CITY OF WEST SACRAMENTO
REGULAR MEETING OF THE WEST SACRAMENTO CITY COUNCIL AND
WEST SACRAMENTO REDEVELOPMENT SUCCESSOR AGENCY & WEST SACRAMENTO FINANCING AUTHORITY
OCTOBER 17, 2018 AGENDA

Christopher L. Cabaldon, Mayor

Christopher T. Ledesma, Mayor Pro Tem
Mark F. Johannessen, Council Member
Beverly A. Sandeen, Council Member
Quirina Orozco, Council Member

Aaron Laurel, City Manager
Jeffrey Mitchell, City Attorney

6:00 PM Closed Session – See attached agenda
7:00 PM Pledge of Allegiance

The meeting will be held at City Hall, City Council Chambers, 1110 West Capitol Avenue, West Sacramento

Anyone wishing to address the Council, or any agenda item, should fill out the Request to Speak card and present it to the City Clerk prior to the completion of staff presentation. Items on the Consent Agenda will be considered in one motion and the card should be turned in prior to the first item on Consent.

GENERAL ADMINISTRATION FUNCTION – PART I

1A. PRESENTATIONS BY THE PUBLIC ON MATTERS NOT ON THE AGENDA WITHIN THE JURISDICTION OF THE COUNCIL.
The Council is prohibited from discussing issues not on the agenda brought to them at this time. According to State Law (the Brown Act), items must first be noticed on the agenda before any discussion or action.

1B. COUNCIL COMMUNICATIONS / ASSIGNMENTS

Age-Friendly Communities Task Force	Sandeen, Johannessen
Align Capital Region	Cabaldon
Bikeshare Policy Steering Committee	Cabaldon
City/County 2x2	Sandeen, Orozco
City/School 2x2	Orozco, Cabaldon
Delta Protection Commission	Cabaldon; Alternate - Ledesma
Executive Commission for the Homeless 10-Year Plan	Johannessen
EIFD Public Financing Authority	Ledesma, Cabaldon, Sandeen
Local Agency Formation Commission	Alternate – Sandeen
Port District Commission	Ledesma; Johannessen; Sandeen; Cabaldon; Alternate - Orozco
Regional Water Authority	Orozco
River City Regional Stadium Financing Authority	Cabaldon, Orozco
Riverfront Joint Powers Authority	Cabaldon, Ledesma; Alternate - Sandeen, Alternate - Johannessen
Sacramento Area Council of Governments (SACOG)	Cabaldon; Alternate - Ledesma
Sacramento Regional County Sanitation District Board	Orozco; Alternate - Sandeen
Streetcar Policy Steering Committee	Cabaldon; Ledesma; Alternate - Orozco
Water Resources Association	Sandeen
West Sacramento Area Flood Control Agency JPA	Sandeen; Alternate - Ledesma
West Sacramento Housing Development Corporation Liaison	Johannessen
Yolo County Consolidated Redevelopment Successor Agency Oversight Board	Ledesma
Yolo County Housing Authority	Johannessen
Yolo County Transportation District	Ledesma; Alternate - Sandeen
Yolo Habitat Conservancy	Ledesma; Alternate - Orozco
Yolo-Solano Air Quality Management District	Johannessen; Alternate – Vacant
Yolo Subbasin Sustainable Groundwater Agency	Sandeen

1C. COUNCIL APPOINTMENTS, REAPPOINTMENTS, REMOVALS TO/FROM CITY AND NON-CITY BOARDS AND COMMISSIONS
Board of Appeals, Economic Development & Housing Commission, Planning Commission

If you need special assistance to participate in this meeting, please contact the City Clerk's Office, 617-4500. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting. Assisted listening devices are available at this meeting.

PRESENTATIONS

2. **CITY MANAGER**
PRESENTATION OF PROCLAMATION DECLARING NOVEMBER 2018 AS EPILEPSY AWARENESS MONTH. (BERLIN)

CONSENT AGENDA

3. **ADMINISTRATIVE SERVICES/FINANCE**
CONSIDERATION OF RESOLUTION 18-68 REGARDING INTENTION TO ESTABLISH A COMMUNITY FACILITY DISTRICT (CFD "S") IN THE PORT TOWNE SUBDIVISION, TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN SERVICES, AND TO ESTABLISH AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT. (RAPER)

Comment: Adoption of Resolution 18-68, the Resolution of Intent to form Community Facility District "S" (Port Towne Services), will initiate the process for creating a maintenance assessment district for the Port Towne subdivision.

4. **COMMUNITY DEVELOPMENT/PLANNING**
CONSIDERATION OF SECOND READING AND ADOPTION OF ORDINANCE 18-2 AMENDING THE STONE LOCK DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SACRAMENTO YOLO-PORT DISTRICT. (HAMILTON)

Comment: This item seeks adoption of proposed amendments to the original Stone Lock Development Agreement (DA) between the City and the Port of West Sacramento. The amendments remove the Stone Lock 1 property (generally located along the Barge Canal west of Jefferson Boulevard) from the Development Agreement since that property is now covered by its own DA.

5. **PARKS & RECREATION**
CONSIDERATION OF RESOLUTION 18-73 APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM. (TUTTLE)

Comment: The Southport Setback Levee Recreation Trail Report included a concept plan and cost estimates for a potential trailhead facility located at Linden Road, adjacent to the new levee. A levee access road is being constructed immediately adjacent to this parcel, providing easy public access to future trail improvements. Total project cost is estimated at $921,000. Staff is proposing to allocate $460,500 of Measure E Bicycle, Pedestrian and Trails Improvement funds to serve as match funding for the grant application.

6. **PUBLIC WORKS**
CONSIDERATION OF CONSENT TO APPROVE THE WATER TRANSFER BETWEEN THE CITY OF WEST SACRAMENTO AND WOODLAND-DAVIS CLEAN WATER AGENCY. (ANBIAH)

Comment: Since 2007, Woodland-Davis Clean Water Agency may not authorize diversions of water from the Sacramento River during all parts of the months of November through March. Woodland-Davis Clean Water Agency is requesting the City of West Sacramento to sell up to 2,000 acre-feet of the water available for diversion and use during the period of November 1, 2018 through December 31, 2018.

7. **PUBLIC WORKS/ENGINEERING**
CONSIDERATION OF RESOLUTION 18-70 APPROVING A CAPITAL IMPROVEMENT BUDGET AMENDMENT TO THE WASHINGTON DISTRICT SUSTAINABLE COMMUNITY INFRASTRUCTURE PROJECT FOR FISCAL YEAR 2018-19. (ANBIAH)

Comment: The purpose of this item is to increase the construction contingency budget to the Washington District Sustainable Community Infrastructure Project to cover potential expenditures during the remaining months of construction.

8. **PUBLIC WORKS/TRANSPORTATION**
CONSIDERATION OF RESOLUTION 18-72 APPROVING AMENDMENTS TO THE FISCAL YEAR 2018-19 CAPITAL IMPROVEMENT PROGRAM TO REFLECT THREE RECENTLY AWARDED GRANTS FROM VARIOUS SOURCES. (ANBIAH)

Comment: The City of West Sacramento routinely applies for various competitive grant programs to supplement funding needed to develop and implement local transportation programs. Following the successful award of grant funding, the City's Capital Improvement Program (CIP) requires updating to adequately track the expected revenues and expenses associated with the grant funded projects.

9. **CITY MANAGER/CITY CLERK**
CONSIDERATION OF APPROVAL OF THE MINUTES OF THE OCTOBER 3, 2018 REGULAR CITY COUNCIL MEETING. (RANKIN)

REGULAR AGENDA

10. **PARKS & RECREATION**
CONSIDERATION OF APPROVAL OF THE RENAMING OF CIRCLE PARK TO WILLIAM "WILLIE" DAPRATO PARK. (TUTTLE)

Comment: Willie DaPrato has made significant contributions to the community since the early 1950's as the owner of "Willie's Market" and as a civic leader involved with multiple charity and service organizations. The Parks, Recreation and Intergenerational Services Commission unanimously supports the recommended action. The City's Park and Facility Naming Policy vests final authority on the naming of any city facility with the city Council.

Recommendation: Staff respectfully recommends that the City Council approve the renaming of Circle Park to William "Willie" DaPrato Park.

11. **PUBLIC WORKS/FACILITIES**
CONSIDERATION OF APPROVAL OF PRELIMINARY DESIGN OF THE MEMORIAL PARK AMERICANS WITH DISABILITIES ACT UPGRADES PROJECT AND INCLUSION OF THE ADDITIONAL PREFERRED IMPROVEMENTS IN THE PROJECT SCOPE. (ANBIAH)

Comment: Public Works and Parks and Recreation staff, working in conjunction with consultant staff from Mark Thomas & Company, have completed the community outreach/input and preliminary design phases of the Memorial Park ADA Upgrades Project. Seeking City Council consideration to approve the preliminary design, including the additional preferred improvements.

Recommendation: Staff respectfully recommends that the City Council approve the preliminary design of the Memorial Park ADA Upgrades, including the additional preferred improvements in the project scope

12. **ADMINISTRATIVE SERVICES/FINANCE**
CONSIDERATION OF RESOLUTION 18-74 AND APPROVING APPROPRIATION OF FLOOD IN LIEU IMPACT FEES FOR THE WEST SACRAMENTO AREA FLOOD CONTROL AGENCY (WSAFCA) BRIDGEWAY DRAIN IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED $1,000,000. (RAPER)

Comment: The City has adopted the Flood In-Lieu Impact Fee in order that new development within the City contribute to flood protection within the City limits, and staff is recommending that a portion of these fund be transferred to the West Sacramento Area Flood Control Agency (WSAFCA) to assist in funding a flood improvement project.

Recommendation: Staff respectfully recommends that the City Council adopt Resolution 18-74, which authorizes an appropriation and transfer of Flood In-Lieu Impact Fee funds for the WSAFCA Bridgeway Drain Improvement Project in an amount not to exceed $1,000,000

13. **PUBLIC WORKS/TRANSPORTATION**
CONSIDERATION OF A REGULAR UPDATE ON THE PILOT ON-DEMAND RIDESHARE SERVICE AND A WORKSHOP TO SOLICIT INPUT ON THE 6-MONTH VIA RIDESHARE USER SURVEY. (ANBIAH)

Comment: City Council previously directed staff to return monthly with on-demand rideshare service project updates, including proposed service modifications, data on service performance and ridership, as well as higher-level policy considerations to ensure ample opportunity for Councilmembers to provide input on the project. The purpose of this report is to provide an update on the status of the City's Pilot On-Demand Rideshare service and to conduct a workshop to solicit City Council feedback on the Draft 6-month Via Rideshare User survey submitted by staff.

Recommendation: Staff respectfully recommends that the City Council receive and discuss the provided informational update and presentation on the Pilot On-Demand Rideshare service and conduct a workshop to provide feedback on the Draft 6-month Via User Survey.

ADMINISTRATIVE FUNCTION – PART II

14. A. Council Calendar
B. City Manager Report
C. City Attorney Report
D. Staff Direction from City Council Members
E. Future Agenda Item Requests by Council
F. Adjourn

CITY OF WEST SACRAMENTO
REGULAR MEETING OF THE WEST SACRAMENTO CITY COUNCIL AND
WEST SACRAMENTO REDEVELOPMENT SUCCESSOR AGENCY & WEST SACRAMENTO FINANCING AUTHORITY
OCTOBER 17, 2018 CLOSED SESSION AGENDA

Christopher L. Cabaldon, Mayor

Christopher T. Ledesma, Mayor Pro Tem
Mark F. Johannessen, Council Member
Beverly A. Sandeen, Council Member
Quirina Orozco, Council Member

Aaron Laurel, City Manager
Jeffrey Mitchell, City Attorney

6:00 PM Call to Order

1. CITY ATTORNEY

Conference with Legal Counsel – Significant Exposure to Litigation - GC §54956.9(b): 1

2. CITY ATTORNEY

Conference with Real Property Negotiator – GC §54956.8
Negotiating Parties: Charline Hamilton (City); Brian Dewey (California Department of Parks & Recreation)
Property: APN's 014-610-004, 014-610-010, 014-610-014, 014-610-020, 014-620-003, 014-620-010, 014-620-012, 014-620-014, 014-760-020, and 014-760-023
Under Negotiation: Price and Terms of Payment

3. CITY ATTORNEY

Conference with Legal Counsel – GC §54956.9(b) - Threat of Litigation contained in October 10, 2018 letter from Scott Rafferty

I, Kryss Rankin, City Clerk, declare under penalty of perjury that the foregoing agenda for the October 17, 2018 regular and closed session meetings of the West Sacramento City Council, Redevelopment Successor Agency and Financing Authority was posted October 12, 2018 in the office of the City Clerk, 1110 West Capitol Avenue, West Sacramento, CA and was available for public review.

Kryss Rankin, City Clerk

NOTE: If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

All public materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 1110 West Capitol Avenue during normal business hours. Any document provided at the meeting by staff will also be available to the public. Any document provided at the meeting by the public will be available the next business day following the meeting.

City Council meetings are broadcast live on AT&T Channel 99 and Wave Cable Channel 20, and rerun the next day at 12:00 pm and the following Saturday at 6:00 pm. The agenda and agenda reports are also available on the City's website at www.cityofwestsacramento.org.

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018	**ITEM #2**

SUBJECT:

PRESENTATION OF PROCLAMATION DECLARING NOVEMBER 2018 AS EPILEPSY AWARENESS MONTH

INITIATED OR REQUESTED BY:	**REPORT COORDINATED OR PREPARED BY:**
[ ] Council [X] Staff	Ian Winbrock, Assistant to the Mayor II
[ ] Other	Amanda Berlin, Assistant City Manager

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE
The objective of this report is to recognize the contributions of Patti Palamidessi in raising awareness about epilepsy and raise community awareness about epilepsy and its effects in West Sacramento.

RECOMMENDED ACTION
Staff respectfully recommends that the City Council adopt a proclamation declaring November 2018 as Epilepsy Awareness Month.

BACKGROUND
Epilepsy is a neurological condition that affects over three million Americans and over 400,000 Californians. It is characterized by an enduring predisposition to generate seizures that can cause severe neurobiological, cognitive, psychological, and social consequences.

Approximately one in 26 people will develop epilepsy during his or her lifetime, and people with certain genetic conditions may be at greater risk for developing epilepsy. While epilepsy can begin at any age, it most commonly occurs in children, teenagers and the elderly. Early diagnosis and treatment of epilepsy is critical to maximizing long-term prognosis and a high quality of life. Seizures impact people's lives in many ways, including creating barriers to employment and education and facing a sense of discrimination and isolation from their peers.

Patti Palamidessi is a third-generation owner of Club Pheasant, active Rotarian and member of the West Sacramento Community who has been living with epilepsy for her entire life. She wrote "The Other Four-Letter Word 'Patti's Story'" to inspire hope, educate individuals about epilepsy and advocate for a cure, and through her efforts has improved epilepsy awareness locally, regionally and statewide.

Because of Patti's work, Assembly member Jose Medina recognized November 2018 as California Epilepsy Awareness Month on September 7, 2018 through Assembly Concurrent Resolution No. 277 Epilepsy Awareness Month.

ANALYSIS
Adoption of this proclamation will raise awareness of the epilepsy in the community.

Environmental Considerations
N/A

Commission Recommendation
N/A

Strategic Plan Integration
N/A

Alternatives
N/A

Coordination and Review
N/A

Budget/Cost Impact
N/A

ATTACHMENT(S)
1. Proclamation declaring November 2018 as national epilepsy awareness month

PROCLAMATION
OF THE WEST SACRAMENTO CITY COUNCIL
DECLARING NOVEMBER 2018 AS EPILEPSY AWARENESS MONTH

WHEREAS, epilepsy is a neurological condition characterized by an enduring predisposition to generate epileptic seizures and by the neurobiological, cognitive, psychological, and social consequences of this condition that affects over three million Americans; and

WHEREAS, epilepsy affects approximately 400,000 Californians, 90,000 of whom are children under 18 years of age; and

WHEREAS, while epilepsy can begin at any age, it most commonly occurs in children, teenagers and the elderly; and

WHEREAS, epilepsy is a condition of the brain causing seizures. A seizure is a disruption of the electrical communication between neurons. A person is said to have epilepsy if he or she experiences two or more unprovoked seizures separated by at least 24 hours; and

WHEREAS, epileptic seizures are most often associated with grand mal seizures, a seizure can also be as subtle as strange sensations or perceptions, altered awareness, brief staring episodes, abnormal motions or postures, stiffness, or confused speech; and

WHEREAS, early diagnosis and treatment of epilepsy is critical to maximizing long-term prognosis; and

WHEREAS, one in 26 people will develop epilepsy during his or her lifetime, and people with certain conditions may be at greater risk for developing epilepsy. Early diagnosis and treatment of epilepsy is critical to maximizing long-term prognosis. Seizures impact people's lives in many ways, including creating barriers to employment and education and facing a sense of discrimination and isolation from their peers; and

WHEREAS, Patti Palamidessi is a third-generation owner of Club Pheasant, active Rotarian and member of the community living with epilepsy for her entire life; and

WHEREAS, while Patti has experienced the challenges of living with epilepsy, she wrote "The Other Four-Letter Word 'Patti's Story'" to inspire hope, educate individuals about epilepsy and advocate for a cure; and

WHEREAS, Patti was recognized for her epilepsy advocacy and efforts to educate her community and the world by CA State Assembly member Jose Medina; and

WHEREAS, because of Patti's work, Assembly member Jose Medina recognized November 2018 as California Epilepsy Awareness Month on September 7, 2018 through Assembly Concurrent Resolution No. 277 Epilepsy Awareness Month; and

WHEREAS, November is California Epilepsy Awareness Month; and

WHEREAS, by recognizing November 2018 as Epilepsy Awareness Month, the community of West Sacramento will be further educated on epilepsy and encourage those who live with epilepsy to succeed in their belief of themselves, in spite of their challenge.

NOW, THEREFORE, BE IT PROCLAIMED that the City Council of the City of West Sacramento does hereby declare the month of November 2018 to be "Epilepsy Awareness Month" in West Sacramento.

PROCLAIMED this 17th day of October 2018.

ATTEST:

Christopher L. Cabaldon, Mayor

Kryss Rankin, City Clerk

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 3

SUBJECT:
CONSIDERATION OF RESOLUTION 18-68 REGARDING INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT (CFD "S") IN THE PORT TOWNE SUBDIVISION, TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN SERVICES, AND TO ESTABLISH AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

INITIATED OR REQUESTED BY:

[ ] Council [ ] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:
Paul Blumberg, Public Finance Manager

Roberta Raper, Director of Administrative Services

ATTACHMENT [X] Yes [ ] No **[ ] Information [ ] Direction [X] Action**

OBJECTIVE
The purpose of this action is to initiate the Community Facility District formation process for the Port Towne maintenance services district, CFD "S".

RECOMMENDED ACTION
Staff respectfully recommends that the City Council adopt Resolution 18-68 which will declare the City Council's intent to form CFD "S" (Port Towne Services), levy a special tax to pay for certain services, and to establish an appropriations limit for the community facilities district.

BACKGROUND
Government Code Section 53311, the Mello-Roos Act of 1982, allows local government entities to form community financing districts (CFDs) to fund maintenance of public facilities, including street lighting, landscaping, drainage, and other basic public infrastructure.

CFDs are formed in a way so that the parcels to be included within the district boundaries will benefit from the services to be provided. A supplemental assessment known as the "special tax" is levied upon properties within the district and collected along with the regular tax bill. Formation of a CFD requires a 2/3 majority vote of residents within the district, or where there are fewer than 12 registered voters, property owners within the district. Once the CFD is approved, a special tax lien is placed against each taxable property within the district. A mathematical formula is developed to calculate the annual special tax to be contributed by each property and is approved at the time the district is formed.

The City has 15 existing "maintenance services" CFDs. Establishment of the proposed maintenance services CFD within the 12.8 -gross-acre Port Towne subdivision, now referred to by its vesting tentative map #4834, will include a project boundary that mirrors the subdivision map (a boundary map is attached to this report).

The City is currently processing the final subdivision map for the Port Towne subdivision, which includes the assignment of maintenance responsibilities to constructed facilities. Typically, this includes landscaping and lighting, storm drainage, and other "build areas" that may be deemed public or private common facilities within the subdivision.

In conjunction with the property owner, LGI Homes, City staff have identified the areas of City maintenance to be street lighting (both cobra-head and bollard lighting) and storm drain detention areas. Landscaped areas, including street trees, would be maintained by a Homeowner's Association (HOA), which will be formed by the property owner. The following represents the proposed authorized annual service budget for CFD "S":

CFD "S" (Port Towne) Annual Maintenance Costs

	Quantity	Unit	Annual Cost per Unit	Annual Costs (2018 $)
Interim Storm Detention Basin	10.78	AC	$186	$2,000
"CC" LED Cobra-head Lights	23	EA	$119	$2,734
"FF" LED Bollard Lights	89	EA	$75	$6,675
Annual CFD Administrative Costs				$1,000
Total Annual Authorized Costs				$14,120
Maximum Annual Special Tax Per Unit	132			$107
Maximum Annual Special Tax Per Acre				$1,417

The CFD formation process has the following key procedural steps:

- Approval of a Resolution of Intention (ROI) to initiate formation of the district (tonight's proposed action)
- Holding a public hearing and adoption of a Rate and Method of Apportionment (RMA) which describes the proposed manner and method of apportioning the special tax;
- Adoption of a Resolution of Formation (ROF) creating the district; and
- Holding of a Special Election, which at this time is anticipated to include the one property owner within the district which would assure a "2/3 approval" threshold.

ANALYSIS

In considering the approval of the final subdivision map for the Port Towne subdivision in the near future, the City Council will be asked to consider staff recommended conditions that the project provide financial resources for maintaining constructed improvements. As currently drafted, maintenance responsibilities will be split between a maintenance services CFD and a property owner HOA.

A City team composed of members of the City's Community Development Department, Parks Department, Administrative Services Department, legal counsel, and consultants have convened to prepare maintenance costs and capital reserve/replacement requirements for the district. The City has engaged the financial consulting firm of Economic Planning Systems, a firm which has assisted the City with its other maintenance district formation, to prepare key documents associated with the formation. In addition, the City Attorney has provided guidance in reviewing work products and actions in the formation of the district.

Resolution 18-68 begins the formation process by declaring intention to: 1) establish CFD "S"; 2) levy a special tax to pay for various maintenance services; and 3) establish an Appropriations Limit as required by State Proposition 4. In addition, it provides for conditions of approval and a public hearing on December 5, 2018. The attached draft Hearing Report referenced in Resolution 18-68 describes the services to be funded, provides a boundary map, and establishes the tax rate, method of apportioning the cost and manner of collection of the special tax.

Formation of CFD "S" will require a number of future actions by the City Council and what is anticipated to be an election by the property owner within the proposed district. Formation is anticipated to take approximately 2 months and is anticipated to be completed by late December 2018. Should the City Council approve tonight's recommendation, the tentative schedule of proposed actions are as follows:

Resolution of Intent	October 17, 2018
Property owner files a waiver of election	October 18 - 31
Resolution of Formation	December 5, 2018
Election Day	"
Resolution declaring results of election and adoption by ordinance the levy of the special tax	"
Adoption of Ordinance	December 19, 2018

Environmental Consideration
This action is not a project that is subject to CEQA because it is not an activity that may cause either a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Resources Code, § 21065; CEQA Guidelines §§ 15060(c), 15378(a).)

Commission Recommendation
Not applicable

Strategic Plan Integration
The City Council included within the Strategic Plan objective of achieving a fiscally sound government and the actions recommended in this report will further that objective. In addition, adoption of special taxes and fees for service help establish the strong financial base necessary to provide quality service.

Alternatives
The City Council has established policies for requiring the formation of services districts to pay for maintenance services, and establishment of CFD "S" will implement adopted policies for the Port Towne subdivision. As an alternative to the staff recommendation, the City Council may choose to:

1. Not proceed with CFD "S" at this time due to concerns about the Rate and Method of Apportionment, but direct staff to revise the proposed RMA, modify the proposed boundaries, or make other changes. This alternative would also direct staff to return for consideration after such changes have been made and would delay the current schedule for adoption.
2. Direct staff to not proceed with CFD "S" at this time. This alternative may mean that Port Towne properties may be sold prior to formation of the district, should the formation schedule be delayed.

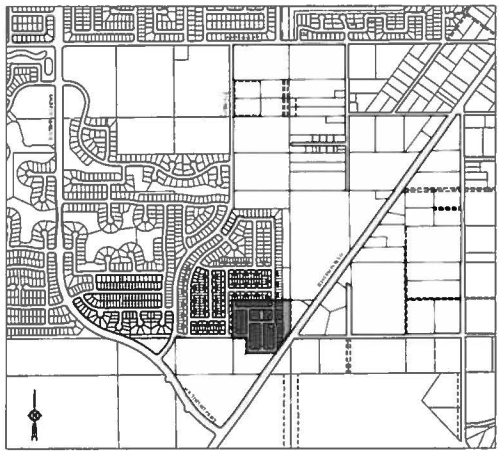
Coordination and Review
In preparing the maintenance costs for the proposed district, involvement and input from a number of City departments was required, including the following:

- Maintenance of street lighting improvements involved input from Community Development (Development Services);
- Maintenance levels of service and costs for storm drain improvements were developed/approved by the Park Maintenance Division; and
- Form of Resolution 18-68 as prepared by the City Attorney.

