
5. Roxanne Fuentes 1100 64th St. Sacto, CA 95819
6. Susan Zberg 3940 K st 95816
7. John Moore 601 San Antonio Way
8. _____
9. _____
10. _____
11. _____
12. _____

To: Cindy Oropeza

→ 21 More people who were excluded from the meeting

Voluntary Sign-In Sheet for City Council Meeting, November 27, 2007

I Am Opposed to the Mercy Project!

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Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Madeline Woods
2. Orvis Melnick
3. Anthony Oropeza
4. Felicia Oropeza
5. Cindy Speed
6. ELIZABETH EBRAHIMZADEH
7. ESTELA SERRANO
8. George Sheldon
9. Patricia Osuna
10. Mary Brill
11. Dayle Reiter
12. Judith McClane

I Am Opposed to the Mercy Project!

Please, City Leaders!

Vote "NO" tonight!

Look at the "WIN-WIN-WIN alternative!"

1. Carol S. Caplan
2. Robert N. Egan
3. NEIL LUEDTKE
4. Elizabeth Thompson
5. Leonard Thompson
6. Sosa Latta
7. Mike Latta
8. LYNETTE FORNASERO
9. Joe Fornasero
10. _____
11. _____
12. _____

November 27, 2007

VIA FACSIMILE ONLY

Mayor Heather Fargo and Members of the City Council
Sacramento City Council
915 I Street, 5th Floor
Sacramento, California 95814

Re: Response to Comment 16-2 on the DEIR of Project # PO4-215

Dear Mayor Heather Fargo and Members of the City Council:

This firm serves as legal counsel to Mrs. Clarice Luther. Mrs. Luther lives adjacent to the proposed project at 852 39th Street, Sacramento, California. On August 27, 2007, Mrs. Luther sent a letter to Scott Johnson, Associate Planner, providing various comments to the DEIR for the Mercy General Hospital and Sacred Heart Parish School Mixed Use Project. In the comment identified in the FEIR as Comment 16-2, Mrs. Luther referred to a development impact analysis prepared by John Lichter, a registered arborist. That analysis detailed several recommended design modifications and construction methods (43 total found between pages 5 through 9 of his report) that would mitigate potential impacts to four (4) trees which were the subject of the EIR analysis. The response to Mr. Lichter's recommendations found on page 4-76 of the FEIR states:

[T]he City of Sacramento Urban Forest Services reviewed the DIA and determined that the design modifications suggested do not substantially increase the level of protection for heritage trees beyond that provided by the Municipal Code and the mitigation measures included in the Draft EIR, with Initial Study Mitigation Measure 7 modified as shown below.

Under California Environmental Quality Act ("CEQA") Guidelines, section 15088, subdivision (c), "[t]here must be good faith, reasoned analysis [given] in response" to comments. "Conclusory statements unsupported by factual information will not suffice." (*Id.*) Response to Comment 16-2 concludes that the recommended design modifications "do not substantially increase the level of protection." This conclusion is made without any factual basis or critical analysis, and the response lacks a "good faith, reasoned analysis" of the recommendations made in Mr. Lichter's report. In contrast to the detailed recommendations offered by Mr. Lichter, the City's proposed mitigation fails

Mayor Heather Fargo and Members of the City Council
Re: Response to Comment 16-2 on the DEIR of Project # PO4-215
November 27, 2007
Page 2

to disclose to the public and the City Council exactly what mitigation measure will be undertaken. A mitigation philosophy predicated upon a theory of "trust us to do the right thing" is patently insufficient. Thus, because the response given is conclusory, the City has failed to give an adequate response under CEQA and the existing mitigation lacks meaningful certainty. This EIR should not be certified until such time as an adequate response is proposed and published.

Sincerely,



William W. Abbott

WWA/cmb

cc: rose@adnc.com (Via Electronic Mail only)
stevel@universalcustomdisplay.com (Via Electronic Mail only)
ecompton@cityofsacramento.org (Via Electronic Mail only)
john@treeassociates.net (Via Electronic Mail only)
dgoosen@cityofsacramento.org (Via Electronic Mail only)

Mayor Heather Fargo
Members of the City Council

November 27, 2007

This request is about the Heritage Elm tree adjacent to the proposed Sacred Heart School project. The Luther Family is requesting further clarification of measures planned to protect the tree during any destruction and construction activity.

There has been some interchange of information and further documentation provided since the FEIR response. However, there continue to be questions about the difference between the Consulting Arborist's recommendations and the City's proposed mitigation measures. There has been such a volume of information to process overall and this item has not been resolved.

We are requesting direct interaction on site with the City Arborist and Consulting Arborist to consider discrepancies between the City's plans and consultant recommendations. These need to be addressed fully in the City process.

Attached is a further comment letter on the concern, stating that the EIR should not be certified until such time as an adequate response is proposed and published.

Thank you,



Rose Luther

For Mrs. Clarice Luther and Family
852-39th Street
Sacramento, CA 95816

Mayor Heather Fargo
Members of the City Council

November 27, 2007

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Sincerely,

A handwritten signature in black ink, appearing to read "Will Abbott", with a long horizontal flourish extending to the right.

William W. Abbott

WWA/cmb

cc: rose@adnc.com (Via Electronic Mail only)
stevel@universalcustomdisplay.com (Via Electronic Mail only)
ecompton@cityofsacramento.org (Via Electronic Mail only)
john@treeassociates.net (Via Electronic Mail only)
dgoosen@cityofsacramento.org (Via Electronic Mail only)

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Mayor Heather Fargo and Members of the City Council

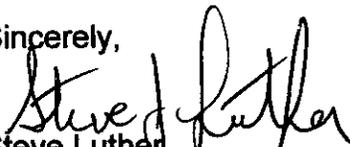
On October 25, at the Planning Commission, I requested consideration of a small but important issue regarding the inadequacy of the greenspace set-back at the entrance to the proposed SHPS. I have been afforded no opportunity to discuss this issue directly with the architect.

Mr. Buck has stated that there is no viable option to what he has drawn for the internal walkway.

Even within that constraint, however, I believe that the set-back issue can still be solved very simply. I request that the City Council relieve the School of the requirement for one compact parking place and allow it's conversion to greenspace. The set-back below the pathway would then conform to that of the existing Mercy McMahon Terrace as well as to that of the proposed new school building. (Roughly 20 feet from the sidewalk.)

As demonstrated in the photos provided, this small change would provide substantial aesthetic benefit. It would likely enhance the safety of pedestrians entering the school as well, due to that first parking space being 11 feet from the sidewalk, requiring back up towards the sidewalk.

Sincerely,


Steve Luther

For Mrs. Clarice Luther and Family
852 39th Street
Sacramento, California 95816