In addition, it should be noted that the Draft Hearing Report attached to this report and referenced in Resolution 18-68 was prepared by consultants Economic and Planning Systems under the direction of Finance Division staff.

Budget/Cost Impact
Fees for services such as these support a higher level of service than can be supported by general taxes alone. A portion of the maintenance costs shall be funded through an HOA. The City will be responsible for ongoing maintenance of certain infrastructure elements as outlined in the Rate and Method of Apportionment. The costs of forming the district has been funded by LGI Homes.

ATTACHMENTS
1. CFD S Boundary Map
2. Resolution 16-68



VICINITY MAP
SCALE: 1" = 1,000'

LEGEND

COMMUNITY FACILITIES DISTRICT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF WEST SACRAMENTO THIS _____ DAY OF _____, 201_

_____
KRYSS RANKIN
CITY CLERK
CITY OF WEST SACRAMENTO

I HEREBY CERTIFY THAT THIS MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DRISTRICT No. ____, CITY OF WEST SACRAMENTO, COUNTY OF YOLO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO AT A REGULAR MEETING THEREOF, HELD ON THE ____ DAY OF _____, 201__, BY ITS RESOLUTION No. ___-___.

_____
KRYSS RANKIN
CITY CLERK
CITY OF WEST SACRAMENTO

FILED THIS ___ DAY OF _____, 201__, AT THE HOUR OF ____O'CLOCK ___M., IN BOOK ___ OF MAPS, AT PAGE ____, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YOLO, STATE OF CALIFORNIA.

_____
JESSE SALINAS
COUNTY CLERK/RECORDER
COUNTY OF YOLO



PROPOSED BOUNDARY OF
COMMUNITY FACILITIES DISTRICT "S" (PORT TOWN MAINTENANCE)
CITY OF WEST SACRAMENTO,
COUNTY OF YOLO,
STATE OF CALIFORNIA

RESOLUTION 18-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT, TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN SERVICES, AND TO ESTABLISH AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

WHEREAS, the City Council (the "Council") of the City of West Sacramento (the "City") intends to institute proceedings to establish a community facilities district pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5, Part I, Division 2, Title 5 of the Government Code of the State of California, and to levy a tax within the district pursuant to the terms of the Act and Chapter 3.32 of the City Municipal Code to fund the cost of maintaining certain public facilities and improvements (the "services").

NOW, THEREFORE, THE COUNCIL HEREBY FINDS, DETERMINES and ORDERS as follows:

Section 1. **Intent to Establish Community Facilities District**. The Council proposes and intends to establish a community facilities district pursuant to the provisions of the Act.

Section 2. **Name of Community Facilities District**. The community facilities district proposed to be formed shall be known and designated as "City of West Sacramento Community Facilities District S (Port Towne Services) (the "District").

Section 3. **Description of Boundaries**. The proposed boundaries of the District are described in a map entitled "Proposed Boundaries of Community Facilities District S Port Towne Maintenance" filed in the office of the City Clerk. The City Clerk is hereby authorized and directed to endorse the certificates set forth on the map indicating its filing in the office of the City Clerk and evidencing the date and adoption of this resolution. The City Clerk is further authorized and directed to record the map in accordance with the provisions of Section 3111 of the Streets and Highways Code of the State of California.

Section 4. **No Agricultural Land**. The Council hereby finds, in accordance with Government Code Section 53325.6, that no land within the proposed boundaries of the District is devoted primarily to agricultural, timber or livestock uses and being used for the commercial production of agricultural, timber or livestock products.

Section 5. **Description of Services**. The services proposed to be financed by the District are found on Exhibit A and incorporated herein by reference as if fully set forth at this place. The cost of the services includes all costs associated with the creation of the District, the determination of the amount of any taxes, and the collection of taxes; all costs otherwise incurred in order to carry out the authorized purposes of the District; and any other expenses incidental to the provision of the services.

Section 6. **Services Do Not Supplant Existing Services**. The services proposed to be financed are in addition to those provided in the District before its creation and do not supplant services already available within that territory.

Section 7. **Levy of Special Tax**. Except where funds are otherwise available, a special tax sufficient to pay for all the services, secured by recordation of a continuing lien against all non-exempt real property in the District, will be annually levied within the proposed District. The rate, method of apportionment, and manner of collection of this special tax are set forth on Exhibit B.

Section 8. **Appropriations Limit**. The Council intends to establish an appropriations limit, as defined by Article XIII B, Section 8(h), of the Constitution of the State of California, for the District in the amount of all special taxes collected.

Section 9. **Private Leaseholds in Public Property**. Pursuant to Government Code Section 53340.1, the special tax shall be levied against all leasehold or possessory interests in property owned by a public agency, if such leasehold or possessory interest is held by a non-exempt person or entity.

Section 10. **Services Report**. The City Council directs the Public Finance Officer to study the proposed District and to cause to be prepared and, at or before the time of the hearing, filed with the City Council a report in accordance with Government Code Section 53321.5 containing a brief description of the services by type that will, in his opinion, be required to adequately meet the needs of the proposed District and his estimate of the cost of providing those services, including incidental expenses.

Section 11. **Notice of Hearing**. NOTICE IS HEREBY GIVEN that Wednesday, December 5, 2018, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, at the City Council Chambers, 1110 West Capitol Avenue, West Sacramento, California, are fixed as the time and place when and where this Council will hold a public hearing to consider the establishment of the District. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the District, the extent of the District, the furnishing of the specified types of services or the levy of the special tax will be heard and considered. Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for the hearing and any written protest may be withdrawn, in writing, at any time before the conclusion of the hearing.

Section 12. **Publication of Notice**. The City Clerk shall publish a notice of the hearing once in a newspaper of general circulation in the area of the proposed District. Publication shall be completed at least seven days prior to the hearing.

Section 13. **Content of Notice**. The notice shall be in substantially the form attached hereto as Exhibit C.

Section 14. **Description of Proposed Voting Procedure**. If, at the conclusion of the public hearing, the Council determines to establish the District, the Council will order an election to be held by the qualified electors of the District by mailed ballot, with each qualified elector having one vote for each acre or portion of an acre of land that such elector owns, on the questions of levying the special tax and establishing an appropriations limit.

Section 15. **City Clerk to Conduct Election**. The Council hereby appoints the City Clerk as the election official to conduct any mailed ballot election held in these proceedings.

PASSED AND ADOPTED this 17th day of October, 2018, by the following vote:

AYES:

NOES:

ABSENT:

Christopher L. Cabaldon, Mayor

Kryss Rankin, City Clerk

EXHIBIT A

City of West Sacramento CFD S (Port Towne Maintenance)
List of Authorized Services

The authorized services to be funded from the levy and collection of annual special taxes include those set forth below in addition to the costs associated with collecting and administering the special taxes and annually administering the District. The authorized services to be funded include:

1. Maintenance and lighting of parks, parkways, streets, roads, and open space.
2. Flood and storm protection services, including, but not limited to, the operating and maintenance of storm drainage systems.
3. Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency pursuant to an agreement entered into under Section 53316.2.

EXHIBIT B

RATE, METHOD OF APPORTIONMENT, AND MANNER OF COLLECTION

City of West Sacramento
Community Facilities District S
(Port Towne Services)
Yolo County, California

RATE, METHOD OF APPORTIONMENT, AND MANNER OF COLLECTION OF SPECIAL TAX

1. Basis of Special Tax Levy

A Special Tax authorized under the Mello-Roos Community Facilities Act of 1982 (Act) applicable to the land in the Community Facilities District S (Port Towne Services) (CFD) of the City of West Sacramento (City) shall be levied and collected according to the tax liability determined by the City through the application of the appropriate amount or rate, as described below.

2. Definitions

"**Act**" means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

"**Administrative Expenses**" means the actual or estimated costs incurred by the City to form the CFD and to determine, levy, and collect the Special Taxes, including compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the costs of collecting installments of the Special Taxes on the general tax rolls, preparation of required reports, and any other costs required to administer the CFD as determined by the City.

"**Administrator**" means the Finance Director of the City, or his or her designee.

"**Annual Costs**" means for each Fiscal Year, the total of (1) Authorized Services, (2) Administrative Expenses, and (3) any amounts needed to cure actual delinquencies in Special Taxes for the previous Fiscal Year.

"**Authorized Services**" mean those services, as listed in the resolution forming the CFD.

"**Base Year**" means the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

"**Building Permit**" means a permit issued by the City for the construction of a Residential Use structure.

"**CFD**" means the Community Facilities District S (Port Towne Services) of the City of West Sacramento, Yolo County, California.

"**City**" means the City of West Sacramento in Yolo County, California.

"**Council**" means the City Council of the City of West Sacramento acting for the CFD under the Act.

"**County**" means the County of Yolo, California.

"**County Assessor's Parcel**" means a lot or Parcel with an assigned Assessor's Parcel Number in the maps used by the County Assessor in the preparation of the tax roll.

"**Developed Parcel**" means, in any Fiscal Year:

- For Final Map Parcels: All Parcels for which a Building Permit for new construction of a Residential Use structure was issued during or prior to the preceding Fiscal Year.

  Once a Taxable Parcel has been designated as a Developed Parcel it shall remain so designated.

"**Final Map Parcel**" means a Parcel designated for development as a single-family residence, which is part of a Final Small Lot Subdivision Map.

"**Final Small Lot Subdivision Map**" means a recorded map designating individual single-family residential Parcels.

"**Fiscal Year**" means the period starting July 1 and ending the following June 30.

"**Maximum Annual Special Tax**" means the greatest amount of Special Tax that can be levied against a Parcel in a given Fiscal Year, as shown in **Attachment 1**.

"**Maximum Annual Special Tax Rate**" means the Maximum Annual Special Tax Rate per Unit as shown in **Attachment 1**.

"**Maximum Annual Special Tax Revenue**" means the greatest amount of revenue that can be collected in total from a group of Parcels (such as Developed Parcels) by levying the Maximum Annual Special Tax.

"**Maximum CFD Special Tax Revenue**" means the sum of the Maximum Annual Special Tax levied on all Taxable Parcels in the CFD in a Fiscal Year.

"**Parcel**" means any County Assessor's Parcel in the CFD based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

"**Parcel Number**" means the Assessor's Parcel Number for any Parcel based on the equalized tax rolls of the County as of January 1 of each Fiscal Year.

"**Public Parcel**" means any Parcel, in its entirety, that is or is intended to be publicly owned that is normally exempt from the levy of general ad valorem property taxes under California law, including public streets, schools, parks, public drainage-ways, public landscaping, wetlands, greenbelts, and public open space. These parcels are exempt from the levy of Special Taxes. Any such Parcel will be a Tax-Exempt Parcel.

"**RMA**" means the Rate and Method of Apportionment of the Special Tax.

"**Residential or Residential Use**" means that portion of a Development Project designated for residential use, such as single-family residential units.

"**Single-Family or Single-Family Unit**" means a residential unit on a Parcel designated for one single-family residential unit per Parcel.

"**Special Tax(es)**" mean(s) any tax levy under the Act in the CFD.

"**Special Tax Ordinance**" is an ordinance or resolution of the City Council authorizing the annual levy and collection of the Special Tax.

"**Subdivision**" or "**Subdivided**" means a division of a Parcel into two or more Parcels through the Subdivision Map Act process. A Subdivision may also include the merging of two or more Parcels to create new Parcels. A Subdivision includes any lot line adjustments.

"**Tax Category**" means the categories taxable land uses shown in **Attachment 1**.

"**Tax Collection Schedule**" means the document prepared by the Administrator for the County Auditor-Controller to use in levying and collecting the Special Taxes each Fiscal Year.

"**Tax Escalation Factor**" means a factor not to exceed 4 percent, determined by the Administrator in any Fiscal Year following the Base Year by which the Annual Special Tax for the previous Fiscal Year will be increased to provide sufficient services for the current Fiscal Year.

"**Taxable Parcel**" means any Parcel that is not a Tax-Exempt Parcel.

"**Tax-Exempt Parcel**" means a Parcel not subject to the annual Special Tax. Tax-Exempt Parcels include any Public Parcel. Certain privately owned Parcels also may be exempt from the levy of Special Taxes including common areas owned by homeowner's associations or property owner associations, wetlands, detention basins, water quality ponds, and open space, as determined by the Administrator.

"**Undeveloped Parcel**" means a Taxable Parcel that is not a Developed Parcel or Final Map Parcel.

3. Duration of the Special Tax

Parcels in the CFD will remain subject to the Special Tax in perpetuity.

If the Special Tax ceases to be levied, the City will direct the County Recorder to record a Notice of Cessation of Special Tax. Such notice will state that the obligation to pay the Special Tax has ceased and that the lien imposed by the Notice of Special Tax Lien is extinguished. The Notice of Cessation of Special Tax, in addition, will identify the book and page of the Book of Maps of Assessment and Community Facilities Districts where the map of the boundaries of the CFD is recorded.

4. Administrative Tasks

Tasks required of the Administrator are discussed below:

A. Annual Special Tax Escalation. The Administrator shall increase the Maximum Annual Special Tax by the Tax Escalation Factor in each Fiscal Year following the Base Year.

B. Assignment of the Maximum Annual Special Tax to Taxable Parcels. The Maximum Annual Special Tax is assigned to Taxable Parcels (and as identified in **Map 1)** using the procedures discussed below.

a. Assignment of the Maximum Annual Special Tax to Final Map Parcels. Final Map Parcels are identified in **Attachment 1** and assigned a Maximum Annual Special tax per Unit.

b. Assignment of the Maximum Annual Special Tax to Undeveloped Parcels. Multiply the Maximum Annual Special Tx per Acre for Undeveloped Parcels (as shown in **Attachment 1**) times the Acreage of the Taxable Parcel.

C. Conversion of a Tax-Exempt Parcel to a Taxable Parcel. If a Tax-Exempt Parcel is not needed for public use and is converted to a taxable use or transferred to a private owner, it shall become subject to the Special Tax. The Maximum Annual Special Tax for the assigned Tax Category for such a Parcel is determined using the provisions of **Sections 4** and **5** of the RMA.

D. Taxable Parcels Acquired by a Public Agency. A Taxable Parcel that is acquired by a public agency after the CFD is formed will become a Tax-Exempt Parcel.

5. Assignment of the Annual Special Tax

A. Classification of Parcels. By June 30 of each Fiscal Year, using the Definitions in **Section 2**, above, the parcel records of the Assessor's Secured Tax Roll as of January 1, and other City development approval records, the Administrator shall:

1. Each Parcel to be classified as a Taxable Parcel or Tax-Exempt Parcel.

2. Each Parcel to be classified as a Developed Parcel, Final Map Parcel, or Undeveloped Parcel.

6. Calculating Annual Special Taxes

The Administrator will compute the Annual Costs and determine the Maximum Annual Special Tax for each Taxable Parcel based on the assignment of the Special Tax in **Section 4**. The Administrator will then determine the tax levy for each Taxable Parcel using the following process:

A. Compute the Annual Costs using the definition of Annual Costs in **Section 2**.

B. Calculate the Special Tax levy for each Taxable Parcel by the following steps:

Step 1: Compute 100 percent of the Maximum Annual Special Tax Revenue for all Developed Parcels.

Step 2: Compare the Annual Costs with the Maximum Annual Special Tax Revenue calculated in the previous step.

Step 3: If the Annual Costs are lower than the Maximum Annual Special Tax Revenue, decrease proportionately the Special Tax levy for each Developed Parcel until the revenue from the Special Tax levy equals the Annual Costs.

Step 4: If Annual Costs are greater than the Maximum Annual Special Tax Revenue for Developed Parcels, levy the Land Special Tax proportionately on each Final Map Parcel until the Maximum Annual Special Tax revenue equals Annual Costs, or until 100 percent of the Maximum Annual Special Tax is levied.

Step 5: If Annual Costs are greater than the Maximum Annual Special Tax Revenue for Developed Parcels and Final Map Parcels, levy the Maximum Annual Special Tax proportionately on each Undeveloped Parcel until the Maximum Annual Special Tax revenue equals Annual Costs, or until 100 percent of the Maximum Annual Special Tax is levied.

C. Levy on each Taxable Parcel the amount calculated above.

D. Prepare the Tax Collection Schedule and, unless an alternative method of collection has been selected pursuant to **Section 10**, send it to the County Auditor requesting that it be placed on the general, secured property tax roll for the Fiscal Year. The Tax Collection Schedule will not be sent later than the date required by the Auditor for such inclusion.

The Administrator will make every effort to correctly calculate the Special Tax for each Parcel. It will be the burden of the taxpayer to correct any errors in the determination of the Parcels subject to the tax and their Special Tax assignments.

7. Records Maintained for the CFD

As development and Subdivision occurs in the CFD, the Administrator will maintain a file containing records of the following information for each Parcel:

- The current County Assessor's Number for each Parcel.
- The Tax Category and Maximum Annual Special Tax assigned to a Parcel.

The file containing the information listed above will be available for public inspection.

8. Interpretation, Application and Appeal of Special Tax Formula and Procedures

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Administrator appealing the levy of the Special Tax. The Administrator will then promptly review the appeal, and if necessary, meet with the applicant. If the Administrator verifies that the tax should be modified or changed, the Special Tax levy will be corrected and, if applicable in any case, a refund will be granted.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to the CFD.

Without Council approval, the Administrator may make minor, non-substantive administrative and technical changes to the provisions of this Exhibit that do not materially affect the rate, method of apportionment, and manner of collection of the Special tax for purposes of the

administrative efficiency or convenience or to comply with new applicable federal, state or local law.

9. Prepayment of the Special Tax Obligation

The Maximum Annual Special Tax for a Taxable Parcel may not be prepaid. The Special Tax is collected to fund Authorized Services in perpetuity, or until the Council determines that the Special Tax should no longer be collected.

10. Manner of Collection

The Special Tax will be collected in the same manner and at the same time as ad valorem property taxes, provided, however, that the Administrator or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary, to meet the City's financial obligations.

Map 1

(to be inserted in next version)

Attachment 1	
Community Facilities District S	
Maximum Annual Special Tax in Base Year (FY 2018-19)	
	Maximum Annual
	Special Tax
Tax Category	**per Unit**
	[1]
	per Unit
Final Map Parcel	$107.00
	per Acre
Undeveloped Parcel	$1,417.00
	"att1"
[1] The Maximum Annual Special Tax is increased by the	
Tax Escalation Factor in each Fiscal Year following the	
Base Year (FY 2018-19).	

EXHIBIT C

NOTICE OF PUBLIC HEARING ON PROPOSED ESTABLISHMENT OF CITY OF WEST SACRAMENTO COMMUNITY FACILITIES DISTRICT "S" (PORT TOWNE MAINTENANCE)

NOTICE IS HEREBY GIVEN that the West Sacramento City Council on October 17, 2018, adopted its Resolution No. 18-68 in which it declared its intention to establish a community facilities district, to establish an appropriations limit for such district, and to levy a special tax to pay for certain services, all pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5, Part 1, Division 2, Title 5 of the California Government Code and Chapter 3.32 of the City Municipal Code. The resolution describes the boundaries of the proposed district, the services proposed to be financed, and the rate, method of apportionment, and manner of collection of the proposed special tax. The City proposes to tax all interests in property that may be taxed under the Act. For further details, the resolution is available at the office of the City Clerk, 1110 West Capitol Avenue, West Sacramento, California.

NOTICE IS HEREBY FURTHER GIVEN that the City Council has fixed Wednesday, December 5, 2018, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, at the City Council Chambers, 1110 West Capitol Avenue, West Sacramento, California, as the time and place when and where the City Council will hold a public hearing to consider the establishment of the district. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the district, the extent of the district, or the furnishing of the specified services will be heard.

If (i) 50% or more of the registered voters or six registered voters (whichever is more) residing within the district or (ii) the owners of one-half or more of the area of the land within the district that is not exempt from the special tax file written protests against the establishment of the district, and the protests are not withdrawn so as to reduce the value of the protests to less than a majority, the creation of the district and the tax levy shall not be considered for a period of one year from the date of the decision of the City Council after the hearing. If the majority of the registered voters or the landowners protests only against a specific type of service or a specified tax, then that type of service or tax shall be precluded.

NOTICE IS HEREBY FURTHER GIVEN that if, at the conclusion of the public hearing, the City Council determines to establish the district, the City Council will order an election to be held by the qualified electors of the district by mailed ballot, with each such elector having one vote for each acre or portion of an acre owned by the elector, on the questions of levying the special tax and establishing an appropriations limit.

DATED: _____, 2018

_____
Kryss Rankin, City Clerk

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 4

SUBJECT:
CONSIDERATION OF SECOND READING AND ADOPTION OF ORDINANCE 18-2 AMENDING THE STONE LOCK DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SACRAMENTO-YOLO PORT DISTRICT

INITIATED OR REQUESTED BY:

[ ] Commission [ ] Staff

[X] Other

REPORT COORDINATED OR PREPARED BY:

Charline Hamilton, Director
Community Development Department

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The Sacramento-Yolo Port District (Port) is seeking an amendment to the original Stone Lock Development Agreement (DA) that would remove the Stone Lock One Property from the DA since it is now covered under its own development agreement.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council:

1) Find that the proposed amendment to the Stone Lock Development Agreement is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 5, Section 15305 (Minor Alterations in Land Use Limitations);
2) Waive the second reading, read by title and number only, and adopt Ordinance 18-2 amending the Stone Lock Development Agreement between the City and the Sacramento-Yolo Port District; and,
3) Direct staff to file the CEQA notice of exemption.

BACKGROUND

In 2015, the Sacramento-Yolo Port District acquired the 210-acre Stone Lock property from the West Sacramento Redevelopment Successor Agency and entered into a development agreement with the City. The portion of the Stone Lock property west of Jefferson Boulevard along the Barge Canal (Stone Lock One) was determined to be developable as a standalone project and a logical first phase of the larger Stone Lock project. The Stone Lock One Development Agreement (SLODA) was adopted by the City via Ordinance 18-8 on May 23, 2018. The SLODA, which allows for the first phase of the Stone Lock development project to proceed independently, specifies land transfers between the Port and the City to create public trail and park space adjacent to a ±16.5-acre development site. A required follow-up action to the SLODA is removing the Stone Lock One property from the 2015 DA which is the focus of this recommended action.

On October 3, 2018, the City Council conducted a public hearing, waived the first reading of Ordinance 18-2, and found that the first amendment to the development agreement was categorically exempt from the California Environmental Quality Act pursuant to Section 15305 given that the action was a minor land use alteration, and directed staff to file the appropriate notice of exemption with Yolo County Clerk-Recorder's Office.

ANALYSIS

The SLODA provides for the standalone development of the Stone Lock One property. Accordingly, the Stone Lock One property can and should be removed from the 2015 DA. The amendments consist of changes to the property legal descriptions contained in Exhibit A of the 2015 DA. The Port Commission has already approved the amendment to the 2015 DA. The City will also need to approve and execute the amendment for the amendment to be effective.

To approve the DA amendments, the City Council must be able to make the following findings. The Finding (in *italics*) is followed by the Staff analysis of whether or not the Finding can be made.

1. *That the proposed Development Agreement will not adversely affect the orderly development of or preservation of property values;*

Analysis: The proposed amendment to the DA simply removes the Stone Lock One property from the legal description contained in Exhibit A. The Stone Lock One property is covered by its own development agreement and thus the amendment will not adversely affect the orderly development of or preservation of property values. Any and all development in Stone Lock One and the rest of Stone Lock will be consistent with General Plan 2035, the Southport Framework Plan, and the City's zoning code.

Finding 1 appears to be met by this request

2. *That the proposed Development Agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5.*

Analysis: California Government Code Sections 65864 through 65869.5 include requirements for regulating development agreements. These requirements include procedures for executing and modifying development agreements. The proposed DA amendment and the process by which it is being considered by the City and the applicant is consistent with the applicable State requirements.

Finding 2 appears to be met for this request.

Attachment 1 contains the amendment to the Stone Lock development agreement. Attachment 2 contains Ordinance 18-2.

Environmental Considerations
The project is an alteration of the legal description contained in Exhibit A of the DA resulting in a reduction of property covered by the DA. The project is categorically exempt from CEQA pursuant to Class 5, Guidelines Section 15305 (Minor Alterations in Land Use Limitations). The notice of exemption is contained in Attachment 3.

Strategic Plan Integration
This DA amendment advances the 2022 Policy Agenda, West Sacramento: *A Preferred Place to Live, Work, and Play* as it will facilitate the development of the Stone Lock One property with high quality housing and parks in keeping with General Plan 2035.

Commission Recommendation
The Planning Commission unanimously recommended approval of the proposed DA amendment and their formal recommendation is included in Resolution 18-8PC which is provided as Attachment 4.

Alternatives
The City Council's primary alternatives to the recommended actions are as follows:
1. Find that the required findings for approval of the DA amendment cannot be made for the following reason(s) and the request is denied.
2. Continue the item (to a date certain if known, the City Council shall specify additional information to be provided if needed).

Coordination and Review
The 2015 DA amendments have been coordinated and reviewed with the Sacramento-Yolo Port District, the City Attorney, City Manager's Office, and the Community Development Department.

Budget/Cost Impact
Approval of the DA amendment will remove overlap between two existing development agreements and facilitate a sale of the Stone Lock One development site. The Sacramento-Yolo Port District is covering the cost of processing this amendment.

ATTACHMENT(S)
1) Amendment to Stone Lock Development Agreement
2) Ordinance 18-2
3) Notice of Exemption
4) Resolution 18-8PC

ATTACHMENT 1

No recording fee required pursuant to
Government Code Section 27383

Recording Requested by and
When Recorded Return to:

City of West Sacramento
1110 West Capitol Avenue
West Sacramento, California 95691
Attn: City Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT ("First Amendment") is made this ___ day of _____, 2018, by and between by and between the **CITY OF WEST SACRAMENTO**, a municipal corporation organized and existing under the laws of the State of California ("City") and the **SACRAMENTO-YOLO PORT DISTRICT**, a California River Port District ("Port").

A. The City and Port entered into that certain "STONE LOCK DEVELOPMENT AGREEMENT" effective as of October 7, 2015, of which a Memorandum of Development Agreement was recorded on December 9, 2015, in the official records of the Yolo County Recorder as Document No. 2015-0034220 (the "Development Agreement") against the Property described and depicted therein.

B. The Port intends to sell a portion of the Property (the "Stone Lock One Property") to a private developer for separate development, and the Port and the City desire to have the Stone Lock One Property governed by a separate development agreement before sale to a private developer. The Port and the City have entered into a separate development agreement in connection with the development of the Stone Lock One Property.

C. The City and the Port therefore desire to amend the current Development Agreement legal description to remove the Stone Lock One Property from the description, and thereby release the owner of the Stone Lock One Property from the rights and obligations set forth in the Development Agreement.

NOW, THEREFORE, BE IT AGREED by the Parties as follows:

1. Definitions. All capitalized terms shall have the meaning defined in the Development Agreement unless expressly defined to the contrary.

2. Exhibit A Replacement. Exhibit "A" of the Development Agreement is hereby replaced with the legal description set forth in Exhibit "A" to this Amendment.

3. No Other Amendments. The parties agree that there are no other amendments to the Development Agreement other than the amendments contained in this First Amendment, and that all other terms and conditions of the Development Agreement are in full force and effect.

4. Conflict. In the event of a conflict between the terms of the Development Agreement and this First Amendment, the parties intend that the terms and conditions contained in this First Amendment shall control and prevail.

(Signatures on Next Page)

CITY OF WEST SACRAMENTO

By:_____
Christopher Cabaldon, Mayor

Attest:

_____
Kryss Rankin, City Clerk

SACRAMENTO-YOLO PORT DISTRICT

By:_____
Oscar Villegas, Port Commission Chair

EXHIBIT "A"

(New Property Description Without the Stone Lock One Property)

EXHIBIT 'A'
LEGAL DESCRIPTION
STONE LOCK REMAINDER

PARCEL FOUR:
PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 3 AND THE NORTHWEST ONE QUARTER OF SECTION 10, T. 8 N., R. 4 E., M.D.B. & M., AND BEING BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE WESTERLY BANK OF THE SACRAMENTO RIVER, FROM WHICH SAID POINT OF BEGINNING AN IRON PIPE MARKED "R. E. 53", MARKING THE SOUTHEAST CORNER OF SWAMP LAND SURVEY NO. 571, YOLO COUNTY SURVEYS, BEARS S. 11° 08'50" E. 92.71 FEET AND S. 11° 53'50" E. 501.60 FEET AND RUNNING THENCE FROM SAID POINT OF BEGINNING N. 75° 21'50" W. 346.74 FEET; THENCE S. 89° 38'10" W. 2160.52 FEET TO A POINT IN a NORTHERLY AND SOUTHERLY FENCE LINE; THENCE FOLLOWING SAID NORTHERLY AND SOUTHERLY FENCE LINE N. 25°12'23" E. 514.11 FEET TO A FENCE CORNER; THENCE FOLLOWING AN EASTERLY AND WESTERLY FENCE LINE AND THE PROLONGATION EASTERLY THEREOF, S. 80° 05'27" E. 2282.24 FEET TO A POINT ON THE WESTERLY BANK OF THE SACRAMENTO RIVER; THENCE FOLLOWING THE SAID WESTERLY BANK OF THE SACRAMENTO RIVER DOWNSTREAM, S.11° 08'50" E. 149.12 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WEST SACRAMENTO BY DOCUMENT RECORDED OCTOBER 30, 2015, AS INSTRUMENT NO. 2015-0030374, OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER: PORTION OF 067-180-003

PARCEL FIVE:
A PORTION OF PROJECTED SECTIONS 3 AND 10, TOWNSHIP 8 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE MONUMENT SET IN A FENCE CORNER AND STAMPED RE
1168, FROM WHICH AN OLD GRANITE MONUMENT MARKING THE SOUTHWEST CORNER OF SWAMP LAND SURVEY NO. 261 BEARS NORTH 80° 23'15" WEST 208.33 FEET; THENCE NORTH 00° 56'50" WEST 92.45 FEET AND THENCE SOUTH 89° 49'10" WEST 2653.87 FEET; THENCE FROM SAID POINT OF BEGINNING NORTH 25° 12'23" EAST 217.44 FEET ALONG A FENCE LINE; THENCE NORTH 89° 38'10" EAST 2160.52 FEET; THENCE SOUTH 75° 21'50" EAST 346.74 FEET TO A POINT ON THE MEAN HIGH WATER LINE ON THE RIGHT BANK OF THE SACRAMENTO RIVER; THENCE DOWNSTREAM ALONG SAID MEAN HIGH WATER LINE, FOLLOWING THE MENADERINGS THEREOF, TWO COURSES AND DISTANCES AS FOLLOWS: SOUTH 45° 29'20" EAST 198.35 FEET AND SOUTH 19° 48' EAST 505.00 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE NORTH 80° 23'15" WEST 193.94 FEET TO AN IRON PIPE MONUMENT MARKED RE 53 AND SET IN A FENCE LINE; THENCE CONTINUING NORTH 80° 23'15" WEST 2748.49 FEET ALONG A FENCE LINE TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: A PORTION OF 067-180-002 AND 003

PARCEL SIX:

A PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 3, THE SOUTHEAST ONE QUARTER OF SECTION 4, AND THE NORTHWEST ONE QUARTER OF SECTION 10, T. 8N., R. 4 E., M.D.B. & M., AND BEING BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN OIL IRON PIPE MARKING THE CORNER COMMON TO THE HEREIN DESCRIBED PROPERTY AND THE PROPERTY NOW OR FORMERLY OWNED BY A.F. TURNER, FROM WHICH SAID POINT OF BEGINNING AN OLD GRANITE MONUMENT MARKING THE SOUTHWEST CORNER OF SWAMP LAND SURVEY NO. 261, YOLO COUNTY SURVEYS, BEARS S. 72° 10'15" W. 2879.60 FEET, AND RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE BOUNDARY LINE COMMON TO THE HEREIN DESCRIBED PROPERTY AND THE SAID PROPERTY OF A.F. TURNER, S. 86° 51'04" E. 2225.00 FEET TO A POINT ON THE WESTERLY BANK OF THE SACRAMENTO RIVER; THENCE FOLLOWING THE SAID WESTERLY BANK OF THE SACRAMENTO RIVER DOWNSTREAM, S. 38° 02'10" E. 778.34 FEET; THENCE FOLLOWING A FENCE LINE AND THE PROLONGATION EASTERLY AND WESTERLY THEREOF, N.80° 05'27" W. 2733.02 FEET; THENCE S. 02° 08'50" E. 721.99 FEET; THENCE NO. 80° 23'15" W. 123.80 FEET; THENCE E. 0° 56'50" W. 92.45 FEET; THENCE S. 89° 49'10" W. 444.87 FEET TO A POINT IN THE EASTERLY RIGHT OF WAY LINE OF THE SACRAMENTO NORTHERN RAILROAD; THENCE FOLLOWING THE SAID EASTERLY RIGHT OF WAY LINE OF THE

SACRAMENTO NORTHERN RAILROAD, N. 23° 04'40" E. 1074.89 FEET; THENCE N. 89° 38'10" E. 105.89 FEET; THENCE ALONGTHE BOUNDARY LINE COMMON TO THE HEREIN DESCRIBED PROPERTY AND THE AFORESAID PROPERTY OF A. F. TURNER, S. 2° 36'15" E. 114.95 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WEST SACRAMENTO BY DOCUMENT RECORDED OCTOBER 30, 2015, AS INSTRUMENT NO. 2015-0030374, OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER: A PORTION OF 067-180-003 AND 004

PARCEL SEVEN:
A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 3, AND THE NORTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 4 EAST, M.D.B. & M., AND BEING BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT AT THE CORNER COMMON TO THE HEREIN DESCRIBED PROPERTY AND THE PROPERTY NOW OR FORMERLY OWNED BY LAUREN E. VAN TASSEL, ET AL, FROM WHICH SAID POINT OF BEGINNING AN IRON PIPE MARKED "R.E. 53", MARKING THE SOUTHEAST CORNER OF SWAMP LAND SURVEY NO. 571, YOLO COUNTY SURVEYS, BEARS SOUTH 80° 23'15" EAST, 2748.49 FEET, AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 80° 23'15" WEST, 84.53 FEET; THENCE NORTH 02° 08'05" WEST, 721.99 FEET; THENCE SOUTH 80° 05'27" EAST, 428.33 FEET TO A POINT AT A FENCE CORNER; THENCE FOLLOWING A NORTHERLY AND SOUTHERLY FENCE LINE SOUTH 25° 12'23" WEST, 731.55 FEET TO THE POINT OF BEGINNING.

ALL AS MODIFIED BY THE BOUNDARY LINE AGREEMENT EXECUTED BY SACRAMENTO-YOLO PORT DISTRICT AND BETWEEN GEORGE P. PARIS, RECORDED MARCH 13, 1950, IN BOOK 315, PAGE 344, OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WEST SACRAMENTO BY DOCUMENT RECORDED NOVEMBER 17, 2003, AS INSTRUMENT NO. 2003-0069853, OFFICIAL RECORDS.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WEST SACRAMENTO BY DOCUMENT RECORDED OCTOBER 30, 2015, AS INSTRUMENT NO. 2015-0030374, OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER: A PORTION OF 067-180-002 AND 003

PARCEL EIGHT:
BEING A PORTION OF THE SOUTHWEST ONE QUARTER OF SECTION 3, TOWNSHIP 8 NORTH, RANGE 4 EAST, M.D.B. & M., AND BEING BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT AN OLD IRON PIPE MARKING THE CORNER COMMON TO THE HEREIN DESCRIBED PROPERTY AND THE PROPERTY NOW OR FORMERLY OWNED BY CHARLES PARELLA, FROM WHICH SAID POINT OF BEGINNING AN OLD GRANITE

MONUMENT MARKING THE SOUTHWEST CORNER OF SWAMP LAND SURVEY NO. 261, BEARS SOUTH 72° 10'15" WEST, 2879.60 FEET; THENCE FROM SAID POINT OF BEGINNING NORTH 02° 36'15" WEST 114.95 FEET ALONG THE BOUNDARY LINE OF THE HEREIN DESCRIBED PROPERTY AND THE PROPERTY NOW OR FORMERLY OWNED BY CHARLES PARELLA; THENCE NORTH 89° 38'10" EAST 1,478.61 FEET; THENCE NORTH 00° 21'50" WEST 500.00 FEET; THENCE NORTH 89° 38'10" EAST 222.00 FEET TO THE MEAN HIGH WATER LINE ON THE RIGHT BANK OF THE SACRAMENTO RIVER; THENCE DOWNSTREAM ALONG SAID MEAN HIGH WATER LINE, FOLLOWING THE MEANDERINGS THEREOF, FOUR COURSES AND DISTANCES AS FOLLOWS: SOUTH 28° 24' EAST 193.00 FEET, SOUTH 32° 14' EAST 305.00 FEET, SOUTH 38° 30' EAST 295.00 FEET AND SOUTH 45° 40'45" EAST 127.68 FEET; THENCE, LEAVING SAID MEAN HIGH WATER LINE, NORTH 86° 51'04" WEST, 2,225.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL EIGHT, THE FOLLOWING 4 PARCELS:

PARCEL 1:

BEGINNING AT AN IRON PIPE MONUMENT MARKING THE NORTHWESTERLY CORNER OF THE WEST SACRAMENTO SANITARY DISTRICT TREATMENT PLANT SITE AS OCCUPIED, SAID POINT OF BEGINNING BEING SITUATE NORTH 89° 33'05" EAST, 1305.45 FEET; AND THENCE NORTH 0° 21'50" WEST 164.20 FEET FROM THE POINT OF INTERSECTION OF THE CENTERLINE OF STATE STREET PRODUCED EASTERLY TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF THE SACRAMENTO NORTHERN RAILWAY COMPANY, AS SAID STATE STREET AND RIGHT OF WAY APPEAR OF RECORD IN THE OFFICE OF THE RECORDER OF YOLO COUNTY, CALIFORNIA, ON THE "MAP OF WEST SACRAMENTO CITY- UNIT ONE" FILED IN MAP BOOK 3 PAGES 8 TO 14 INCLUSIVE, YOLO COUNTY RECORDS; AND EXTENDING THENCE FROM SAID POINT OF BEGINNING SOUTH 0° 21'50" EAST ALONG THE WESTERLY LINE OF SAID WEST SACRAMENTO SANITARY DISTRICT TREATMENT PLANT SITE AS FENCED AND OCCUPIED A DISTANCE OF 520.00 FEET TO AN IRON PIPE MONUMENT MARKING THE SOUTHWESTERLY CORNER OF SAID TREATMENT PLANT SITE AS NOW OCCUPIED; THENCE SOUTH 89° 38'10" WEST ALONG THE NORTHERLYBOUNDARY OF THE SACRAMENTO YOLO PORT DISTRICT PROPERTY A DISTANCE OF 167.54 FEET; THENCE NORTH 0° 21'50" WEST ALONG A LINE PARALLEL WITH THE FIRST MENTIONED COURSE OF THE DESCRIPTION A DISTANCE OF 520.00 FEET; THENCE NORTH 89° 38'10" EAST 167.54 FEET TO THE POINT OF BEGINNING.

PARCEL 2:
THAT PORTION OF YOLO COUNTY SWAMP AND OVERFLOW LAND SURVEY #571 DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE MONUMENT MARKED R.E. 1168 AND BEING SITUATE NORTH
89° 33'05" EAST 1467.10 FEET; THENCE NORTH 0° 21'50" WEST, 144.20 FEET FROM THE POINT OF INTERSECTION OF THE CENTER LINE OF STATE STREET PRODUCED EASTERLY TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF THE SACRAMENTO NORTHERN RAILWAY COMPANY AS SAID STATE STREET AND RIGHT OF WAY APPEAR OF RECORD IN THE OFFICE OF THE RECORDER OF YOLO COUNTY, CALIFORNIA, ON THE "MAP OF WEST

SACRAMENTO CITY UNIT ONE", FILED IN MAP BOOK 3, PAGES 8 TO 14, INCLUSIVE YOLO COUNTY RECORDS, AND EXTENDING THENCE NORTH 89° 38'10" EAST ALONG THE NORTHERLY BOUNDARY LINE OF THE TRACT REQUIRED BY THE SACRAMENTO-YOLO PORT DISTRICT; A DISTANCE OF 153.00 FEET TO AN IRON PIPE MONUMENT MARKED R.E. 1168 AND SET IN THE WESTERLY HIGH BANK LINE OF THE SACRAMENTO RIVER; THENCE NORTH 27° 10' WEST UP AND ALONG THE SAID WEST BANK OF THE SAID SACRAMENTO RIVER A DISTANCE OF 22.41 FEET; THENCE SOUTH 89° 38'10" WEST A DISTANCE OF 304.55 FEET; THENCE SOUTH 0° 21'50" EAST 520.00 FEET TO A POINT IN THE NORTHERLY LINE OF THE TRACT REQUIRED BY THE SACRAMENTO-YOLO PORT DISTRICT; THENCE NORTH 89° 38'10" EAST ALONG THE SAID BOUNDARY LINE A DISTANCE OF 161.65 FEET TO AN IRON PIPE MONUMENT MARKED R.E. 1168; THENCE UP AND ALONG THE BOUNDARY LINE OF THE SAID TRACT REQUIRED BY THE SAID PORT DISTRICT NORTH 0° 21'50" WEST 500.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:
BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED IN EASEMENT TO THE UNITED STATES OF AMERICA, RECORDED JULY 2, 1958, IN BOOK 545, OFFICIAL RECORDS, PAGE 432, YOLO COUNTY RECORDS; SAID POINTALSO BEING ON THE SOUTHERLY BOUNDARY OF THE PROPERTY OF THE WEST SACRAMENTO SANITARY DISTRICT, AS SAID PROPERTY NOW EXISTS; SAID POINT OF BEGINNING BEARING SOUTH 89° 20'11" WEST 126.13 FEET FROM THE SOUTHEASTERLY PROPERTY CORNER OF THE SAID SANITARY DISTRICT; SAID CORNER ALSO BEING COMMON TO THE AFOREMENTIONED PARCEL CONVEYED TO THE UNITED STATES OF AMERICA; COORDINATES OF SAID POINT OF BEGINNING BEING NORTH 326,534.85 EAST, 2,136,837.15; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 20'11" WEST 201.17 FEET; THENCE SOUTH 0° 39'49" WEST 201.17 FEET; THENCE NORTH 89° 20'11" EAST, 22.00 FEET; THENCE ALONG A CURVE OF 550 FEET RADIUS AND CURVING TO THE LEFT AN ARC DISTANCE OF 182.50 FEET; SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 79° 49'49" EAST 181.67 FEET TO THE POINT OF BEGINNING.

PARCEL 4:
BEGINNING AT A POINT ON THE BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED IN EASEMENT TO THE UNITED STATES OF AMERICA BY THE SACRAMENTO-YOLO PORT DISTRICT, RECORDED JULY 2, 1958, IN BOOK 545 OF OFFICIAL RECORDS PAGE 432, YOLO COUNTY RECORDS; SAID POINT ALSO BEING ON THE EASTERLY BOUNDARY OF THE PROPERTY OF THE WEST SACRAMENTO SANITARY DISTRICT, AS SAID PROPERTY NOW EXISTS; SAID POINT OF BEGINNING BEARS NORTH 0° 39'49" WEST 62.52 FEET FROM THE SOUTHEASTERLY PROPERTY CORNER OF THE SAID SANITARY DISTRICT; SAID CORNER ALSO BEING COMMON TO THE AFOREMENTIONED PARCEL CONVEYED TO THE UNITED STATES OF AMERICA; COORDINATES OF SAID POINT OF BEGINNING BEING NORTH 326,598.83; EAST 2,136,962.55; THENCE FROM SAID POINT OF BEGINNING NORTH 0° 39'49" WEST 437.48 FEET; THENCE SOUTH 33° 10'08" EAST 310.62 FEET; THENCE ALONG A CURVE OF 550 FEET RADIUS AND CURVING TO THE RIGHT AN ARC DISTANCE OF 244.22 FEET; SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 42° 53'51" WEST, 242.00 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: A PORTION OF 067-180-001 AND 004

PARCEL NINE:
ALL THAT PORTION OF S.L.S. NO. 275 DESCRIBED AS FOLLOWS:

BEGINNING AT A 1-1/2 INCH IRON PIPE CAPPED AND MARKED WITH A COPPER DISC INSCRIBED "R.E. 53," WHICH PIPE IS LOCATED ON THE NORTHERLY BOUNDARY OF S. L.S. 275 WHERE THE SAME IS INTERSECTED BY THE EASTERLY R/W LINE OF THE OAKLAND, ANTIOCH AND EASTERN RAILROAD AND FROM WHICH POINT THE 6 X 6 POST SET AT THE INTERSECTION OF THE FENCE LINE MARKING THE NORTH BOUNDARY OF S. L.S. 275 AND THE NORTH LINE OF THAT CERTAIN 42.06 ACRE TRACT CONVEYED BY DEED, ADAMS TO PARELLA, WITH THE WESTERLY R/W FENCE OF THE OAKLAND, ANTIOCH AND EASTERN RAILROAD, BEARS SOUTH 89° 53' WEST, 108.87 FEET, AND RUNNING THENCE ALONG THE EASTERLY PROLONGATION OF THE FENCE MARKING THE SAID NORTH LINE OF THE S.L.S. 275, NORTH 89° 53' EAST, 480.29 FEET, TO A SIMILAR IRON PIPE; THENCE SOUTH 0° 59' EAST, 93.40 FEET, MORE OR LESS, TO A SIMILAR IRON PIPE LOCATED AT THE SOUTHWEST CORNER OF S.L.S. 571; THENCE ALONG THE LINE OF OLD FENCE WHICH MARKS THE DIVISION LINE COMMON TO PROPERTY NOW OR FORMERLY OWNED BY VAN TASSELL ON THE NORTH AND PROPERTY FORMERLY OWNED BY ETHEL FARIS ADAMS ON THE SOUTH AND THE BOUNDARY LINE COMMON TO SAID S.L.S. 571 AND S.L.S. 275, SOUTH 800 27' EAST, 507.38 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 800 27' EAST, 2,450.06 FEET TO A SIMILAR IRON PIPE AND CONTINUING ALONG SAID BOUNDARY LINE SOUTH 800 27' EAST, 193.94 FEET, MAKING 2,644 FEET IN ALL TO THE SACRAMENTO RIVER AND THE EASTERLY BOUNDARY OF S.L.S. 275 FROM THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT OF LAND; THENCE FOLLOWING THE MEANDERINGS OF THE SAID RIVER AND SAID EASTERLY BOUNDARY DOWNSTREAM SOUTH 170 51'30" EAST, 1,018 FEET,TO A POINT ON THE LINE PARALLEL WITH AND 30 FEET NORTHERLY FROM AND MEASURED AT A RIA TO THE POWER POLES EXTENDING SOUTHWESTERLY FROM THE SACRAMENTO LEVEE ALONG THE NORTH SIDE OF THE MAIN FARM ROAD; THENCE ALONG SAID LINE, SOUTH 820 02' WEST, 2,700 FEET, TO A POINT; THENCE NORTH 70 58' WEST, 1,840 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 046-010-011

See E*xhibit 'B', Plat to accompany description, attached hereto and made a part hereof.*

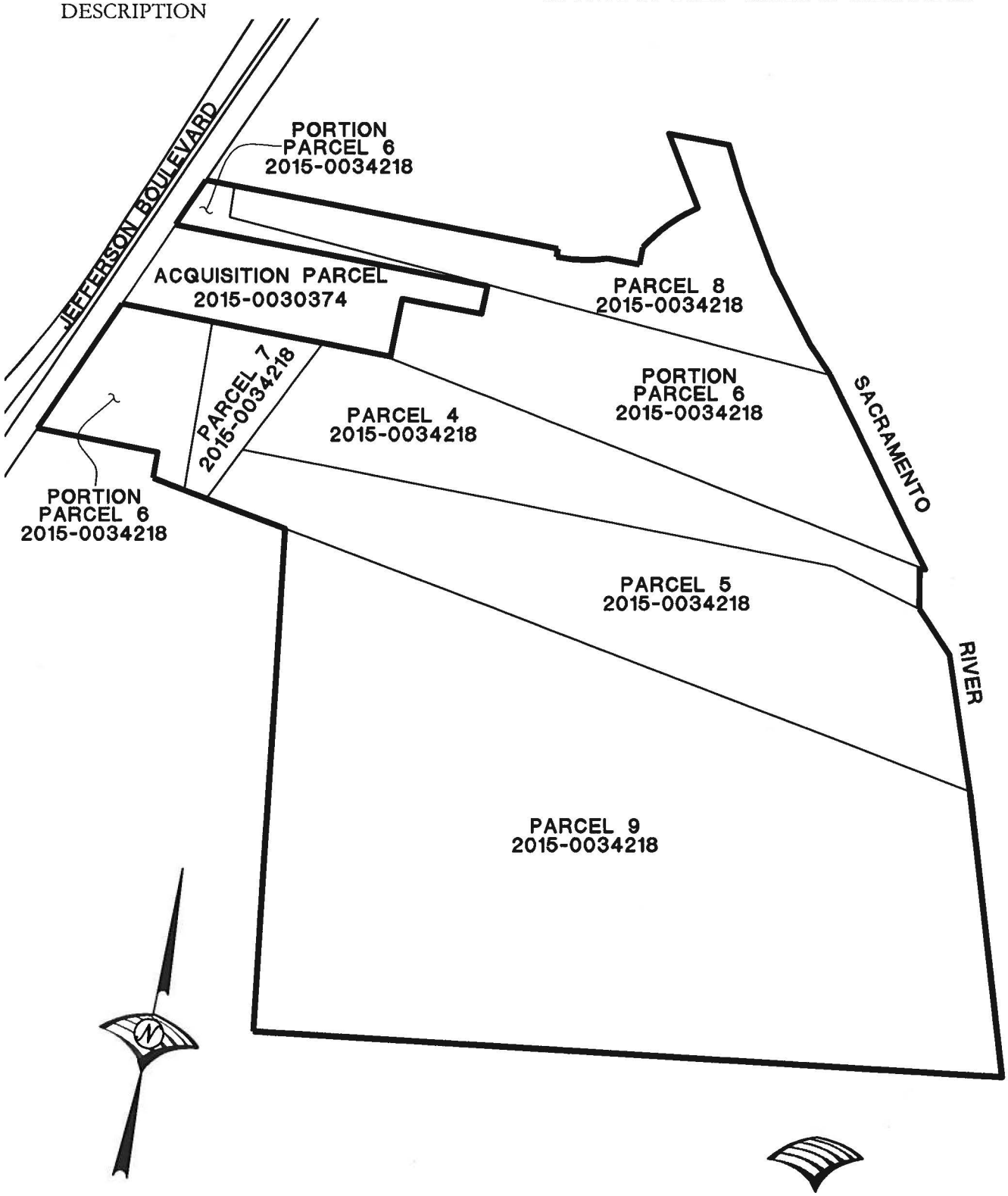
PREPARED BY WOOD-RODGERS, INC
SACRAMENTO, CALIFORNIA

EXHIBIT 'B'

PLAT TO ACCOMPANY
DESCRIPTION

STONE LOCK REMAINDER

CITY OF WEST SACRAMENTO
COUNTY OF YOLO STATE OF CALIFORNIA



0 250 500 1000

SCALE:1"= 500'

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
3301 C ST, BLDG. 100-B TEL 916.341.7760
SACRAMENTO, CA 95816 FAX 916.341.7767

AUGUST 16, 2018 8621.004 SHEET 1 OF 1

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of _____)

On _____ before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of _____)

On _____ before me, _____, a notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ATTACHMENT 2

ORDINANCE 18-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SACRAMENTO-YOLO PORT DISTRICT PERTAINING TO STONE LOCK

WHEREAS, on September 6, 2018, the City of West Sacramento Planning Commission conducted a public hearing and adopted Resolution 18-8PC, recommending among other things, the City Council approve the amendment to the Development Agreement.

The City Council of the City of West Sacramento does ordain as follows:

Section 1. Purpose and Authority. The purpose of this Ordinance is to approve the Development Agreement between the City and Sacramento-Yolo Port District. This Ordinance is authorized pursuant to Government Code Section 65864 through 65869.5 and Resolution No. 88-111 of the City of West Sacramento.

Section 2 Findings. In adopting this Ordinance, the City Council makes the following findings:

(a) The proposed amendment to the Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the General Plan and applicable specific plan; and

(b) The proposed amendment to the Development Agreement will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area or detrimental to the general welfare of the residents of the City as a whole; and

(c) The proposed amendment to the Development Agreement will not adversely affect the orderly development of property or preservation of property values; and

(d) The proposed amendment to the Development Agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5 and Resolution 88-111, as amended by Resolution 96-62; and

(e) The Planning Commission recommends approval of the amendment to the Development Agreement; and

Section 3. Severability. If any provision or section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of the Ordinance.

Section 4. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption, and pursuant to Resolution 99-46, shall be published in summary format prior to adoption and a summary shall be published within fifteen (15) days after adoption in a paper of general circulation published and circulated in the City of West Sacramento.

PASSED AND ADOPTED by the City Council of the City of West Sacramento this 17th day of October, 2018 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Christopher L. Cabaldon, Mayor

ATTEST:

_____
Kryss Rankin, City Clerk

APPROVED AS TO FORM:

_____
Jeffery Mitchell, City Attorney

CODIFY __ UNCODIFY_X_

ATTACHMENT 3

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Yolo
625 Court Street, Ste. B01
Woodland, CA 95695

From: (Public Agency): City of West Sacramento
1110 West Capitol Avenue
West Sacramento, CA 95691
(Address)

Project Title: Ordinance 18-2, Amendment to the Stone Lock Development Agreement

Project Applicant: Sacramento-Yolo Port District

Project Location - Specific:

Amendment affects APNs 067-180-053-000 and 067-180-056-000.

Project Location - City: West Sacramento Project Location - County: Yolo

Description of Nature, Purpose and Beneficiaries of Project:
This item amends to Stone Lock Development Agreement by removing two parcels from the legal description contained in Exhibit A given that those parcels are covered by a separate development agreement.

Name of Public Agency Approving Project: City of West Sacramento

Name of Person or Agency Carrying Out Project: City of West Sacramento

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 5, Section 15305
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
The project is an alteration of the legal description contained in Exhibit A of the DA resulting in a reduction of property covered by the DA. The project is categorically exempt from CEQA pursuant to Class 5, Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

Lead Agency Contact Person: Charline Hamilton Area Code/Telephone/Extension: (916) 617-4645

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: Community Dev. Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT 4

RESOLUTION 18-8PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST SACRAMENTO RECOMMENDING ADOPTION BY THE CITY COUNCIL OF AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH THE SACRAMENTO-YOLO PORT DISTRICT PERTAINING TO STONE LOCK

WHEREAS, on September 6, 2018 the West Sacramento Planning Commission conducted a public hearing on the proposed amendment to the Development Agreement; and

WHEREAS, the Planning Commission has duly considered all information before them; and

WHEREAS, the Planning Commission has found that the proposed amendment to the Development Agreement is consistent with the goals, policies and implementation programs of the City of West Sacramento General Plan, and

WHEREAS, the proposed amendment to the Development Agreement is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Class 5, §15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines, and;

WHEREAS, the Planning Commission has found that the proposed amendment to the Development Agreement furthers the public health, safety and general welfare of the City, and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission recommends that the City Council take the following actions:

1. The Planning Commission recommends that the City Council approve the proposed amendment to the Development Agreement via Ordinance 18-2 as recommended by the Planning Commission.

PASSED AND ADOPTED by the Planning Commission of the City of West Sacramento this 6th day of September 2018, by the following vote:

AYES: Castillo, Vu, Austin, Liebig, Sturmfels
NOES: None
ABSTAIN: None
ABSENT: Harrison

Andrew Sturmfels, Planning Commission Chairperson

ATTEST:

David W. Tilley, Secretary

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 5

SUBJECT:
CONSIDERATION OF RESOLUTION 18-73 APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:
Traci Michel, Parks and Recreation Business Manager

Cindy Tuttle, Director of Parks and Recreation

ATTACHMENT [X] Yes [ ] No **[ ] Information** **[ ] Direction** **[X] Action**

OBJECTIVE
The purpose of this report is to seek City Council adoption of Resolution 18-73 approving the application submittal for the Habitat Conservation Fund Grant Program as provided through the California State Parks Office of Grants and Local Services for construction of the Southport Levee Trailhead along the Southport Setback Levee.

RECOMMENDED ACTION
Staff respectfully recommends that the City Council:

1) Adopt Resolution 18-73 (Attachment 1) approving the Habitat Conservation Fund Grant Program application for the Southport Levee Trailhead Project;
2) Find that the proposed Southport Levee Trailhead Project is exempt from CEQA pursuant to the Categorical Exemptions under California Code of Regulations, Title 14, Division 6, Chapter 3 ("CEQA Guidelines"), Sections 15303 and 15304, and find that the determination represents the independent judgment of the City; and
3) Approve an appropriation of $460,500 from Measure E Fund, Fund 110, to serve as match funding for the Project, should grant funding be awarded.

BACKGROUND
On September 20, 2017, the City Council approved the Southport Setback Levee Recreation Trail Report which: analyzed the feasibility of integrating trail improvements into the Southport Levee Project; identified trail locations and linkages as part of the levee construction; located support amenities such as trailhead access/parking areas; and provided recommendations for priority action items. One of the priority recommendations included in the Report is having multiple access points to/from the levee trail to provide cyclists and pedestrians a more enjoyable and safe experience and to encourage use of the trail. This was incorporated into the City's Bicycle, Pedestrian and Trails Master Plan which was recently approved by City Council on July 18, 2018.

On September 20, 2017, the City Council approved the submittal of an application for the Habitat Conservation Fund (HCF) Grant Program for the Southport Setback Levee Trailhead Project, which included a request for funding to acquire property for a future trailhead facility along the Southport Setback Levee. The property was a remnant parcel from the levee project and would enable direct access onto the levee crown via the existing levee project access ramp and help to connect existing and/or planned bike paths located on Linden Road and Lake Washington Boulevard. In June 2018, City staff was notified that Southport Setback Levee Trailhead Project had been selected for funding through the HCF Grant Program in the amount $112,500. Since then, staff has been working with the property owner to complete a purchase agreement.

ANALYSIS
The Southport Setback Levee Recreation Trail Report included a concept plan and cost estimates for potential trail access/public parking located at Linden Road, adjacent to the new levee (Attachment 2). This is a remnant parcel from the Southport Levee Project and at approximately 1.6 acres, could accommodate a trailhead, trash/recycling receptacles, shade, seating and parking spaces to support trail use. A levee access road is also planned immediately adjacent to this parcel, providing easy public access to future trail improvements. The concept plan includes potential construction of an ADA-accessible ramp to the levee trail and City staff is currently pursuing other grant programs for funding to pave the levee trail. However, if the levee trail is not paved

at the time of the Trailhead Project HCF Grant Program funding award, the ADA-accessible ramp may not be constructed at that time. Staff would plan to construct the ADA ramp if or when the ADA trail is constructed.

State Parks HCF Grant Program

California State Parks Office of Grants and Local Services administers the state-funded HCF Grant Program which allocates approximately $2 million each year to cities, counties, and districts for nature interpretation programs to bring urban residents into park and wildlife areas, protection of various plant and animal species, and acquisition and development of wildlife corridors and trails. This program requires a 50% match from grantees and applications were due October 1, 2018. The HCF Grant Program has been an annual program since 1990, however the program sunsets in 2019, making this the final grant application cycle for the Program. Staff submitted the application for the Southport Levee Trailhead Construction Project on October 1, 2018, pending City Council approval of the mandatory resolution and related actions.

Environmental Considerations

The Project is exempt from CEQA pursuant to the Class 3 (new construction of small structures) and Class 4 (minor alteration to land) categorical exemptions, as it would involve the construction of small structures, and minor alterations to the condition of land with no removal of mature trees or landscaping. The Project will require minimal ground disturbance and installation of minor equipment to a vacant parcel that has already been disturbed from levee construction activities. A Notice of Exemption has been prepared for the Project (Attachment 3).

Commission Recommendation

On October 2, 2018, staff provided an update to the Parks, Recreation and Intergenerational Services Commission on the Recreation Trail Report and efforts to implement projects identified in the Report. This includes presenting information on the current HCF Grant Program application. The Commission supported staff taking the HCF Grant Program application for the Southport Levee Trailhead Project to City Council for consideration.

Strategic Plan Integration

The West Sacramento Strategic Plan Goal 3: *West Sacramento: Preferred Place to Live, Work, Learn and Play* is furthered through the development of recreation trails along the Southport Levee Project.

Alternatives

The Council's primary alternatives are:

1. Approve submission of the HCF Grant Program application for up to $460,500, as well as related actions in order to comply with the grant application requirements. This is the recommended action;
2. Approve the application and related actions with modifications to the grant amount or scope of work. The maximum grant amount is $2,000,000 and there is no minimum amount; or
3. Disapprove submission of the grant application and related actions.

Coordination and Review

This report, including the grant application scope, budget, and environmental documents were discussed with the City Manager and coordinated with the Community Development, Public Works and Administrative Services departments.

Budget/Cost Impact

The HCF Grant Program requires a dollar for dollar match. The estimate of costs for the proposed grant application scope of work includes:

Project Component	Cost Estimate
Project Management	$25,000
Environmental	$20,000
Design/Engineering	$100,000
Permits	$50,000
Trailhead Construction	$568,000
ADA Ramp to Levee Trail	$92,000
Subtotal	$855,000
Contingency 10%	$66,000
Total Project Cost	**$921,000**

Staff is proposing to allocate $460,500 of Measure E Bicycle, Pedestrian and Trails Improvement funds to serve as match funding for the grant application. Recent survey work completed as part of the Parks and Open Space Master Plan Update highlights the development of new trails and trail amenities as a priority for City residents. The Southport Levee Trailhead project is consistent with multiple adopted Council policies, including the General Plan 2035, the Bicycle, Pedestrian and Trails Master Plan, the Age-Friendly Action Plan, the Southport Setback Levee Recreation Trail Report and the Parks and Open Space Master Plan. To staff's knowledge the proposed project does not conflict with any adopted Council policy documents. The use of Measure E funding would not supplant any existing funding.

On March 21, 2018, City Council approved an allocation of Measure E funds for up to $200,000 to be used as match funding for the Urban Greening Grant Program for improvements to the Clarksburg Branch Line Trail. The City was not successful in receiving grant funding for that project. Staff recommends applying the $200,000 originally allocated for the Urban Greening Grant Program application to the HCF Grant Program application. An additional $260,500 of Measure E funds are needed to meet the HCF Grant Program match requirements. Based on the timing of the HCF Grant Program grant awards and performance period, the additional funds would not be needed until FY 2020/2021. Attachment 4 includes an analysis for use of Measure E funds in accordance with Council's Measure E policy. Staff will prepare a more detailed budget analysis for Council consideration if grant funding is awarded.

ATTACHMENTS

1. Resolution 18-73
2. Trailhead Concept Plan
3. Notice of Exemption
4. Measure E Funding Analysis

RESOLUTION 18-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project(s);

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO HEREBY:

1. Approves the filing of an application for the Habitat Conservation Fund Program; and
2. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and
3. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and
5. Delegates the authority to the City Manager to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project; and
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

PASSED AND ADOPTED this 17th day of October 2018. I, the undersigned, hereby certify that the foregoing Resolution 18-73 was duly adopted by the following roll vote:

AYES:
NOES:
ABSENT:

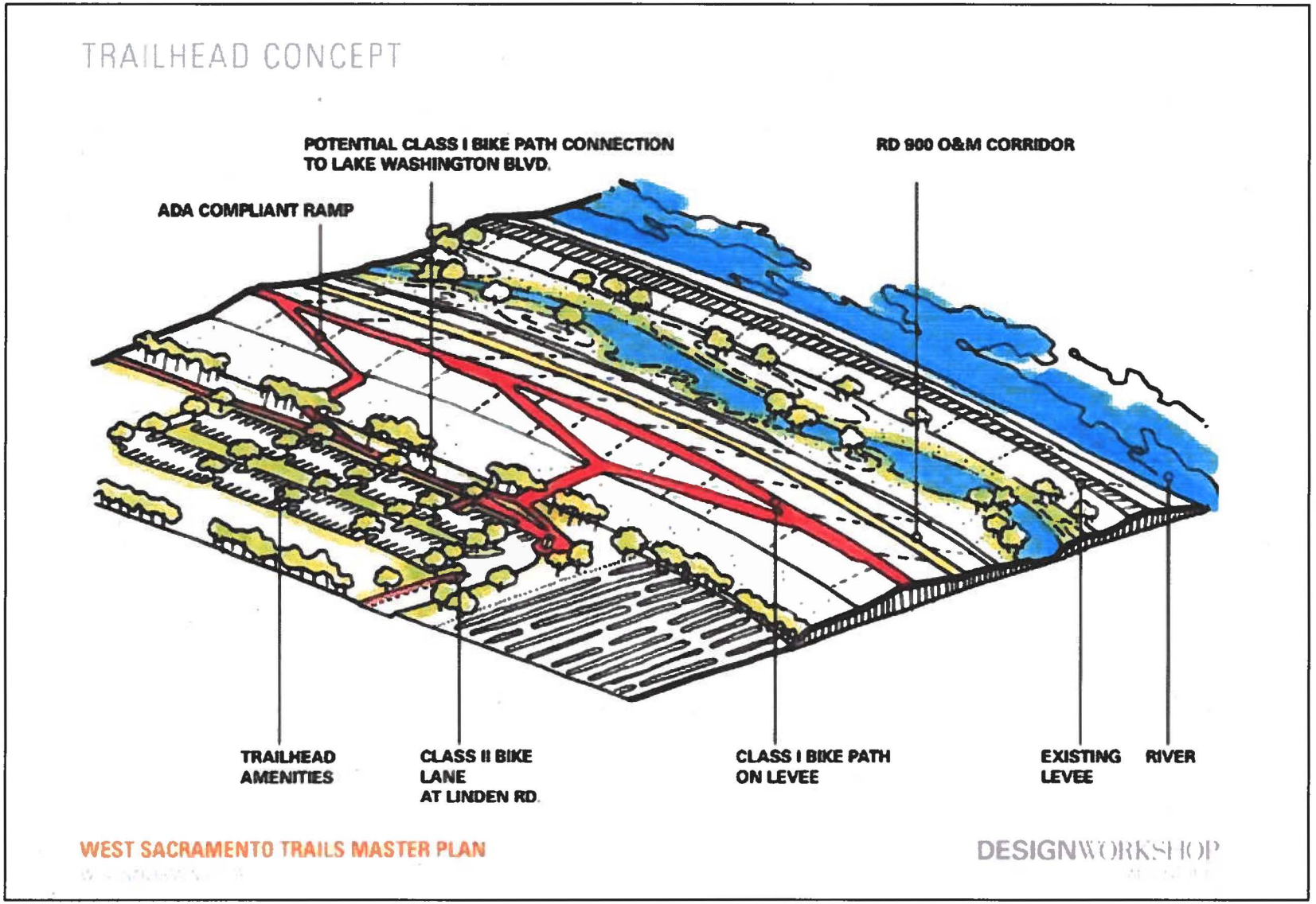
_____
Christopher L. Cabaldon, Mayor

ATTEST:

_____
Kryss Rankin, City Clerk

Attachment 2

Trailhead Concept Plan



Attachment 3

Notice of Exemption

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Yolo
625 Court Street, Room B01
Woodland, CA 95695

From: (Public Agency): City of West Sacramento
1110 West Capitol Avenue
West Sacramento, CA 95691
(Address)

Project Title: Southport Levee Trailhead Project

Project Applicant: City of West Sacramento

Project Location - Specific:
1200 Linden Road

Project Location - City: West Sacramento Project Location - County: Yolo

Description of Nature, Purpose and Beneficiaries of Project:
Construction of a trailhead that includes signage and information boards describing the levee trail, the Southport Levee Project restoration areas, the fish and wildlife observable in the area, and the charastistics of the Sacramento River, as well as parking, bicycle racks, and shade/seating to serve the levee trail users.

Name of Public Agency Approving Project: City of West Sacramento

Name of Person or Agency Carrying Out Project: Traci Michel

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 3 (15303) and Class 4 (15304)
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt:
The project involves only the construction of small structures and only includes minor alterations to the condition of the land with no removal of mature trees or landscaping.

Lead Agency Contact Person: Kathy Allen Area Code/Telephone/Extension: 916-617-4645

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: Date: 10-18-18 Title: Associate Planner

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

Revised 2011

Attachment 4

Measure E Analysis
Habitat Conservation Fund Grant Program: Southport Levee Trailhead Project

Project Description
The requested expenditure is to provide match funding for the Habitat Conservation Fund Grant Program application for the Southport Levee Trailhead Project.

Policy Context
Recent survey work completed as part of the Parks and Open Space Master Plan Update highlights the development of new trails and trail amenities as a priority for city residents. Securing grant funds to further the implementation of the Regional Trails Initiative and Southport Setback Levee Recreation Trail Report is consistent with multiple adopted Council policies including: the General Plan 2035, the Bicycle, Pedestrian and Trails Master Plan, the Age-Friendly Action Plan and the Parks and Open Space Master Plan. To staff's knowledge, the proposed project does not conflict with any adopted Council policy documents.

Supplementary Funds
The proposed Measure E funding would not supplant any existing funding. The total project cost is approximately $921,000. If successful, the $460,500 Measure E investment will leverage an equal amount of grant funding.

Staff Costs
The proposed Measure E expenditure will cover some staff and/or consultant costs for project management if the grant is awarded. All costs associated with the preparation of the grant application are covered under existing sources and would not be funded by Measure E.

Desired Outcome
The completion of the Southport Levee Trailhead Project will provide access to/from the new Southport Levee Trail, as well as improve safety for bicyclists and pedestrians as the trailhead amenities include parking, seating, shade, and an information kiosk regarding levee trail maintenance and seasonal use restrictions. These features are prohibited from being installed on the levee but are critical to support active use of the 5.6-mile trail. Additionally, this trail may serve as a safe route to schools.

Theory of Change
The over-arching performance outcomes for The Bicycle, Pedestrian, and Trail Improvement Program is to increase walking and biking citywide. The proposed improvements will improve access to trails and enhance safety to encourage use of the trail.

Project Budget
This project is in the **Capital Accelerator** category with **Primary** priority.

PROJECT ELEMENT	Cost Estimate
Project Management	$25,000
Environmental	$20,000
Design/Engineering	$100,000
Permits	$50,000
Trailhead Construction	$568,000
ADA Ramp to Levee Trail	$92,000
Subtotal	$855,000
Contingency 10%	$66,000
Total Project Cost	**$921,000**

Performance Metrics
Increased utilization of the Southport Setback Levee, improved safety and levee maintenance operations by using the Project to educate trail users on current levee maintenance activities/seasonal restricted areas, safe and convenient access to the trail to reduce potential conflicts between trail users and adjacent developments and respite for trail users. Measurable outcomes for this Project should include high use of trail by bicyclists and pedestrians, low rate of conflicts between trail users, adjacent developments and levee maintenance operations, reduced loitering along the Southport Setback Levee Trail and incidents of health and safety issues by trail users.

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 6

SUBJECT:

CONSIDERATION OF WATER SALE AND TEMORARY TRANSFER FROM THE CITY OF WEST SACRAMENTO AND WOODLAND-DAVIS CLEAN WATER AGENCY

INITIATED OR REQUESTED BY:

[ ] Council [x] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:
William Roberts, Public Works Operations Manager

Denix Anbiah, Director
Public Works Department

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The objective of this agenda item is to obtain Council approval of the attached agreement between the City and Woodland-Davis Clean Water Agency (WDCWA) for the sale and temporary transfer of up to 2,000 acre-feet of the City's 2018 allocation of Central Valley Project (CVP) water.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council:

1) Find that the transfer of up to 2,000 acre-feet of CVP water from the City to Woodland-Davis Clean Water Agency is exempt from CEQA pursuant to Water Code Section 1729 and CEQA Guidelines Section 15282(u) and analyzed in Addendum No. 9 to the Davis Woodland Water Supply Project EIR in compliance with CEQA, which reflects the independent judgment of the City Council, and pursuant to CEQA Guidelines Section 15162, no further environmental review is required.
2) Approve the temporary transfer of up to 2,000acre feet of CVP water to Woodland-Davis Clean Water Agency; and
3) Authorize the City Manager or his designee the authority to enter into the "Option Agreement for Sale of Water" with Woodland-Davis Clean Water Agency for the sale and transfer of CVP water; and

BACKGROUND

The CVP water proposed for transfer is part of the City's water supply under contract with the U.S. Bureau of Reclamation (Reclamation) (Contract No. 0-07-20-W0187). The City uses the CVP water throughout the water year. In June, July, August, and September, the City is required to purchase CVP water to meet demands on a schedule described in the contract. Specifically, the City is required to purchase 20, 88, 100, and 100 percent of the water diverted during those respective months, but it is not required to divert the purchased water. The contract requires a minimum purchase of CVP Project Supply annually, with the annual quantity increasing by about 90 acre-feet each year of the contract term. In 2018, the minimum purchase is 9,590 acre-feet.

In 2018, the City may use no more than 7,000 acre-feet of its CVP Project Supply leaving 2,590 acre-feet available for transfer. The City seeks to transfer up to 2,000 acre-feet of its 2018 CVP Project Supply surplus to WDCWA.

The transfer also requires consent from Reclamation. Upon approval of the agreement by the City and Woodland-Davis Clear Water Agency, a letter will be sent to Reclamation seeking consent to the transfer. Absent such consent, the transfer will not occur.

ANALYSIS

This transfer mimics past water transfers successfully completed between Westside Irrigation District and the City. The sale and temporary transfer of this water contributes to the City's demonstration of beneficial use of CVP water under the City's contract (transfers are recognized by Reclamation as a beneficial use of contract water).

The special rules under the Central Valley Project Improvement Act (CVPIA) applicable to in-watershed CVP Project Supply water transfers among CVP Project Supply water contractors will be utilized in developing and executing this transfer project. These rules have been utilized in the previous transfers.

The CVPIA special rules for in-watershed transfers establish specific payment provisions that are important to the success of this transfer as a benefit to both WDCWA and the City.

The agreement details the various provisions, including the pricing of the CVP water the City has available to transfer. This agreement mimics the City's past transfer agreements, including transfer agreements in 2012, 2013, and 2016.

WDCWA, like the City, is using its own surface water supplies to meet its demands in 2018. However, WDCWA's sole source of surface water available in November and December is subject to certain limitations called Term 91 and may not be available for use. WDCWA seeks to continue using surface water supplies derived from Sacramento River water sources in order to preserve its water quality delivered to its water treatment system and eventually to its customers. Although WDCWA could use groundwater in lieu of surface water to serve its customers, use of groundwater requires a significant change in WDCWA's operations. Thus, WDCWA seeks to acquire a portion of the City's CVP Project Supply in order to continue its optimal water treatment and delivery to its customers.

In setting the unit-price for the water transfer, the CVPIA special rules require the City to pay for the entire minimum quantity, except for the portion of water transferred, where the unit rate is the higher of either the City's rate or WDCWA rate. In 2018, the City's unit water cost is $47.38 per acre-foot. For the entire 9,590 acre-feet minimum purchase for 2018, the City must pay $454,374.20 ($47.38 x 9,590). This is the cost to the City absent the transfer.

Under the 2018 planned transfer, the City must pay an additional $22.62 for each acre-foot water transferred. This cost may be slightly modified based upon Reclamation's final approval of the transfer. Nevertheless, WDCWA will reimburse the City for all costs associated with the transfer.

Under the proposed terms of the contract for transfer of water. WDCWA has an option to purchase up to 2,000 acre-feet. Upon execution of the agreement, prior to any transfer, WDCWA will pay the City $50,000 for up to 1,000 acre-feet of water. WDCWA will pay the City $50 per acre-foot of all water transferred in excess of 1,000 acre-feet. WDCWA will also reimburse the City up to $10,000 for City staff, consultant and attorney costs associated with the negotiation of this agreement. For the first 1,000 acre-feet, the WDCWA will also pay the City an additional $22.62 per acre-foot, which will offset the additional cost the City will have to pay for its CVP supply. For the next 1,000 acre-feet transferred, the WDCWA will pay the City an additional $22.62 per acre-foot transferred in addition to the $50 per acre-foot noted above. This agreement will expire December 31, 2018.

Water transferred in Acre-feet	**Savings to the City**
0 to 1,000	$50,000
1,000 to 2,000	Between $50,000 and $100,000
Total	Up to $100,000

The offset payment reduces the total net cost to the City to $354,374.20 instead of the without-transfer payment of $454,374.20. This results in a net savings to the City of $100,000 versus the without-transfer option.

To assist with this transaction, the WDCWA is using the consulting services of Tully & Young. Tully & Young's services include assisting with the negotiation with Woodland-Davis Clean Water Agency, drafting the agreement, drafting the Reclamation consent letter, assisting with required outreach, and shepherding the various parties through the process. WDCWA pays Tully & Young for all its services at no cost to the City.

Section 3405(a) of the Central Valley Project Improvement Act (CVPIA) Title 34 of Public Law 102-575; notification of the public is required when considering transfer of water under these provisions. The current notice will be placed on local newspapers upon Council approval.

Environmental Considerations
The water temporary water transfer from the City to Woodland-Davis Clean Water Agency is exempt from CEQA under Water Code Section 1729 and CEQA Guidelines Section 15282(u), which exempts temporary changes regarding a transfer of water. Moreover, the potential impacts of the transfer during the months of November through March are analyzed in Addendum No. 9 to the Davis Woodland Water Supply Project EIR in compliance with CEQA, and pursuant to CEQA Guidelines Section 15162, no further environmental review is required. The Davis Woodland Water Supply Project EIR can be found at https://www.wdcwa.com/project-history/ under Environmental Documents and Addendum No. 9 is attached hereto as Attachment 3.

Commission Recommendation
N/A

Strategic Plan Integration
The water transfer with Woodland-Davis Clean Water Agency is consistent with City strategic plan to provide "Financially Sound City Government" and "Quality Municipal Services".

Alternatives
The City Council may decide to:

1. Approve the water transfer with Woodland-Davis Clean Water Agency and seek Bureau of Reclamation approval.
2. Reject the water transfer recommendation and direct staff to seek alternative options.

Alternative 2 is not recommended due to the need to demonstrate beneficial use of water under the City water contracts and the opportunity for the City to save up to $100,000.

Coordination and Review
The staff report, and draft contract was closely coordinated with Woodland-Davis Clean Water Agency, City Public Works Department.

Budget/Cost Impact
The offset payment reduces the total net cost to the City to $354,374.20 instead of the without transfer payment of $454,374.20. This results in a net savings to the City up to $100,000 versus the without-transfer option. The sale of water to another agency will be reported as operating revenue and revenue budget will be adjusted to reflect to gross proceeds less consultant expenditures.

ATTACHMENT(S)

1) Option agreement for sale of water
2) Place of use map
3) Addendum No. 9 to Davis Woodland Water Supply Project EIR

ATTACHMENT 1

OPTION AGREEMENT FOR SALE OF WATER

This Option Agreement for Sale of Water is made and effective as of October 18, 2018 by and between the City of West Sacramento (the "City"), a California city, and the Woodland-Davis Clean Water Agency ("WDCWA"), a California joint powers authority.

RECITALS

This Agreement is made with reference to the following facts:

A. The City is a party to Contract No. 0-07-20-W0187, which was made on July 1, 1980 between the United States of America, acting through the Secretary of the Interior, and the East Yolo Community Services District. On May 17, 1989, the City assumed this contract and agreed to be bound by and perform all the terms and conditions of this contract. On June 6, 1989, the United States consented to this assumption. This contract authorizes the City, subject to the terms of the contract, to divert from the Sacramento River for beneficial use within the City's service area up to 23,600 acre-feet of water annually. This contract authorizes the City, with the written consent of the United States, to sell to third parties water that may be diverted and used under this contract.

B. On October 16, 2007, the City of Davis, acting as CEQA lead agency, adopted Resolution No. 07-168, Series 2007, which certified the DWWSP EIR and approved the DWWSP. After certification of the DWWSP EIR, the Cities of Woodland and Davis formed WDCWA to construct and implement the DWWSP. Since its formation, WDCWA has approved nine addenda to the DWWSP EIR and a Supplemental EIR.

C. Since 2007, additional data has become available that indicate that WDCWA's water rights may not authorize diversions of water from the Sacramento River during all or parts of the months of November through March of some water years. WDCWA therefore has prepared Addendum No. 10 to the DWWSP EIR, which analyzes potential sales of water from the City to WDCWA during the months of November through March.

D. The City has determined that the City will not need 2,000 acre-feet of the water that is available for diversion and use under Contract No. 0-07-20-W0187 during the period of November 1, 2018 through December 31, 2018. Accordingly, the City is willing to sell up to 2,000 acre-feet of the water that is available for diversion and use under Contract No. 0-07-20-W0187 to WDCWA, for diversion and use during this period, when available and requested by WDCWA, subject to the terms and conditions of this Agreement.

ATTACHMENT 1

AGREEMENT

In consideration of these recitals and the mutual promises in this Agreement, the Parties agree as follows:

1. **Defined Terms.** When used in this Agreement, the following terms have the following definitions:

"Agreement" means this Agreement.

"CEQA" means the California Environmental Quality Act.

"City" means the City of West Sacramento.

"Contract No. 0-07-20-W0187" means the contract described in Recital A of this Agreement.

"DWWSP" means the Davis-Woodland Water Supply Project.

"DWWSP EIR" means the DWWSP Environmental Impact Report (State Clearinghouse # 2006042175).

"Parties" means the City and WDCWA, collectively.

"Party" means the City or WDCWA, individually.

"WDCWA" means the Woodland-Davis Clean Water Agency.

"WDCWA's Place of Use" means WDCWA's authorized place of use, as shown on Exhibit 1 to this Agreement.

"WDCWA's Point of Diversion" means the diversion facilities that will be used to divert from the Sacramento River the water that the City sells to WDCWA under this Agreement. This point is depicted as the "Point of Diversion" in Exhibit 1 to this Agreement.

2. **Term of Agreement.** This Agreement will become effective upon execution by the Parties. This Agreement will terminate on December 31, 2018.

3. **Option to Purchase Water.** By executing this Agreement, the City is providing an option to WDCWA to buy water from the City, according to the terms of this Agreement. In consideration of the City's providing this option to WDCWA, WDCWA will make a non-refundable payment of $50,000.00 to the City to secure this option. Upon execution of this Agreement, the City will send an invoice to WDCWA for this $50,000.00 option payment. WDCWA will pay the City this invoiced amount within 30 days after WDCWA's receipt of this invoice.

4. **City's Request to United States for Consent to Sale of Water.** Promptly after execution of this Agreement, the City will use its best efforts to obtain the written consent of the United States for the City's sale of up to 2,000 acre-feet water under Contract No. 0-07-20-W0187 to WDCWA, with this water to be diverted by WDCWA at WDCWA's Point of Diversion for use within WDCWA's Place of Use during the period of November 1, 2018 through December 31, 2018. The City will advise WDCWA when the United States provides this consent.

5. **Schedules of Planned Diversions and Reports of Actual Diversions.** After the United States has provided the consent described in the preceding paragraph of this Agreement, WDCWA will provide the City and the appropriate representative of the United States schedules of the daily amounts of water it plans to divert under Contract No. 0-07-20-W0187 and this Agreement. On or before the 7th day of each month, WDCWA will provide a report to the City and the United States of the amount of water WDCWA diverted under Contract No. 0-07-20-W0187 and this Agreement during the preceding month. All water diverted by WDCWA under Contract No. 0-07-20-W0187 and this Agreement will be measured by the United States, as provided for by Article 10 of Contract No. 14-06-200-7422X-R-1 between the United States and WDCWA.

6. **Payments and Invoicing.** In addition to the option payment described in paragraph 3 of this Agreement, WDCWA also will pay the City: (a) the City's expenses, consultant costs, and attorney fees reasonably incurred in the negotiation of this Agreement, but not to exceed $10,000; (b) at the rate of $50.00 per acre-foot for all water in excess of 1,000 acre-feet that WDCWA diverts under Contract No. 0-07-20-W0187 and this Agreement; and (c) any incremental costs that the City must pay the United States solely because of WDCWA's diversions under Contract No. 0-07-20-W0187 and this Agreement. These incremental costs will not include any costs that the City must pay the United States under Contract No. 0-07-20-W0187 even if WDCWA does not divert any water under Contract No. 0-07-20-W0187 and this Agreement. Within 20 days after execution of this Agreement, the City will send WDCWA an invoice for the amount due for expenses incurred in negotiating and preparing for the sale of water under clause (a) above. On or before the 20th day of each month, the City will send an invoice to WDCWA for any amounts that WDCWA owes the City under this Agreement under clauses (a), (b) and (c) above for expenses incurred and WDCWA's diversions during the prior

month. If necessary because of delays or changes in billings by the United States to the City for water diverted by WDCWA under Contract No. 0-07-20-W0187 and this Agreement, the City may send subsequent invoices or credits to WDCWA for amounts due under clause (c) above. WDCWA will pay each invoice with 30 days after WDCWA's receipt of the invoice. Delinquent payments will bear interest at the prime rate of interest as published by the Wall Street Journal that is in effect during the delinquency until WDCWA pays the invoiced amount in full.

7. **Lack of Availability of Water.** WDCWA acknowledges that the City and its Council Members, officers, agents, employees and insurers will not be responsible for the quality of water sold, or for any interruptions or reductions in water sales due to any reason beyond the City's control. However, if less than 1,000 acre-feet of water is made available for diversion and use by WDCWA under Contract No. 0-07-20-W0187 and this Agreement, then the City will refund the Option payment.

8. **CEQA**. WDCWA intends to adopt Addendum No. 9 described in Recital C of this Agreement to satisfy the CEQA requirements applicable to WDCWA for this Agreement and the water sale to be carried out under this Agreement. The City intends to adopt a CEQA Notice of Exemption for its approval of this Agreement, which also is supported by the WDCWA EIR and EIR Addenda.

9. **Water Rights; No Precedents for Future Sales.**

A. The only rights granted to the Parties as a result of this Agreement are those expressly set forth in this Agreement. Nothing in this Agreement will be construed to act as a forfeiture, diminution or impairment of any water right of the City. Consistent with the provisions of California Water Code Sections 109, 475, 1011, 1014 through 1017, 1244 and 11961, neither any sale of water pursuant to this Agreement, nor this Agreement itself, will be evidence of either the existence of surplus water after this Agreement expires, or of the lack of beneficial use of the water involved, and the WDCWA will not contend otherwise.

B. In accordance with Water Code section 1016, and other applicable provisions of California law, at the conclusion of the term of this Agreement, all rights in, and the use of, the water subject to this Agreement will revert back to the City, and WDCWA will not: (1) bring any claim for continuation of the water supply made available by this Agreement, or (2) claim any right to a continued supply of water as a result of this Agreement, based on reliance, estoppel,

intervening public use, prescription, water shortage emergency, or unforeseen or unforeseeable increases in demand, or any other cause.

C. WDCWA acknowledges that this Agreement pertains only to the sale of water during the term of this Agreement and does not set any precedents for future sales of water.

10. **Indemnification.**

WDCWA shall at all times indemnify, defend and save the City, its Council members, officers, representatives, consultants, contractors, agents, and employees free and harmless from, and pay in full, any and all claims, demands, losses, damages or expenses, including reasonable attorneys' fees and costs, that the City, its Council members, officers, representatives, consultants, contractors, agents, and/or employees may sustain or incur in any manner relating to WDCWA's performance under this Agreement for any action, excepting any loss, damage or expense and claims for loss, damage or expense resulting solely from the negligent or willful act or acts of the City, its Council members, officers, representatives, consultants, contractors, agents and employees.

11. **Modification.** This Agreement may be modified only through a written amendment or agreement signed by authorized representatives of both Parties.

12. **Assignment**. This Agreement is not assignable either in whole or in part, except upon mutual written consent of both Parties.

13. **Notices.** All notices and other communications required under this Agreement will be in and will be deemed to have been duly given: (a) on the date of service if served personally on the person to whom notice is to be given; (b) on the date the party receiving notice acknowledges receipt, if sent by electronic mail; or (c) on the fifth day after mailing, if mailed to the person to whom notice is to be given by first class U.S. Mail, postage-prepaid, and properly addressed to the following designated representatives of the Parties:

To the City:
Denix Anbiah
Director of Public Works
1110 West Capitol Avenue
West Sacramento, CA 95691
Electronic mail: denixa@cityofwestsacramento.org

To WDCWA:
Tim Busch
General Manager
Woodland-Davis Clean Water Agency
855 County Road 102

Woodland, CA 95776
Telephone: 530-661-5963
Electronic mail: Tim.Busch@cityofwoodland.org

Each Party will notify the other Party of any change in the name or address of its designated representative.

14. **Counterparts.** This Agreement may be executed in counterparts, which together will comprise a complete agreement. Each Party will deliver its executed counterpart to the other Party.

15. **Entire Agreement**. This Agreement and its exhibits constitute the entire agreement between the Parties with respect to the subject matter hereof. All prior agreements with respect to that subject matter, whether verbal or written, are hereby superseded in their entirety by this Agreement and are of no further force or effect. Amendments to this Agreement will be effective only if in a writing signed by the authorized representatives of both Parties.

16. **Waiver.** The waiver at any time by a Party of its right with respect to default or other matter arising in connection with this Agreement will not be deemed a waiver by that Party with respect to any subsequent default or matter.

17. **Severability**. If any term or provision of this Agreement is deemed invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it will not affect the validity of any other provision, which will remain in full force and effect.

18. **Time.** Time is of the essence in this Agreement.

19. **Governing Law**. This Agreement is governed by and will be interpreted in accordance with the laws of the State of California.

20. **Cooperation.** The Parties will reasonably cooperate with one another, including the execution of all necessary documents and providing assistance in obtaining approvals and permits from any agencies required to perform the obligations under this Agreement and to carry out the purpose and intent of this Agreement.

21. **Force Majeure**. Notwithstanding any other provision of this Agreement, no Party shall be liable for any failure to perform resulting from any cause outside the reasonable control of such Party.

22. **Further Acts**. The Parties agree to perform all further acts, and to execute, acknowledge, and deliver any documents that may be reasonably necessary, appropriate or desirable to carry

out the purposes of this Agreement. The Parties acknowledge that the actions contemplated by this Agreement will require regular consultation and coordination and the Parties shall in good faith engage in all such consultation and coordination necessary or appropriate to facilitate the arrangements contemplated by this Agreement.

23. **No Third Party Beneficiaries**. This Agreement does not create, and shall not be construed to create, any rights enforceable by any person, partnership, corporation, joint venture, limited liability company, or other form of organization or association of any kind that is not a party to this Agreement.

24. **Signatories.** Each person signed this Agreement represents that he or she has the authority to sign this Agreement on behalf of the Party for whom he or she is signing it.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first written above.

CITY OF WEST SACRAMENTO

By:_____

City Manager

Attest:

_____

Secretary

WOODLAND-DAVIS CLEAN WATER AGENCY

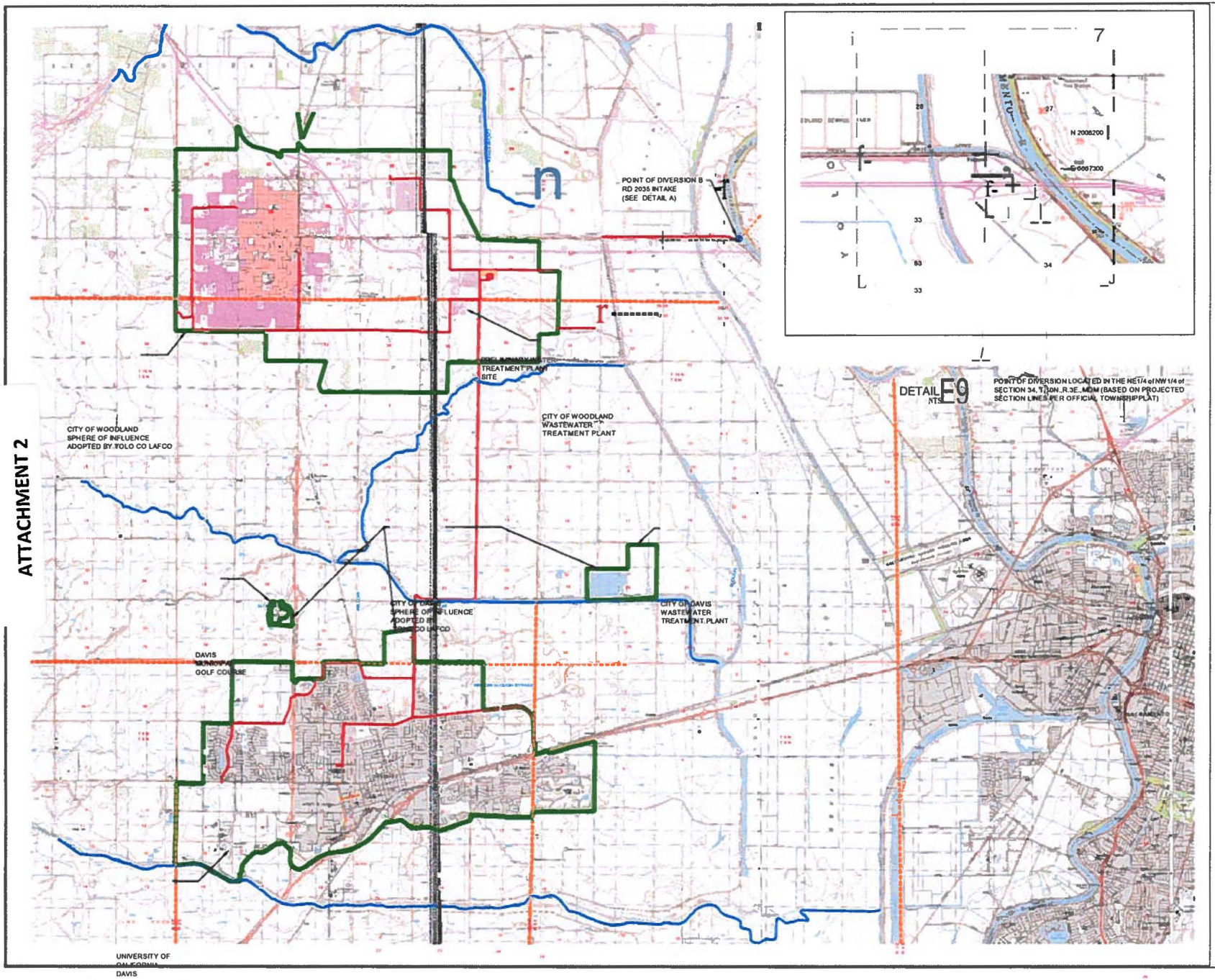
By:_____

General Manager

ATTACHMENT 1

Exhibit 1
WDCWA Place of Use Map

ATTACHMENT 2



N

0 SCALE IN FEET

POINTS OF DIVERSION

LEGEND

PLACE OF USE BOUNDARY

WATER TRANSMISSION PIPELINE

STREAM

POINT OF DIVERSION

ASSOCIATES, DAVIS, CALIFORNIA AND PREPARED UNDER BASED ON THE 7.5 MINUTE DAVIS QUAD, TAYLOR SACRAMENTO WEST, REPRESENTS THE

OLIVIA J. ANDERSON OF WEST YOST 2020 RESEARCH PARK DRIVE, SUITE 00 HEREBY CERTIFY THAT THIS MAP BY OR UNDER MY DIRECTION ON MARCH 28, 20 FOLLOWING U.S. GEOLOGICAL SURVEY TOPOGRAPHIC QUADRANGLES: DAVIS, WOODLAND, LIBERTY ISLAND AND THE STREAMS SHOWN HEREON

OLIVIA J. ANDERSON, P.E.

NOTE:

1. THE POINTS OF DIVERSION ON THIS MAP ARE BASED ON THE FOLLOWING COORDINATE SYSTEM: CALIFORNIA STATE PLANE, ZONE 2, NAD 83, HORIZONTAL DATUM, FEET.
2. THE ENTIRE PLACE OF USE THAT IS DEPICTED ON THIS MAP IS THE PLACE OF USE FOR APPLICATION NO. 30 358. THE TOTAL ACREAGE OF THE PLACE OF USE IS 23,950 ACRES.

City of Woodland
City of Davis
AND
University of California, Davis

MAP TO ACCOMPANY WATER RIGHT APPLICATION NO. 30358
POINTS OF DIVERSION, TRANSMISSION PIPELINES AND PLACES OF USE

WEST YOST ASSOCIATES
MARCH 2011

ATTACHMENT 3

DAVIS-WOODLAND WATER SUPPLY PROJECT

Environmental Impact Report Addendum No. 9
State Clearinghouse No. 2006042175

Prepared for
Woodland-Davis Clean Water Agency

October 2018

ESA

DAVIS-WOODLAND WATER SUPPLY PROJECT

Environmental Impact Report Addendum No. 9
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Woodland-Davis Clean Water Agency

October 2018

2600 Capitol Avenue
Suite 200
Sacramento, CA 95816
916.564.4500
www.esassoc.com

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SECTION 1
Background and Purpose of this Addendum

1.1 Background

The Cities of Davis and Woodland, and the University of California, Davis (UC Davis) (Project Partners) are implementing the Davis Woodland Water Supply Project (DWWSP or Project). The Project involves development of a new surface water supply for the Project Partners and consists of: an intake/diversion structure on the Sacramento River, a raw water conveyance pipeline between the intake/diversion structure to a new regional water treatment facility (RWTF), the RWTF, and distribution pipelines conveying treated surface water from the water treatment plant to each of the three Project Partners. Other local improvements such as local distribution pipelines and storage facilities are being constructed independently by each Project Partner. The Project also includes the acquisition of a new water right permit for the diversion and use of surface water from the Sacramento River, and the purchase from the Conaway Preservation Group and transfer of a portion of existing water right permits and contractual entitlements, and possibly one or more other water transfers.

With the City of Davis as the lead agency, the Project Partners prepared an Environmental Impact Report (EIR) on the Project (State Clearinghouse (SCH) # 2006042175) in accordance with the requirements of the California Environmental Quality Act (CEQA). The Notice of Preparation (NOP) for the EIR was published on April 28, 2006 and circulated to the public, local, state and federal agencies, and other interested parties. In addition to the 45-day public and agency comment period, public scoping sessions were held on May 18, 2006 in Woodland and May 22, 2006 in Davis. The Draft EIR was published on April 9, 2007 and circulated for public and agency review for a 76-day public review period ending June 25, 2007. Two public meetings on the Draft EIR were held by City of Davis on April 23, 2007 and May 2, 2007 and one public meeting was held by the City of Woodland on May 16, 2007. On October 16, 2007, the City of Davis, as acting CEQA lead agency, adopted Resolution No. 07-168, Series 2007, which certified the final EIR; adopted CEQA findings, a statement of overriding considerations and a mitigation monitoring and reporting program; and approved the DWWSP. On November 6, 2007, the City of Woodland, acting as a CEQA responsible agency, adopted Resolution No. 4878, which adopted CEQA findings and the mitigation monitoring and reporting program and approved the Project.

Since the certification of the EIR, the Cities of Woodland and Davis have formed the Woodland Davis Clean Water Agency (Agency), a joint powers authority (JPA), to implement the DWWSP. The Agency has proceeded with implementation of the Project, including additional project planning in support of the engineering design and project construction phases, financial planning, property acquisition, and acquisition of project permits and approvals. On April 21, 2011, the Agency, acting

as CEQA lead agency, approved an addendum (Addendum #1) to the EIR for the DWWSP that the City of Davis (then acting as CEQA lead agency) certified on October 16, 2007. Addendum #1 provided an assessment of changes to Delta water and aquatic resources since the 2007 DWWSP EIR as well as minor refinements to an element of the DWWSP involving the proposed water transfer from the Conway Preservation Group (CPG) to the DWWSP. In its Resolution No. 2011-03, the Agency approved Addendum #1 and found and determined that no subsequent EIR or further CEQA review was required. On June 21, 2012, the Agency approved Addendum #2 with Resolution No. 2012-01, which provided an assessment of changes to the location of the proposed RWTF. On October 18, 2012, the Agency approved Addendum #3 with Resolution No. 2012-03, related to minor revisions to the project raw water and Woodland finished water pipeline alignments. On December 20, 2012, the Agency approved Addendum #4 with Resolution No. 2012-04, related to minor revisions to the Davis finished water pipeline alignment. On October 10, 2013, the Agency approved Addendum #5 with Resolution No. 2013-12, related to updated air quality emissions modeling. On January 16, 2014, the Agency approved Addendum #6 with Resolution No. 2014-05, related to the need for additional solids drying facilities to support operations at the RWTF and the preparation of an updated floodplain modeling assessment. On June 19, 2014, the Agency approved Addendum #7 with Resolution No. 2014-08, related to modifications to the Davis finished water transmission pipeline route to minimize the impact to traffic on County Road 102, and a change in construction hours in the City of Woodland and Yolo County to provide for flexibility to accommodate changes in weather conditions and daylight work hours. On November 24, 2015, the Agency approved Addendum #8 with Resolution No. 2015-05, related to the approval of the installation and use of a temporary pump station at the joint intake site to divert water from the RD 2035 Main Canal for delivery through the newly constructed raw water pipeline for testing and initial operation of the new RWTF. Additionally, the Agency prepared and certified a Supplemental EIR (SEIR) that addressed the construction and operation of Aquifer Storage Recovery (ASR) wells that would be used to inject surface water diverted from the Sacramento River through the DWWSP intake and treated at the DWWSP regional water treatment facility. The SEIR was certified by the Agency on September 17, 2015 (Resolution No. 2015-03, SCH #2015012062).

Since certification of the Final DWWSP EIR in 2007, approval of Addenda #1 through #8 and certification of the ASR SEIR, it has been determined that a one-time sale from the City of West Sacramento to the Agency may be needed to provide supplemental surface water during the period of November 1 through December 31, 2018. The City of West Sacramento is willing to conduct a one-time sale of up to 2.0 thousand acre-feet (TAF) of the water that is available for diversion and use under its contract with the United States Bureau of Reclamation (Contract No. 0-07-20-W0187). As a result, the Agency prepared this Addendum #9 to the 2007 DWWSP EIR, which analyzes potential of this one-time sale of water from the City to the Agency.

1.2 Purpose of the EIR Addendum

According to Section 15164(a) of the CEQA Guidelines, the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 requiring preparation of a

subsequent EIR have occurred. Section 15162 of the CEQA Guidelines lists the conditions that would require the preparation of a subsequent EIR rather than an addendum. These include the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum concludes that the Project changes do not trigger any of the CEQA Guidelines Section 15162 conditions described above, and that the preparation of an addendum therefore is appropriate.

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SECTION 2
Description of Project Changes

2.1 Project Overview

The DWWSP involves development of a new surface water supply for the Project Partners and consists of: an intake/diversion structure on the Sacramento River, a raw water conveyance pipeline between the intake/diversion structure and the RWTF, the RWTF, and distribution pipelines conveying treated surface water from the water treatment plant to each of the three Project Partners. Other local improvements such as local distribution pipelines and storage facilities within each of the Project Partners service area will be constructed by each Project Partner.

2.2 Revised Project Description

Section 2.4 (Description of Water Transfer Source Options) of the 2007 DWWSP EIR describes the need for water supply transfer agreements when the diversion prohibition in the State Water Resources Control Board's Standard Permit Term 91 (Term 91) is in effect. Term 91 prohibits surface water diversions when water is being released from Central Valley Project (CVP) or State Water Project (SWP) storage reservoirs to meet in-basin entitlements, including water quality and environmental standards for protection of the Sacramento-San Joaquin Delta (Delta). To provide a reliable water supply during such conditions, the Project Partners may enter into water supply transfer agreements with holders of senior water rights or contracts with the Bureau of Reclamation for diversions within the Sacramento River watershed. During periods when the Term 91 diversion prohibition is in effect, the Project Partners would divert water through transfer agreements or sales, as authorized by such senior water rights or contracts.

The 2007 DWWSP EIR identified several senior water rights holders as potential suppliers to the Project Partners when the Term 91 diversion prohibition is in effect. Since that time, additional potential suppliers have been identified, including City of West Sacramento, whose diversion on the Sacramento River is approximately 8.0 miles downstream of the DWWSP intake. In addition, data has become available that indicate that the Term 91 diversion prohibition may be in effect during additional times of some years, including parts or all the period between November 1 through March 31.

This addendum addresses the potential one-time sale of City of West Sacramento water supplies (up to 2.0 TAF) to the Project Partners during the period of November 1 through December 31, 2018. The water would be diverted at the DWWSP intake/diversion structure which is located on the Sacramento River approximately 8.0 miles upstream of the City of West Sacramento's intake structure at Bryte Bend. Water would be diverted at an average rate of 13.9 cubic feet per second

(cfs) (0.84 TAF/month) and a maximum rate of 15.5 cfs (0.94 TAF/month), up to a total of 2.0 TAF.

The Term 91 diversion prohibition has been in effect during most years since 1984. **Table 1** below summarizes the Term 91 curtailment history. As indicated in this table, the longest curtailment periods occurred during 2013–2015, with 2014 having the most curtailment days (233 days total, 68 of which were outside the April to October period). For 2018, curtailments began on June 1 and still are in effect, and additional, late-season curtailments are possible. Therefore, curtailments for 2018 are not shown in the table.

TABLE 1.
TERM 91 CURTAILMENT HISTORY, 1984 - 2017

Year	Start Date	End Date	Start Date	End Date	Total	Apr-Oct	Jan-Mar	Nov-Dec
1984	22-Jun	31-Aug	--	--	71	71	0	0
1985	17-May	31-Aug	--	--	107	107	0	0
1986	2-Jul	6-Aug	--	--	36	36	0	0
1987	12-May	31-Aug	--	--	112	112	0	0
1988	21-Jun	7-Sep	--	--	79	79	0	0
1989	21-Jun	31-Aug	--	--	72	72	0	0
1990	14-May	31-Aug	--	--	110	110	0	0
1991	10-Jun	31-Aug	--	--	83	83	0	0
1992	21-May	15-Nov	--	--	179	164	0	15
1993	27-Jul	31-Aug	--	--	36	36	0	0
1994	15-Jun	31-Aug	--	--	78	78	0	0
1995	--	--	--	--	0	0	0	0
1996	22-Jul	20-Aug	--	--	30	30	0	0
1997	18-Jun	24-Aug	--	--	68	68	0	0
1998	--	--	--	--	0	0	0	0
1999	29-Jun	18-Aug	--	--	51	51	0	0
2000	28-Jun	17-Aug	--	--	51	51	0	0
2001	4-Jun	31-Aug	--	--	89	89	0	0
2002	17-Jun	31-Aug	10-Oct	15-Nov	113	98	0	15
2003	3-Jul	31-Aug	--	--	60	60	0	0
2004	29-May	31-Aug	--	--	95	95	0	0
2005	--	--	--	--	0	0	0	0
2006	--	--	--	--	0	0	0	0
2007	15-May	31-Aug	--	--	109	109	0	0
2008	2-Jun	15-Nov	--	--	167	152	0	15
2009	11-Jun	31-Aug	--	--	82	82	0	0
2010	15-Jul	31-Aug	--	--	48	48	0	0
2011	--	--	--	--	0	0	0	0
2012	2-Aug	31-Aug	--	--	30	30	0	0
2013	7-May	20-Sep	30-Oct	31-Dec	200	150	0	50
2014	1-Jan	11-Feb	20-May	26-Nov	233	165	42	26
2015	30-Apr	15-Dec	--	--	230	185	0	45
2016	2-Jun	14-Oct	--	--	135	135	0	0
2017	--	--	--	--	0	0	0	0

SOURCE: West Yost, 2016 and California Waterboards, 2018

SECTION 3
Analysis of Potential Environmental Effects

3.1 Introduction

The 2007 DWWSP EIR evaluated potential environmental impacts in the following resource categories: surface and groundwater resources, hydrology and water quality, land use and agriculture, geology, soils, and seismicity, air quality, noise, hazards and hazardous materials, public health, transportation, public services and utilities, cultural resources, recreation, aesthetics, growth inducing effects, and cumulative effects. These issues are reconsidered in this addendum in light of the proposed changes to the project description. This addendum analyzes whether, with these changes, implementation of the proposed project will result in any new significant impacts or substantially more severe impacts than those identified in the 2007 DWWSP EIR. The 2007 DWWSP EIR (Section 3.0, Environmental Analysis) describes the criteria that were used to determine the significance of environmental impacts. All mitigation measures identified in the 2007 DWWSP EIR were subsequently adopted by the DWWSP Partners as conditions of project approval. All applicable measures also will apply to the project changes described in this addendum.

The analysis contained in this addendum is focused only on the proposed one-time sale of up to 2.0 TAF of water during November-December 2018. Because the primary changes to the proposed project are limited to the one-time sale of 2.0 TAF of water during this period, changes to operations of the proposed project would remain relatively unchanged from the analysis contained within the 2007 DWWSP EIR. Specifically, impacts associated with construction and operation of project facilities would not be affected by the proposed one-time sale of water. Impacts related to Public Health, specifically related to substituting existing groundwater supplies with Sacramento River water, also would not be affected by the proposed change. The analysis related to the proposed changes therefore focuses solely on biological resources – specifically fisheries – and hydrology. The changes associated with the sale of water from the City of West Sacramento would be limited to in-water effects as previously described in the 2007 DWWSP EIR. All other DWWSP facilities and water transfers impacts would remain unchanged from the 2007 DWWSP EIR and therefore are not discussed further in this addendum.

3.2 Effects Related to Changes in the Proposed Project

There were no unmitigated significant impacts identified in the 2007 DWWSP EIR for any of the CEQA resource topics with the exception of construction-related air quality emissions. However, biological resources and hydrology resource topics are re-evaluated below to determine whether the

proposed modifications to the proposed project would result in any new significant impacts or substantially more severe impacts than those described in the 2007 DWWSP EIR.

3.2.1 Biological Resources

Section 3.6 of the 2007 DWWSP EIR concluded that construction of project intake facilities had a less than significant impact on fisheries within the Sacramento River, requiring no mitigation measures. The proposed changes in this addendum would result in the one-time diversion of up to 2.0 TAF from the Sacramento River during the period of (November 1 through December 31, 2018). Instead of diverting water in at the West Sacramento intake for the City of West Sacramento, the proposed project would allow up to 2.0 TAF to be diverted further upstream on the Sacramento River by the DWWSP during this period.

Impact 3.6-4 in the 2007 DWWSP EIR analyzed impacts to fish and other aquatic species if water transfers occurred. As described in the 2007 EIR's analysis of Impact 3.6-4, there would be no impacts to fish and aquatic habitats as a result of implementing water transfers from upstream water rights holders, because these transfers would cause slightly higher river flows between the transferor's release point and the DWWSP diversion point on the Sacramento River (2007 DWWSP Draft EIR, p. 3.6-50.).

The DWWSP intake is approximately 8.0 miles upstream of the City of West Sacramento's intake at Bryte Bend. This segment of the river where the water sale would occur represents a small portion of the total length of the Sacramento River and, as such, any effects would be localized to this segment of the River. **Table 2** shows the Sacramento River flow in the area of the proposed water sale (gaging station at Verona) from 2008 through 2018. When comparing the maximum proposed rate of diversion (15.5 cfs) with the lowest flow in the Sacramento River in the area of the proposed water sale during the last 10 years (5,330 cfs), the diversion would represent only 0.29% of the total flow. This very small decrease in flows as a result of the diversion would be expected to result in a change in habitat conditions that would be indiscernible to fish (i.e., there would be no noticeable change in flows or water temperatures from a habitat perspective). In addition, the wet season flows would further reduce the potential for any impacts to candidate, sensitive, or special-status species in local or regional plans, policies or regulations, or by the CDFG, USFWS, or NMFS, as described in Impact 3.6-7 of the 2007 DWWSP EIR.

The sale of water supplies from the City of West Sacramento in the Sacramento River basin would not adversely affect candidate, sensitive, or special-status species because the proposed diversions do not make up an appreciable volume of the overall flows in the Sacramento River system. The minor changes in hydrologic conditions would not be expected to have a discernable effect on overall aquatic habitat quantity and/or quality. There would not be any substantial reduction in fish populations or the quality or quantity of aquatic habitat within the Sacramento River system, including the Delta, for any special-status fish or wildlife species as a result of the proposed one-time water sale.

TABLE 2.
SACRAMENTO RIVER FLOW (CFS) WITHIN THE PROPOSED WATER SALE SEGMENT (VERONA), 2008-2018

Year	Minimum	Mean	Maximum
2007-2008	8,220	15,992	80,500
2008-2009	6,158	13,779	49,500
2009-2010	7,910	17,935	59,300
2010-2011	9,630	29,406	71,600
2011-2012	8,820	13,604	45,400
2012-2013	8,150	19,786	62,700
2013-2014	5,440	9,315	27,700
2014-2015	5,330	14,533	55,200
2015-2016	5,900	21,008	65,900
2016-2017	9,400	47,297	80,500
2017-2018	8,282	14,149	53,314

SOURCE: DWR, 2018

There are no changes in the environmental setting or project characteristics that would raise important new biological resources issues related to the sale of water from the City of West Sacramento during November 1 through December 31, 2018. Therefore, proposed project changes would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified biological resources impacts.

3.2.2 Surface Water Hydrology and Water Quality

Section 3.2, Surface Water Hydrology and Water Quality, of the 2007 DWWSP EIR concluded that project operation would directly affect Sacramento River flows by diverting water from the river. As described in Impact 3.2-2, in late-spring and summer months, when Term 91 is primarily in effect, the proposed project would not divert water from the River using the Project Partners' new water rights because water would be released from upstream reservoirs to protect Delta water quality or to meet CVP or SWP water contractor demands. During these times, the proposed project would only divert from the River water that was transferred from holders of senior water rights or water supply contracts. As a result, the proposed project would not reduce the flows in the River that would otherwise occur during this period.

This description would also be accurate for the proposed expansion of the water transfer period. The up to 2.0 TAF of water that would be sold to the Project Partners from the City of West Sacramento during November-December 2018 would not reduce instream flows because the water is available for diversion and use under Contract No. 0-07-20-W0187 during this period. While the transfer would occur when Sacramento River flows generally are higher (November through December), the transfer would only occur within the designed capacity of the system to avoid any potential impacts associated with a risk of increased flooding.

As a result, there are no changes in the environmental setting or project characteristics that would raise important new hydrological issues related to the sale of water from the City of West Sacramento during November 1 through December 31, 2018. Therefore, proposed project changes would not alter the conclusions of the 2007 DWWSP EIR, result in any new significant impacts, or substantially increase the severity of the previously identified hydrological resources impacts.

3.2.3 Cumulative and Growth Inducing Effects

The changes to the Project do not alter the underlying impact conclusions or growth assumptions of the 2007 DWWSP EIR. Therefore, there would be no change in the cumulative or growth inducing effects of the Project. None of the significance conclusions or findings in the Final EIR would be altered, no new significant impact would occur, and none of the previously identified significant impacts would be substantially worsened.

3.3 Conclusion

This addendum documents that the proposed diversion of water from the City of West Sacramento during additional Term 91 period from November through December 2018 would not result in any new or more severe impacts than those discussed in the 2007 DWWSP EIR, as updated by this Addendum #9. None of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to Public Resources Code Section 21166 exists for the Project with these changes.

3.4 References

California State Water Resources Control Board, 2018. Standard Term 91 (Stored Water Bypass Requirements) Graphs. Available at: https://www.waterboards.ca.gov/water_issues/programs/delta_watermaster/term91.html. Accessed on October 5, 2018.

Department of Water Resources (DWR), 2018. California Data Exchange Center - Sacramento River, Station Verona. Available at: http://cdec.water.ca.gov/dynamicapp/QueryF?s=VON. Accessed on October 5, 2018.

Environmental Science Associates (ESA). 2007a. Davis Woodland Water Supply Project Draft Environmental Impact Report. Prepared for the City of Davis, U.C. Davis and the City of Woodland, April 2007.

Environmental Science Associates (ESA). 2007b. Davis Woodland Water Supply Project Final Environmental Impact Report. Prepared for the City of Davis, U.C. Davis and the City of Woodland, October 2007.

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 7

SUBJECT:

CONSIDERATION OF APPROVAL OF RESOLUTION 18-70 APPROVING A CAPITAL IMPROVEMENT PROGRAM BUDGET AMENDMENT TO THE WASHINGTON DISTRICT SUSTAINABLE COMMUNITY INFRASTRUCTURE PROJECT FOR FISCAL YEAR 2018-2019

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff
[ ] Other

REPORT COORDINATED OR PREPARED BY:

Edgar Medina, Senior Civil Engineer

Denix Anbiah, Director of Public Works Department

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The objective of this report is to facilitate City Council's consideration for approval of a Capital Improvement Program budget amendment that will increase the construction contingency for the Washington District Sustainable Community Infrastructure Project (WDSCIP).

RECOMMENDED ACTION

Staff respectfully recommends that the City Council:

1) Approve Resolution 18-70 approving an amendment to the Capital Improvement Program for an additional budget appropriation of $200,000 from the Water Impact Fee Fund to the Washington District Sustainable Community Infrastructure Project Budget for Fiscal Year 2018-2019; and
2) Grant the City Manager or his designee the authority to issue Contract Change Orders up to $200,000 plus the previously approved contingency.

BACKGROUND

In 2015 the City was awarded a $6.7 million State cap-and-trade grant for affordable housing and infrastructure funding to jump-start new mixed-use development. A portion of the grant was slated for the development of 77 units of affordable housing at West Gateway Place (formerly Delta Lane development). The construction of this development was recently completed. Another portion of the grant, $4.1 million, was intended for infrastructure improvements including roadways, frontage, underground utilities, lighting and streetscape improvements in the Washington District and the City's Grand Gateway, a "hub bringing together our downtown Central Business District, the Bridge District, and the historic Washington District." A Project to design and construct these improvements was developed and is known as the Washington District Sustainable Community Infrastructure Project.

On May 18, 2016, Council approved a professional services contract with AECOM for the design and partial construction administration of the WDSCIP. Subsequently, on October 5, 2016 and October 4, 2017, Council approved Contract Amendments No. 1 & 2 respectively.

On September 20, 2017, Council awarded a construction contract to Teichert Construction for the WDSCIP. Construction began in November 2017 and is actively progressing towards substantially completion.

On August 22, 2018, Council approved a contract amendment and budget amendment to the project for the construction of the West Capitol Avenue Parking Lot and additional paving on E Street from 5th St to 3rd St.

ANALYSIS

As part of the construction contract, Council approved a 10% construction contingency to manage any unforeseen and/or scope revisions during construction. In most construction projects, a 10% contingency would be appropriate, though for a project of WDSCIP's scope and size, a higher contingency percentage may have been more appropriate as the project has experienced a high number of unforeseen conditions that required design revisions, infrastructure repair, infrastructure replacement, new scope and/or a scope increase.

In spite of all of the project changes, the construction contractor is on track to complete the project five to six months ahead of schedule. The current schedule calls for substantial completion in early January 2019.

However, the high number of project changes has encumbered all of the project's contingency balance, with three months of construction remaining. Therefore, the project schedule and efficiencies are at risk should any additional items arise as the remaining work is performed.

As further background, the following list is a few of the scope items that are above and beyond what normally are expected to be covered by the construction contingency:

1. New waterline and asbestos cement waterline abatement on E Street between 5th Street & 3rd Street.
2. Replacement of water meters on E Street between 5th Street & 3rd Street.
3. Additional roadway excavation.
4. Additional lead contamination remediation.
5. New storm drain facilities on 6th Street between E Street & F Street.
6. New sewer manholes and laterals on G Street.

While the six (6) items above represent a small number of the total list of items (130) encumbering the project's construction contingency, it represents nearly 50% of the encumbrance against the contingency budget ($1,374,000.00). Currently, the construction contingency is fully encumbered with approximately three months of construction remaining. Therefore, the Project Team analyzed the remaining scope of work to establish a contingency budget request of $200,000 to close out the project.

Coupled with the $200,000 budget request, Staff has evaluated the scope items to determine the appropriate funding source to fund the additional budget. Thus, in reviewing the encumbering scope items, the water items identified under number 1 and 2 represents completely new scope items to the project that leverage approximately $370,000 of the available contingency budget.

Under normal circumstances, the Project Team would have delayed the project (or a portion thereof) to process a change order for Council approval prior to initiating the new scope, but in this case, the decision to utilize the contingency was made to maintain the reduced project schedule. Therefore, Staff is recommending the Water Impact Fee Fund as the funding source, since the new water scope items represents the largest scope impact leveraging the available contingency budget.

Environmental Considerations:
The project Final Environmental Impact Report was certified on February 15, 2017 when Council adopted Resolution 17-11.

Commission Recommendation:
N/A

Strategic Plan Integration:
The Project is consistent with the City's Mission of City Government that is Financially Sound and its Vision as a Vibrant City where you can Live, Work, Learn & Play as well as support a Strong, Diverse Local Economy by providing Quality Infrastructure.

Alternatives:
1. Staff respectfully recommends that the City Council:
    a. Approve Resolution 18-70 approving a Budget Amendment of $200,000 to increase the contingency amount of the WDSCIP project budget for Fiscal Year 2018-2019 (previously approved contingency $1,374,000); and
    b. Grant the City Manager or his designee the authority to issue additional Contract Change Orders up to $200,000.
2. Council may elect not to proceed with the budget amendment. Staff does not recommend this option as this would limit the ability of staff to facilitate construction scope changes without returning to Council for approval and potentially delaying completion of the project.
3. Council may choose to make adjustments or modifications to the project or the contingency amount requested.

Coordination and Review
This report has been coordinated with the Finance Division of the Administrative Services Department, City Attorney, Building Division, and Public Works Department.

Budget/Cost Impact
The amount authorized for the Washington District Sustainable Community Infrastructure Project (15027) will require additional appropriations and amendments to the CIP. The approved amendment of the contract will require additional funding from the Water Impact Fee Fund towards the completion of this project. The following tables provide a breakdown of the project costs (Table 1), project appropriation request (Table 2) and project budget funding (Table 3).

Table 1 – Current Project Costs	
Design Cost	
Consultant Base Contract (AECOM)	$781,327.79
AECOM Contract Amendment No. 1	$174,392.52
Union Pacific Railroad Permit	$1,010.00
PG&E (Deposit FO + Application for services)	$26,000.00
Potholing (Marquez Pipelines)	$66,050.00
Right-of-Way Services (AR/WS)	$50,000.00
Staff Oversight & Project Management	$277,042.58
Sub Total Design Cost	***$1,375,822.89***
Construction Cost	
Teichert Construction Base Bid	$12,390,631.79
Alternate # 1 (7th St Parking Lot)	$345,335.00
Construction Contingency (10%)	$1,274,000.00
PG&E utility relocation cost (Amount subject to reimbursement by PG&E)	$800,000.00
Construction Management (Ghirardelli Associates)	$1,029,025.00
Cultural monitoring (AECOM Contract Amendment No. 2)	$60,000.00
Materials Testing /Environmental Mitigation (Blackburn Consulting)	$105,065.00
Staff Oversight & Project Management	$151,668.00
AECOM Contract Amendment No. 3	$203,834.00
Blackburn Consulting Contract Amendment No. 1	$29,138.00
West Capitol Parking Lot	$181,500.00
Additional Street Paving	$100,000.00
Additional Construction Contingency	***$200,000.00***
Sub Total Construction Cost	***$16,870,196.79***
Total Project Cost	***$18,246,019.68***

Table 2 – Project Appropriation Request		
Budget Appropriation Request		
WDSCIP Additional Construction Contingency		$200,000.00
Total Appropriation Request		***$200,000.00***

Table 3 – Project Budget Funding		
Project Funding Sources	**Approved Budget Appropriation**	**Requested Budget Appropriation**
AHSC Grant	$4,100,000.00	N/A
Measure G – Appropriated	$2,500,000.00	N/A
Sewer Impact Fees	$1,500,000.00	N/A
ATP Grant	$87,000.00	N/A
PG&E/AT&T Reimbursement	$800,000.00	N/A
Sewer Capital Projects Funds (Sewer Bond Proceeds)	$4,150,000.00	

Measure G – Fund 406	$3,057,972.00	
Water Impact Fee Fund – Additional Contingency	$870,000.00	***$200,000.00***
Ziggurat Parking Fund	$500,000.00	
Storm Drain Fund	$300,000.00	
Measure G – Fund 406 – West Capitol Parking Lot	$50,000.00	
Measure G – Fund 106/406 – West Capitol Parking Lot	$131,500.00	
Total Fund Appropriations	***$18,046,472.00***	***$200,000.00***

ATTACHMENT(S)

1) Resolution No 18-70: WDSCIP Budget Amendment

RESOLUTION 18-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING AMENDMENTS OF $200,000 TO THE WASHINGTON DISTRICT SUSTAINABLE COMMUNITY INFRASTRUCTURE PROJECT CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2018-19

WHEREAS, the City Council adopted the biennial Capital Improvement Program (CIP) budget for Fiscal Years 2017-18 and 2018-19 on June 14, 2017; and

WHEREAS, the City Council adopted mid-term amendments to the CIP budget for Fiscal Year 2018/19 on May 23, 2018 via Resolution 18-35; and

WHEREAS, based upon information received subsequent to the adoption of the budget, the City Manager has prepared and proposed an amendment to budgeted expenses for the 2018-19 fiscal year; and

WHEREAS, the original contingency for this project (10%) has been fully encumbered due to project scope changes; and

WHEREAS, an additional contingency of $200,000 has been estimated by staff to be appropriate to cover any additional issues arising from the remaining scope of work on this project; and

WHEREAS, the balance in the Water Impact Fee Fund is projected at $12.4 million taking into account expected revenues for FY 2018-19 and appropriations already approved in the CIP for the fiscal year 2018-19, and is sufficient to cover the one-time cost of the proposed amendment; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any other information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Sacramento as follows:

1. The City Council hereby approves amendments to the Capital Improvement Program (CIP) for the 2018-19 fiscal year as listed below.

SOURCES		
$200,000	507-0000-3115	Water Impact Fee Fund Balance
$200,000	*507-9999-5950*	*Interfund Transfer to Fund 406*
$200,000	Total Sources	
USES		
$200,000	406-9211-5530/406-15027-5800	(Washington District SC Infra Proj)
$200,000	*406-4990/406-15027-4990*	*Interfund Transfer in from Fund 507*
$200,000	Total Uses	

2. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the West Sacramento City Council this 17th day of October 2018, by the following vote:

AYES:
NOES:
ABSENT:

Christopher L. Cabaldon, Mayor

ATTEST:

Kryss Rankin, City Clerk

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 8

SUBJECT:

CONSIDERATION OF RESOLUTION 18-72 APPROVING AMENDMENTS TO THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM TO REFLECT THREE RECENTLY AWARDED GRANTS FROM VARIOUS SOURCES

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:
Sarah A. Strand, Associate Transportation Planner

Denix Anbiah, Director of Public Works

ATTACHMENT [X] Yes [ ] No [X] Information [ ] Direction [X] Action

OBJECTIVE

The purpose of this report is to request City Council adoption of Resolution 18-72 amending the FY18-19 CIP to allow for the expenditure of recently awarded grant funds for multiple projects.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council adopt Resolution 18-72 approving amendments to the FY 2018-2019 Capital Improvement Program to reflect three recently awarded grants from various sources.

BACKGROUND

The City of West Sacramento routinely applies for various competitive grant programs to supplement funding needed to develop and implement local transportation programs. Following the successful award of grant funding, the City's Capital Improvement Program (CIP) requires updating to adequately track the expected revenues and expenses associated with the grant funded projects.

ANALYSIS

This staff report proposes to amend the FY18-19 CIP to reflect the recent award of three grants in an amount totaling $197,750 to the City of West Sacramento, as further described herein. Of special note, staff is not requesting an allocation of local funds to meet local match requirements. Rather, staff has identified opportunities to leverage previously awarded grants to meet the local match requirements for all three newly awarded grants. Leveraging of previously awarded grants toward the local match required by the three newly awarded grants enables the City to conserve scarce local funds in a fiscally constrained environment.

In March 2018, the City submitted a successful application for funding from the Yolo Solano Air Quality Management District's (YSAQMD) Clean Air Fund grant program requesting $17,750 to assist with the design, fabrication, and installation of bicycle and pedestrian oriented wayfinding signage along key active transportation corridors as part of a Pilot Community Wayfinding program that was initiated through the City's Safe Routes to School program. The Clean Air Fund utilizes local fees collected from annual vehicle registrations to fund projects with a potential to encourage mode shift to cleaner transportation options and requires a minimum 11.47% local match. Staff has proposed to leverage $9,500 from the existing Federal Safe Routes to School grant funding awarded in 2012 by Caltrans, as the Clean Air Fund grant would enable completion of the City's existing SRTS initiated Community Wayfinding Pilot in partnership with WALKSacramento. Completion of the Community Wayfinding Pilot is anticipated by July 2019.

In late July 2018, the City submitted two successful and highly innovative applications for funding from the Sacramento Area Council of Governments' (SACOG) Next Generation Transportation Demand Management (TDM) Grant Programs, which are pass through funds from the federal Congestion Mitigation and Air Quality (CMAQ) program. One grant application was submitted to the SACOG Traditional Transportation Demand Management (TDM) program requesting $80,000 to develop and implement a Safe Routes to School program focused on the local High School, Private and Charter Schools, which have previously been ineligible under prior federally funded SRTS grant programs. The new SRTS program timeline is expected to run from October 2018 through June 2021, pending SACOG final approval of a pending grant agreement.

The second grant application was submitted to the SACOG TDM Innovations program requesting $100,000 to develop and deploy an Inclusive TDM Strategy, which would conduct a citywide household travel survey to inform a significant branding, marketing and outreach effort. The goal of the Inclusive TDM Strategy is to better message alternative transportation options for non-compulsory trips to underrepresented populations. Work on this project is expected to be completed by Fall 2020. The 11.47% local match requirement for both SACOG grants (federal CMAQ funds) is proposed to be met by leveraging recently awarded FY18-19 Caltrans (SB1) Sustainable Planning Grant funds, as the goals across all three projects seek to encourage mode shift to sustainable transportation options through education and outreach.

Each respective grant program sets forth restrictions on eligible projects and expenses and requires a grant agreement between the grantor agency and the City ensuring that funds cannot be redirected to any other project or purpose beyond the scope of work submitted within each grant application. Clean Air Fund grants target projects and programs intended to encourage low or now emission transportation, or broadly seeks to achieve emissions reductions from mobile sources. Projects eligible for both SACOG TDM must seek to encourage people to drive alone less often by developing and implementing TDM programs, policies, services and/or information that promote bicycling, walking, riding transit, carpooling, vanpooling, and/or teleworking. The SACOG Traditional TDM grants are intended to provide funding for projects, programs, and events that have been tried, tested, and proven to be effective in changing travel behavior. The SACOG TDM Innovations program is intended for new and untested strategies aimed at encouraging more sustainable transportation.

The City Council's approval of the attached Resolution 18-72 will amend the FY18-19 CIP to reflect the newly awarded grant funds and will record for posterity the source of local match assigned to each respective grant.

Environmental Considerations
Not applicable. This item presents an administrative action tied to programs that would not be defined as a "project" under the California Environmental Quality Act. All three programs are intended to encourage broader adoption of low or no emission transportation options.

Commission Recommendation
Not applicable. This item presents an administrative action that holds no direct policy implications subject to recommendation by any given Commission. However, as work is initiated on each respective project, information will be presented to relevant commissions, as appropriate, at key milestones.

Strategic Plan Integration
Amending the CIP to accept newly awarded grant funds to be expended toward a variety of active transportation supportive programs is in alignment with multiple goals of the Strategic Plan, by promoting healthy and active living and by helping to make West Sacramento a preferred place to live, work, learn and play, a Center for Innovation, and a community for all stages of life.

Alternatives
1. Adopt Resolution 18-72 amending the FY18-19 Capital Improvement Program (CIP) to reflect three (3) recently award grants from various sources.
2. Decline to adopt Resolution 18-72 at this time and request that this item be rescheduled for a future meeting. This is not recommended as a delayed amendment to the FY18-19 CIP will prevent staff from accepting and utilize the grant funds to begin work on the aforementioned projects.
3. Decline to adopt Resolution 18-72. This is not recommended as an amendment to the FY18-19 CIP is necessary for staff to accept and utilize the grant funds and begin work on the aforementioned projects.

Coordination and Review
This report was prepared by the Transportation Section of the Public Work Department in coordination with the Finance Division of the Administrative Services Department. Information contained in this report was coordinated with representatives from all relevant funding sources, including the Yolo Solano Air Quality Management District (YSAQMD), the Sacramento Area Council of Governments (SACOG), and the California Department of Transportation (Caltrans).

Budget/Cost Impact
The projects described herein will be reimbursed in full by grant funding. The total cost of the $17,750 Community Wayfinding Project (YSAQMD Clean Air Fund) will be paid out of the General Facilities Fund, Fund 208-9211-5530/14011 (Safe and Healthy Routes to School). The $80,000 SACOG Traditional TDM grant for a new SRTS program will be paid out of the Traffic Improvement Fund, Fund 205-9211-5530/11033. The $100,000 SACOG TDM Innovations grant for the Inclusive TDM Strategy development and implementation will be paid out of the Traffic Improvement Fund, Fund 205-9211-5530/11034.

ATTACHMENT(S)
Attachment 1 – Resolution 18-72

RESOLUTION 18-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING AMENDMENTS TO THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM TO REFLECT THREE RECENTLY AWARDED GRANTS FROM VARIOUS SOURCES

WHEREAS, the City Council adopted the biennial Capital Improvement Program (CIP) budget for Fiscal Years 2017-18 and 2018-19 on June 14, 2017; and

WHEREAS, the City Council adopted mid-term amendments to the Fiscal Year 2018/19 Capital Improvement Program (CIP) budget on May 23, 2018 via Resolution 18-35; and

WHEREAS, based upon information received subsequent to the adoption of the budget, the City Manager has prepared and proposed an amendment to budgeted revenues and expenses for the 2018/19 fiscal year; and

WHEREAS, the City of West Sacramento submitted and was subsequently awarded: $17,750 for a Community Wayfinding Pilot from the Yolo Solano Air Quality Management District's (YSAQMD) Clean Air Fund Grant program; $80,000 for an Innovative SRTS program from the Sacramento Area Council of Governments (SACOG) Traditional Transportation Demand Management (TDM) Grant program; and $100,000 for an Inclusive TDM Strategy from the SACOG TDM Innovations Grant program; and

WHEREAS, each grant described herein requires an 11.47% local match; and

WHEREAS, $9,500 from the previously awarded Cycle 3 Federal SRTS grant for the West Sacramento Safe and Healthy Routes to School program will be leveraged to meet the Community Wayfinding Pilot local match requirement and a total of $23,321 from the recently awarded FY18-19 Caltrans (SB1) Sustainable Transportation Planning grant for the Mobility Action Plan will be leveraged to meet the SACOG Traditional TDM grant ($10,365) and the SACOG TDM Innovations grant ($12,956) local match requirements; and

WHEREAS, the Community Wayfinding Pilot will be paid from and reimbursed to the General Facilities Fund (208); and the Safe Routes to School program and the Inclusive TDM Strategy will be paid from and reimbursed to the Traffic Improvement Fund (205); and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any other information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Sacramento as follows:

1. The City Council hereby approves amendments to the Capital Improvement Program (CIP) budget for the 2018-19 fiscal year as provided below:

SOURCES	
$17,750	208-4825/14011 YSAQMD Clean Air Fund Grant
$80,000	205-4640/11033 SACOG Traditional TDM Grant (Federal CMAQ)
$100,000	205-4640/11034 SACOG TDM Innovations Grant (Federal CMAQ)
$197,750	Total Sources

USES	
$17,750	208-9211-5530/14011 Community Wayfinding Pilot
$80,000	205-9211-5530/11033 Innovative SRTS Program
$100,000	205-9211-5530/11034 Inclusive TDM Strategy
$197,750	Total Uses

2. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the West Sacramento City Council this 17th day of October 2018, by the following vote:

AYES:
NOES:
ABSENT:

Christopher L. Cabaldon, Mayor

ATTEST:

Kryss Rankin, City Clerk

REGULAR MEETING OF THE
CITY OF WEST SACRAMENTO CITY COUNCIL,
REDEVELOPMENT SUCCESSOR AGENCY, AND
WEST SACRAMENTO FINANCING AUTHORITY
October 3, 2018
Minutes

DRAFT

The closed session was called to order at 6:00 PM. There were no members of the public present. Councilmember Sandeen was absent. All other members were present. The session adjourned at 7:03 PM.

The regular meeting was called to order at 7:11 PM in the Council Chambers, 1110 West Capitol Avenue, West Sacramento, California. Councilmember Sandeen was absent. All other members were present, and Mayor Pro Tem Ledesma arrived at 7:32 pm. Mayor Cabaldon presided.

The Pledge of Allegiance was led by Assistant City Manager Amanda Berlin.

Entry No. 1
Heard General Administration Functions as follows:

There were no presentations by the public on matters not on the agenda.

Councilmember Orozco reported that the City/School 2x2 Committee discussed the West Sacramento Home Run Memorandum of Understanding, funding commitment, providing seed money for students enrolling in kindergarten within the Washington Unified School District; expressed interest in evaluating measured outcomes of this investment; and provided input regarding the framework to Program Manager Ian Winbrock.

Councilmember Orozco also reported that the Downtown Streets program held its first meeting with City staff and about thirty members of the homeless community looking for opportunities; and saw the first new members cleaning up West Capitol Avenue earlier this week.

City Manager Laurel reported that the Sacramento-Yolo Port District Board authorized the Port Chief Executive Officer, or his designee, to accept real property on behalf of the Sacramento-Yolo Port District; and approved budget modifications and structural changes regarding how the Port fits into the City organization.

Mayor Cabaldon reported that the Sacramento Area Council of Governments (SACOG) Board continued to discuss the Metropolitan Transportation Plan and Sustainable Communities Strategy along with land use and transportation projects; found that emissions and climate change analysis on the current plan allowed for greenhouse gas reductions at a rate of fourteen percent, but need to achieve the state-mandated reduction of nineteen percent; and will be revisiting ways to get to the mandated target reduction in order to ensure keeping a Sustainable Communities Strategy in place; and expressed specific concerns for the cities of West Sacramento and Sacramento as portions of both cities are set within the Sacramento-San Joaquin Delta for which state law created the Delta Stewardship Council with residual authority to overturn any actions of the City that the Council felt might affect water supply, water conveyance, water quality, habitat, and some of the other issues under the scope of the Delta Stewardship Council. If SACOG is not able to meet the nineteen percent greenhouse gas reduction target, then instead of the city having a Sustainable Communities Strategy we would have an Alternative Planning Scenario and will be exposed to risk of the Delta Stewardship Council review and overturn of City actions within their scope. Mayor Cabaldon continued to report that the SACOG Board selected a new youth leadership academy which aligns very closely to the West Sacramento Home Run program; and has philanthropic and business support to create the academy which will include two high school students (one high school junior for a two-year term and one high school senior for a one-year term) from each of the member jurisdictions of the SACOG region to be selected to participate over the year.

In addition, Mayor Cabaldon reported that he participated in the Institute for the Futures annual convening about the future of trust, civic engagement, and how to win the future. The leadership role that the City has played is in piloting, trying, and experimenting with new forms of civic engagement has attracted attention.

Mayor Cabaldon continued to report that the U.S. Conference of Mayors Leadership Board of Directors met in Columbia, South Carolina, along with the nation's Police Chiefs, to work on a variety of key topics around police response on homelessness, racial justice, and police-involved shootings; and to the Mayors Leadership Board, Mayor Cabaldon presented on Via On-Demand Ride Share and Jump bikes as a national model of innovation at the citywide scale for personal mobility and next generation public transportation.

Mayor Cabaldon concluded by reporting that he attended meetings in Washington D.C. regarding the flood protection program in which we are at the stage where it's time to secure federal funding for preliminary engineering and design for the first levee project as part of the federal commitment for an overall of $1.1 billion levee project; found that Congress approved the appropriation bills that included the U.S. Army Corp of Engineers allowing the Corp to know how much money will be available for the upcoming cycle in order to develop their work plan for which we are trying to get funding for levee engineering and design included; and met with political leaders and key staff members on developing a strategy to be included in the 2020 appropriation budget to fund levee construction.

Entry No. 2
Minute Order 18-69: Acted on the Consent Agenda as follows:

Item 2, consideration of approval of a Development Funding and Fee Credit Transfer Agreement with ASB Southport I, LLC for the Yarbrough Subdivision, was pulled from the agenda prior to meeting as requested by staff.

Item 3, Consideration of Resolution 18-71 approving Final Map 5149, "Bridge District Phase 4 Homes South," along with the associated Private Road Agreement, located at the corner of Central Street and Mill Street, was pulled from the Consent Agenda to be considered by a separate vote.

Approved the West Sacramento Home Run outcomes policy framework, in substantially the form presented, to guide measuring Home Run programmatic outcomes.

Approved the minutes of the September 19, 2018 regular City Council meeting.

MOTION: Orozco. SECOND: Johannessen. AYES: Cabaldon. ABSENT: Ledesma, Sandeen.

Mayor Pro Tem Ledesma arrived at 7:32 PM.

Entry No. 3
Minute Order 18-70: Opened a public hearing to consider the first reading of Ordinance 18-2 amending the Stone Lock Development Agreement between the City and the Sacramento-Yolo Port District. Hearing from no one, closed the public hearing; found that the proposed amendment to the Stone Lock Development Agreement is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 5, Section 15305 (Minor Alterations in Land Use Limitations); waived the first reading and read by title and number only, Ordinance 18-2 amending the Stone Lock Development Agreement between the City and the Sacramento-Yolo Port District; directed staff to file the CEQA notice of exemption; and informed the public that the second reading and adoption of Ordinance 18-2 is scheduled for October 17, 2018.

MOTION: Johannessen. SECOND: Orozco. AYES: Ledesma, Cabaldon. ABSENT: Sandeen.

Entry No. 4
Mayor Cabaldon recused himself from item 3, Consideration of Resolution 18-71 approving Final Map 5149, "Bridge District Phase 4 Homes South," along with the associated Private Road Agreement, located at the corner of Central Street and Mill Street; and Mayor Pro Tem Ledesma presided over the item.
Minute Order 18-71: Adopted **Resolution 18-71** approving Final Map 5149, "Bridge District Phase 4 Homes South", along with the associated Private Road Agreement, located at the corner of Central Street and Mill Street.

MOTION: Orozco. SECOND: Johannessen. AYES: Ledesma. ABSTAIN: Cabaldon
ABSENT: Sandeen.

ROLL CALL VOTE: OROZCO: Aye. JOHANNESSEN: Aye. LEDESMA: Aye. CABALDON: Abstain. SANDEEN: Absent.

Mayor Cabaldon returned to preside over the remainder of the meeting.

Entry No. 5
Minute Order 18-72: Found that the installation of shade shelters at Summerfield Park and Westfield Park play sites is exempt from environmental review under the California Environmental Quality Act (CEQA) Guidelines Sections 15301, 15303, and 15304; adopted **Resolution 18-65** transferring appropriations of $30,000 from Work Order 62127 to Work Order 62128; approved a contract with Game Time c/o MRC Incorporated in an amount not to exceed $197,830.43; and granted the City Manager or his designee the authority to issue contract change orders up to 5 percent of the contract for the amount of $9,892.

MOTION: Orozco. SECOND: Ledesma. AYES: Johannessen, Cabaldon. ABSENT: Sandeen.

Entry No. 6
Minute Order 18-73: Heard the staff presentation on procurement of a Computerized Maintenance Management System; provided staff with feedback and direction; and authorized staff to proceed with Request for Proposal process.

MOTION: Ledesma. SECOND: Johannessen. AYES: Orozco, Cabaldon. ABSENT: Sandeen.

Entry No. 7
Heard General Administration Function, Part II.

Assistant City Manager Berlin announced that the Cyclocross Grand Prix will be held at Riverwalk Park beginning at 8:00 AM on Saturday, October 6 through the weekend; the Bayer Crop Science Community Service Day will be held at Sam Combs Park to work on the dog park beginning at 10:00 AM on Saturday, October 12; Fire Station 45 will be hosting an Open House on Saturday October 13 beginning at 11:00 AM: the Riverfront Streetcar JPA Board meeting scheduled for October 16 has been cancelled; and an event for the opening of the Mill Street Pier Kinetic Art Installation and the opening of Drakes at The Barn is scheduled for Monday, October 29 beginning at 5:30 PM.

City Manager Laurel reported on an end of the legislative session update regarding Assembly Bill 2681 that the City took quick action to urge the governor to veto the bill. This bill had to do with requiring local building departments to create an inventory of seismically vulnerable buildings creating a heavy burden on building departments statewide. By joining a coalition, acting under our policy to submit a veto letter, the governor did veto the bill. Deputy City Manager Robinson is working with the City's legislative advocate in preparing a report of the entire legislative session which will be presented to the Council in the near future.

Mayor Cabaldon reported that the governor also vetoed the economic development legislation that the Greater Sacramento Council of Economic Development was sponsoring.

Mayor Pro Tem Ledesma inquired as to the bill regarding numbering and allocation of housing which would make a high impact on the region. City Manager Laurel responded that this item will be included in the comprehensive report.

Mayor Cabaldon suggested that, as in times past, the City's representatives, Senator Pan and Senator McCarty be invited to present the "End of Session Round Up" to the Council.

PUBLIC REPORT OF CLOSED SESSION
Conference with Legal Counsel – Significant Exposure to Litigation - GC §54956.9(b): 1
No action taken.

Conference with Real Property Negotiator – GC §54956.8
Negotiating Parties: Charline Hamilton (City of West Sacramento); Brian Dewey (State of California Department of Parks & Recreation)
Property: APNs 014-610-004, 014-610-010,014-610-014, 014-610-020, 014-620 -003, 014-620-010, 014-620-012, 014-620-014, 014-760-020, and 014-760-023
Under Negotiation: Price and Terms of Payment
No action taken.

Conference with Real Property Negotiator – GC §54956.8
Negotiating Parties: Katie Yancey
Property: 20076 Riverfront Street, APN 058-320-060
Under Negotiation: Price and Terms of Payment
No action taken.

The meeting adjourned at 8:31PM.

_____
Kryss Rankin, City Clerk

Minutes approved as presented by a majority vote of the City Council on October 17, 2018.

_____
Kryss Rankin, City Clerk

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 10

SUBJECT:

CONSIDERATION OF APPROVAL OF THE RENAMING OF CIRCLE PARK TO WILLIAM "WILLIE" DAPRATO PARK

INITIATED OR REQUESTED BY:

[X] Council [ ] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:

Cindy Tuttle, Director of Parks and Recreation

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The objective of this report is to provide Council with information to consider renaming Circle Park to William "Willie" DaPrato Park.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council approve the renaming of Circle Park to William "Willie" DaPrato Park.

BACKGROUND

At the September 19, 2018 City Council meeting, Mayor Cabaldon and Mayor Pro Tem Ledesma requested, and the Council directed, that staff initiate the process for the renaming of Circle Park located at 1509 Circle Street to William "Willie" DaPrato Park. The City's *Park and Facility Naming Policy*, which was originally adopted in 1998 and revised in 2004, was primarily intended to provide a consistent process for the naming of parks, which were rapidly increasing in numbers at that time. The policy, as it is currently written, calls for the Parks, Recreation and Intergenerational Services Commission to approve the nominations. The City Council has the final authority on the naming of any facility. While not specifically articulated in the policy, the unwritten practice was to name parks or facilities for significant or influential leaders who are deceased. However, in the past, the Council has recognized key individuals who have contributed significantly to the success of the City through the naming of certain public facilities after them. For example, the Mike McGowan Bridge.

ANALYSIS

Long before our City became 'West Sacramento', before Raley's, Nugget and Target, there was Willie's Market. The owner, William "Willie" DaPrato, opened the market on 15th Street in 1953. It was the one and only grocery store in town and everyone knew Willie and still do to this day. For more than sixty years, Willie DaPrato has been contributing to the success of the West Sacramento community having served as the President of the Sacramento District Chamber of Commerce, Kiwanis and West Sacramento Community Council. He also served on the Chamber of Commerce, Veterans of Foreign War, and the Northern California Grocers Association, just to name a few. He is known as the Godfather of Memorial Park for his role in the development of the park for Little League, a tradition that continues today. In the 50s and 60s Willie served as the Chairman of the fourth of July celebration. During the formation of the City in the 80s, Willie played a key role because his market was a place that everyone went to for information. Mike McGowan, the City's first Mayor after incorporation, claims that it is actually Willie DaPrato that holds the title of first Mayor of West Sacramento because of his contributions to the advancement and progress of our community. He is truly a West Sacramento celebrity! Naming Circle Park (which happens to be right around the corner from the Willie's Market location) after Willie DaPrato is a fitting tribute to a person who has made significant contributions to the West Sacramento community.

Environmental Considerations

N/A

Commission Recommendation
On October 2, 2018 the Parks, Recreation and Intergenerational Services Commission unanimously approved (Motion: Hargrove; Second: Clayton; Ayes, 7; No, 0; Abstain, 0) to recommend to Council the renaming of Circle Park to William "Willie" DaPrato Park. Commissioners provided comments on the numerous contributions of Mr. DaPrato to the community that are included in the analysis of this agenda report.

Strategic Plan Integration
The renaming of Circle Park in honor of William "Willie" DaPrato is consistent with the Council's goal West Sacramento: Preferred Place to Live, Work, Learn and Play.

Alternatives
The Council has the following alternatives in their consideration of the recommended action:

1. Approve the renaming of Circle Park to William "Willie" DaPrato Park;
2. Reject the renaming; or
3. Direct staff to take some other action related to the renaming of Circle Park.

Alternative 1 is the staff and Parks, Recreation and Intergenerational Service Commission's recommendation.

Coordination and Review
This report has been coordinated with the City Manager's Office.

Budget/Cost Impact
There will be some cost for signage, but this is expected to be minimal.

ATTACHMENT(S)

1. Facility Naming Application
2. Facility Naming Procedures and Guidelines
3. Administrative Policy IX-A-2

City of West Sacramento
Department of Parks & Recreation
Facility Naming Application

Please complete this form to the best of your ability. The Parks, Recreation and Intergenerational Services Commission may ask you to make a presentation as part of the consideration process.

1. Application Date: September 20, 2018
2. Facility Name/Address: 1509 Circle Street (Circle Street and Alabama Avenue)
3. Submitting Organization's Name: City of West Sacramento, City Council
4. Contact Name: Cindy Tuttle Phone Number: 916-617-4625

   Street Address: 1110 West Capitol Avenue, First Floor, West Sacramento, CA 95691

   E-mail Address: cindyt@cityofwestsacramento.org
5. After whom/what are you proposing the facility to be named? William "Willie" DaPrato
6. If a person, are they deceased? Yes ____ No X
7. There may be a cost involved in naming a facility. Do you have the funds for such a purpose or would you be petitioning the Parks & Recreation Department to cover the costs? Please explain.

   The City was approached by Patti Palamidessi suggesting the City honor Mr. DaPrato for his significant contributions to the City. Naming of Circle Park for Mr. DaPrato was initiated by the City Council and thus, the City will cover any costs associated with the renaming of the park which will be minimal as it will only entail signage and some staff work to update the website and playbooks.
8. Reading the criteria on the back of this application, please list how the proposed name meets at least one condition from criteria 1-3.

   Long before our City became 'West Sacramento', before Raley's, Nugget and Target, there was Willie's Market. The owner, Willie DaPrato, opened the market on 15th Street in 1953. It was the one and only grocery store in town and everyone knew Willie and still does to this day. For more than sixty years, Willie DaPrato has been contributing to the success of our community having served as the President of the Sacramento District Chamber of Commerce, Kiwanis and West Sacramento Community Council. He also served on the Chamber of Commerce, Veterans of Foreign War, and the Northern California Grocers Association, just to name a few. He is known as the Godfather of Memorial Park for his role in the development of the park for Little League, a tradition that continues today. In the 50's and 60's Willie served as the Chairman of the fourth of July celebration. During the formation of the City in the 80's, Willie played a key role because his market was a place that everyone went to for information. Mike McGowan, the City's first Mayor after incorporation, claims that it is actually Willie DaPrato that holds the title of first Mayor of West Sacramento because of his contributions to the advancement and progress of our community. He is truly a West Sacramento celebrity! Naming Circle Park (which happens to be right around the corner from the Willie's Market location) after Willie DaPrato is a fitting tribute to a person who has made significant contributions to the West Sacramento community.
9. If a person, for historical reference, please include with this application, documentation (news clippings, photographs, etc.) that illustrate the contributions this individual(s) has made to the City of West Sacramento. Please also include any petitions and/or letters of support from community members.

Please return to:
Parks & Recreation
1075 West Capitol Avenue
West Sacramento, CA 95691
(916) 617-4620

CITY OF WEST SACRAMENTO

CITY OF WEST SACRAMENTO PARKS

Parks & Recreation Department
Facility Naming Procedure & Guidelines

Purpose: These guidelines are intended to establish rules and procedures to name Parks & Recreation facilities, sections of facilities or rooms of facilities, including parks, park benches and other community property as deemed appropriate.

Procedure:

- Names being nominated must be submitted on a Facility Naming Application to the Parks & Recreation Department for consideration and processing.
- Parks & Recreation Department staff will screen nominations for appropriateness and possible conflicts. Inappropriate names would include those of infamous individuals, or those utilizing vulgar language. Conflicts would include applications for sites already having been named.
- Nominations that are deemed appropriate will be presented to the Parks, Recreation & Intergenerational Services Commission for approval. If the facility is significant, as determined by the Parks & Recreation Director, a presentation will be made to the City Council for final approval.
- The City Council has final authority on the naming of any city park or facility and may override any decisions made by staff or the commissions.
- If the park or facility sits on school property, the Washington Unified School District Board of Education is to share final approval of the facility name with the City Council.

Guidelines:

- If nominating an individual, the individual or family (if available) must approve.
- The West Sacramento Historical Society will verify any historical claims made.
- A background check, paid by the applicant, will be required for any individuals after whom a park will be named.
- Provision of plaque and/or other physical commemorative items relating to facility naming, if not donated, is subject to the normal budgeting and purchasing process.
- A sign identifying the park is the standard form of recognition. Signs must comply with the current park signage standards.
- The facility name is not to change over time unless it is found that the continued use of the current name would not be in the best interest of the community.
- A facility within a park can be named separately from the park.

Criteria: Nominations must meet at least one of the following criteria.

1. Geographic names descriptive of the location or significant natural features (including flora, fauna, and geography) in or near the park or facility.
2. Names that preserve the history of West Sacramento.
3. Names of individuals, families or organizations who have made significant contributions (either financial or personal effort) to the community, culture, facility, or program, or those who have achieved outstanding accomplishments.

CITY OF WEST SACRAMENTO

ADMINISTRATIVE POLICY

NUMBER: IX-A-2

DATE: August 1, 1998
Revised: August 1, 2004

SUBJECT: PARK & FACILITY NAMING POLICY

AUTHORITY: City Manager

PURPOSE: To establish a consistent process for the naming of city parks and facilities.

POLICY: It is the policy of the City of West Sacramento to utilize a consistent process to encourage public participation in the naming of city parks and facilities.

PROCEDURE:

- Names being nominated must be submitted on a naming application form (see attached) to the Parks & Recreation Department for consideration and processing.
- The Director of Parks & Recreation will screen nominations for appropriateness and possible conflicts. Inappropriate names would include those of infamous individuals, or those utilizing vulgar language. Conflicts would include applications for sites already having been named.
- Nominations that are deemed appropriate will be presented to the Parks & Recreation Commission for approval. If the facility is significant, as determined by the Parks & Recreation Director, a presentation will be made to the City Council for final approval.
- The City Council has final authority on the naming of any city park or facility, and may override any decisions made by staff or the commissions.
- Provision of plaques and/or other physical commemorative items relating to facility naming, if not donated, is subject to the normal budgeting and purchasing process.

F:\POLICIES\PARK NAMNG (IX-A-2)

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 11

SUBJECT:

CONSIDERATION OF APPROVAL OF PRELIMINARY DESIGN OF THE MEMORIAL PARK AMERICAN WITH DISABILITIES ACT (ADA) UPGRADES PROJECT AND INCLUSION OF THE ADDITIONAL PREFERRED IMPROVEMENTS IN THE PROJECT SCOPE

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:

Jeramy Chapdelaine, Construction Manager

Denix Anbiah, Director of Public Works

ATTACHMENT [X] Yes [ ] No [ ] Information [ ] Direction [X] Action

OBJECTIVE

The objective of this report is to obtain Council approval of the preliminary design of the Memorial Park Americans with Disabilities Act (ADA) Upgrades provided by Mark Thomas & Company, Inc. and to include the preferred optional improvements in the project scope.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council approve the preliminary design of the Memorial Park ADA Upgrades, including the additional preferred improvements in the project scope.

BACKGROUND

Due to a court ordered settlement, the City is required to implement ADA improvements to Memorial Park no later than 2020. On March 21, 2018 Council awarded a contract to Landscape Architecture firm Mark Thomas & Company to provide design, construction, and bid documents for the Memorial Park ADA Upgrades Project. On July 10, 2018, Public Works and Parks and Recreation staff, working in conjunction with consultant staff from Mark Thomas & Company, shared progress and options for the Memorial Park ADA Upgrades Project with the public through an Open House held at Memorial Park. The Open House showcased the ADA upgrade options and provided the community an opportunity to provide feedback. The Open House served to inform the public on the ADA improvements needed for Memorial Park and what options exist in applying those necessary improvements. The event was well attended by the public who provided their input in person, on comment cards and via an online platform developed by staff.

The Open House was also utilized by Parks staff to share information and gain feedback from the public on the progress of the Parks and Open Space Master Plan update. Additionally, Public Works staff shared and sought feedback on upcoming infrastructure and road improvements that will be occurring in the State Streets Neighborhood encompassing Memorial Park. Following the Open House staff conducted analysis of the public comments, utilizing them to inform and refine improvement option selection for the Memorial Park ADA Upgrade Project.

At the August 7, 2018 Parks, Recreation and Intergenerational Services Commission meeting, staff provided an update on the Memorial Park ADA Upgrades, outlining the proposed improvements. There was concern expressed by Commissioners regarding the removal of certain trees and how the removal will affect the canopy and the experience for park visitors. On October 2, 2018, staff returned to the Commission with a revised plan, proposing to keep as many of the trees as possible. The plan was well received by the commission and the public. The Commission expressed support for the revised plan and appreciated that it saved many of the trees and retained the historic nature of the park. The Commission voted unanimously to recommend Council approve the preferred preliminary design, and recommended Council consider and to support the additional funding for the preferred improvements that were supported by the community through the outreach discussed above and the inclusion of the improvements in the project scope.

ANALYSIS

During the public comment period following the Open House and in the previous two Parks, Recreation and Intergenerational Commissions, the public conveyed to staff many concerns about altering the character of Memorial Park. Expressed public concern has ranged from the possibility of losing such unique features as the sunken dugouts and large mature trees to losing functional features such as the snack bar, which is a primary fundraising source for the West Sacramento Little League. Although the proposed preliminary design features improvements that go beyond ADA requirements, staff believes it's a much more balanced option that will provide the community with the necessary ADA improvements, while simultaneously improving park infrastructure, amenities, pedestrian pathways, as well as safety and accessibility for City residents.

Since the preferred options requested by the public and recommended by staff are beyond the baseline ADA upgrades to meet the minimum requirements of the settlement conditions, an additional appropriation will be needed. Staff has looked into which funding source could be utilized for the additional scope. Staff has identified possible funding available from the ADA Improvement Fund/Work Order 52241. The baseline ADA improvements could be constructed with a total project budget of $1.5 million. However, the proposed enhancements, which will allow the park to retain its historical character and provide the new improvements for the community, would add the following costs:

1. Reconstructing to ADA standards the historic sunken dugouts versus filling in the dugouts and bringing them to grade ($118,565).
2. Replacing the existing restroom, snack bar for use by the West Sacramento Little League and separate storage container with a new prefabricated building that combines all three ($100,000).
3. Upgraded covered play area ($93,860).
4. New shaded picnic structure ($64,500).
5. Reconstructing scorekeeper's booth/ballfield storage ($45,000).
6. Infield irrigation upgrades ($5,500).

Total estimated costs for the additional preferred options is $427,425.

Upon Council approval staff will direct Mark Thomas & Company to finalize the plans, specifications and bid documents including the proposed enhancements. The project would go out to bid. Upon opening of bids, staff will return to Council in early 2019 to award the construction contract and request appropriation of the additional funding needed. Construction is expected to start in mid-July.

Environmental Considerations

Environmental review of the site will be conducted once the proposed final design is complete and prior to award of the construction contract.

Commission Recommendation

The Parks, Recreation and Intergenerational Services Commission received an update on the Memorial Park ADA Upgrades Project at the March 6, August 7, and October 2 meetings. At the October 2, 2018 meeting the Commission voted unanimously to recommend Council approve the preferred preliminary design. The Commission expressed support for the revised plans that saved many of the trees and retained the historic nature of the park. The Commission urged Council to consider and support the additional funding for the alternatives that were supported by the community through the outreach discussed above be included in the preferred plan.

Strategic Plan Integration

The Memorial Park ADA Upgrades project supports the City's vision and goal for, "West Sacramento: Preferred place to Live, Work, Learn and Play."

Alternatives

The Council's primary alternatives are summarized below.

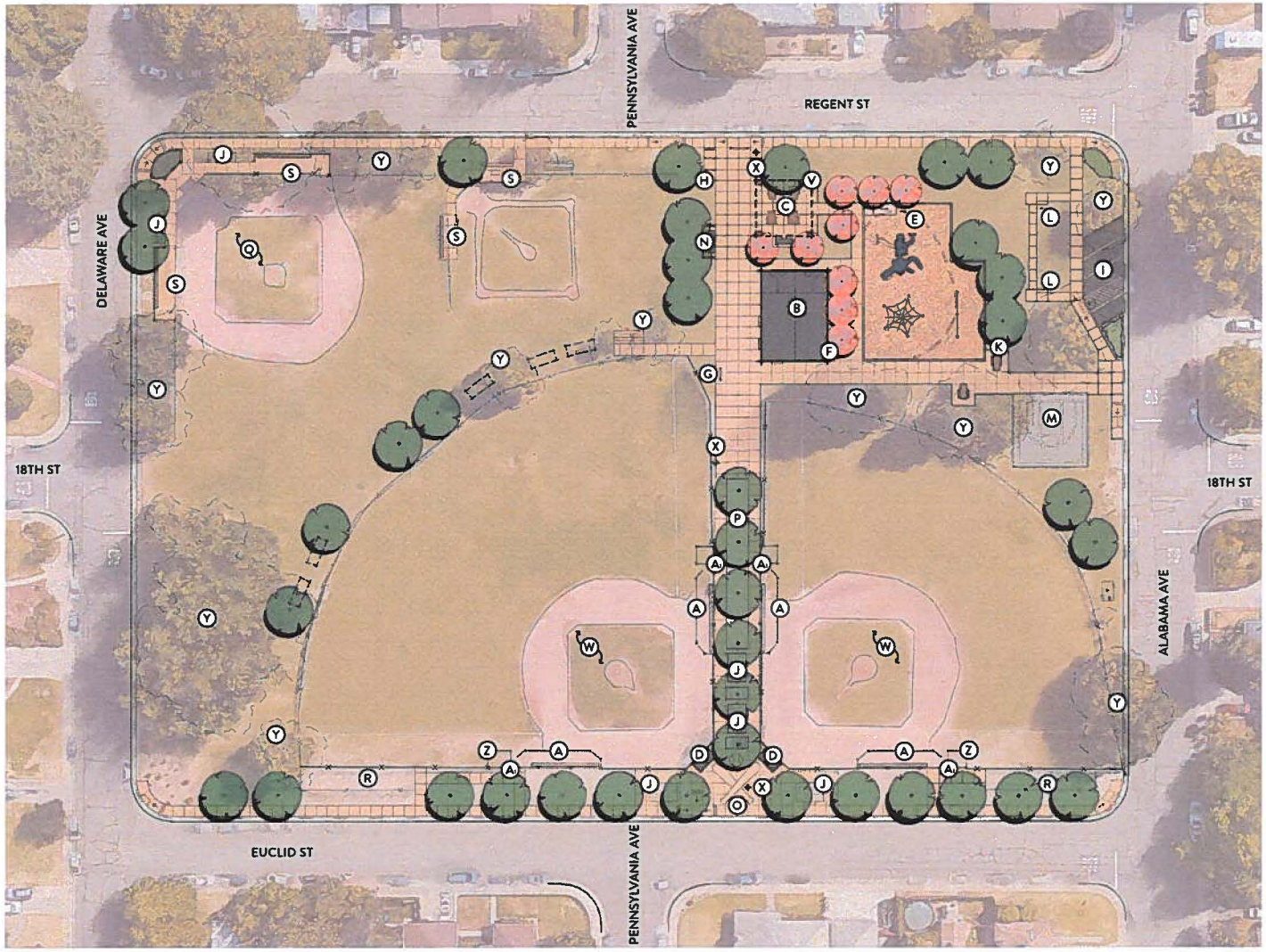
1. Approve the recommendations described in this report;
2. Reject the recommended actions or direct staff to alter the project. Changes to the proposed project scope may increase costs and delay construction;
3. Defer or cancel the project. Delays at this stage may lead to increased cost for construction, due to escalating labor, material and fuel prices. Additional delays may also jeopardize completing this project prior to the agreed upon 2020 deadline.

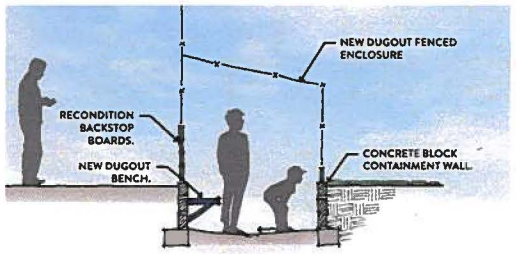
Coordination and Review
This report has been reviewed by the Parks and Recreation Department, Public Works Department, and the Finance Division of the Administrative Services Department. Staff and consultants have met and coordinated with the West Sacramento Little League, Sports Federation and neighborhood interests.

Budget/Cost Impact
$1.3 million has already been approved by the City Council on May 23, 2019 for this project in the Capital Improvement Program Budget. All though staff has identified potential funding needed to deliver the entire project, with the proposed enhancements, the exact amount needed will not be known until the bids are open. Staff will return to the Council with a request to appropriate the remaining funds needed at the time of award of construction contract.

ATTACHMENT(S)
1. Preliminary Plan

MEMORIAL PARK PRELIMINARY DESIGN

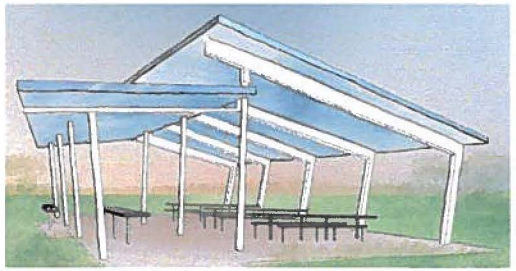




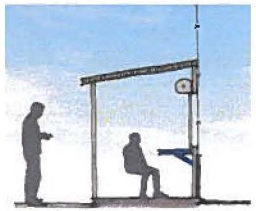
(A) 30" SUNKEN DUGOUT OPTION



(B) CONTEMPORARY CONCESSION STAND & BATHROOM



(V) CONTEMPORARY PICNIC SHELTER



(D) SCOREKEEPER'S BOOTH



(F) DRINKING FOUNTAIN WITH PET BASIN

LEGEND

- (A) AT GRADE ACCESSIBLE DUGOUT (OPTIONAL: 30" SUNKEN DUGOUT)
- (A1) (OPTIONAL: ELECTRIC LIFTS)
- (B) CONTEMPORARY CONCESSION STAND, RESTROOM AND INCLUDED STORAGE WITH DONOR WALL
- (C) GROUP PICNIC AREA WITH PICNIC TABLES AND GROUP BBQ
- (D) PROVIDE ACCESSIBLE SCOREKEEPER'S BOOTH
- (E) PLAY AREA TO BE UPDATED WITH ACCESSIBLE RAMP (OPTIONAL: UPGRADED PLAY AREA)
- (F) DRINKING FOUNTAIN WITH PET BASIN
- (G) RELOCATED KIOSK
- (H) BIKE RACKS WITH ELECTRIC CHARGER STUBOUT
- (I) ANGLED ON-STREET PARKING NEAR HORSESHOE PITS
- (J) ACCESSIBLE BLEACHERS
- (K) INDEPENDENT ACCESSIBLE PICNIC TABLES
- (L) ACCESSIBLE HORSESHOE PITS
- (M) RESURFACED BASKETBALL COURT
- (N) TRASH ENCLOSURE
- (O) SPECIALTY PAVING
- (P) CENTRAL SPINE PLAZA WITH SHADE TREES IN TREE WELLS
- (Q) WEST FIELD WITH ACCESSIBLE, AT-GRADE DUGOUTS AND BLEACHERS
- (R) RESTORED AND RELOCATED BULLPEN WITH BACKSTOP BOARDS AND NEW SURFACING
- (S) ACCESSIBLE DUGOUTS
- (T) ACCESSIBLE SIDEWALK RAMP
- (U) SIDEWALKS ALONG REGENT AND EUCLID STREETS TO PROVIDE ACCESSIBLE PATH OF TRAVEL
- (V) PICNIC SHELTER WITH CONTEMPORARY ROOF (OPTIONAL: UPGRADED MATERIALS)
- (W) INFIELD IRRIGATION UPGRADES (OPTIONAL)
- (X) SECURITY LIGHTING (OPTIONAL: UPGRADED PEDESTRIAN LEVEL LIGHTING)
- (Y) TREES TO REMAIN
- (Z) ON-FIELD STORAGE

MEMORIAL PARK - WEST SACRAMENTO, CA

October 10, 2018

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 12

SUBJECT:
CONSIDERATION OF RESOLUTION 18-74 AND APPROPRIATION OF FLOOD IN-LIEU IMPACT FEE FUNDS FOR THE WEST SACRAMENTO AREA FLOOD CONTROL AGENCY (WSAFCA) BRIDGEWAY DRAIN IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED $1,000,000

INITIATED OR REQUESTED BY:

[ ] Council [X] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:
Paul Blumberg, Public Finance Manager

Roberta Raper, Director of Administrative Services

ATTACHMENT [X] Yes [ ] No **[ ] Information [ ] Direction [X] Action**

OBJECTIVE
The purpose of this report is to appropriate City funding for construction of the West Sacramento Area Flood Control Agency (WSAFCA) storm drainage improvement project.

RECOMMENDED ACTION
Staff respectfully recommends that the City Council adopt Resolution 18-74, which authorizes an appropriation and transfer of Flood In-Lieu Impact Fee funds for the WSAFCA Bridgeway Drain Improvement Project in an amount not to exceed $1,000,000.

BACKGROUND
The West Sacramento Area Flood Control Agency (WSAFCA, Agency) is a Joint Powers Authority whose members include the City, Reclamation District 900 (RD 900), and Reclamation District 537 (RD 537), and whose purpose is the funding and construction of levee improvements to reduce flood risk in the City. Under the West Sacramento Levee Improvement Program (WSLIP), the Agency is currently constructing the largest project to date, the Southport Levee Improvement Project (SLIP). The SLIP is one of several early implementation projects constructed in partnership with the California Department of Water Resources in advance of a larger federally-funded project which will construct the remaining improvements. The early implementation levee improvements are currently funded by a combination of State and local funds. A portion of the work performed during the early implementation stage of the WSLIP will be creditable under the federal program. Local funding sources include the City-wide WSAFCA Flood Assessment, $10 million in contributions from Measure V, and the City's adopted Flood In-Lieu Impact Fee program, the source under consideration in this report.

In addition to the larger WSLIP that will bring the entire levee system into compliance with current Urban Levee Design Criteria (ULDC), the Agency is tasked with routine levee repair and improvement due to wear and exposure.

ANALYSIS
During the winter storms of 2017, several segments of the Deep-Water Ship Channel East Levee along the landside levee toe began sloughing/slipping into the adjacent toe-drain/drainage canal. Over a period of about two weeks approximately 5,000 lineal feet of levee embankment sloughed along and into the canal. RD 900 stabilized the levee slope to avoid local flooding that would be caused by a blocked canal. Modification of the toe drain/drainage canal is part of the WSLIP. Because of the significant slippage, WSAFCA decided to advance the improvements, which were designed last fall. WSAFCA awarded a construction contract on March 15, 2018 in the amount of $2,778,640 to T&S Construction, Inc. Construction began in June and is scheduled to complete in October. The project replaces the drainage conveyance provided by the open canal with an enclosed pipeline, thereby mitigating forces that induce slipping/sloughing and providing better protection against localized flooding.

Chapter 15.50 of the City of West Sacramento Municipal Code provides the basis for the Flood In-Lieu Fee that was adopted by Resolution 07-34 on July 2, 2007. The In-Lieu Fee's purpose is to assist the City in protecting human life and health, to minimize the expenditure of public money for costly flood control projects, to increase flood preparedness, to minimize the need for rescue and relief efforts associated with flooding undertaken at the expense of the general public, and to minimize prolonged business interruptions. Chapter 15.50 finds and affirms the City's commitment to have new development contributed to funding the flood management program designed to meet ULDC requirements. The ULDC requires that flood protection improvements be integrated with the

existing levee system and federal, state, and regional flood management efforts, and that the City cooperate with other responsible agencies in ensuring that levees surround the City are maintained and improved to a 200-year level of flood risk reduction (a 0.5% chance of occurring in any given year).

WSAFCA is seeking a project contribution from the City of $1,000,000 to offset ongoing project construction costs. The narrow scope of the Bridgeway improvements makes the project uncompetitive for current Urban Flood Risk Reduction (UFRR) funding and the project is constructing in advance of the federal program. Consequently, the Agency bears full project costs while concurrently meeting two critical path efforts. The first effort is the successful construction and close out of the SLIP. The second is initiating preliminary engineering and design (PED) work on the two first reaches of the federal project in advance of a federal cost sharing agreement. Advanced PED will allow the US Army Corps of Engineers (USACE) to quickly move these projects into construction, a strategically important consideration. Overall, the City's contribution will assist with the cash flow for other State and Federally-funded projects now underway within the City, and by freeing up WSAFCA assessment revenue for those other projects.

The contribution would satisfy both the purpose of the In-Lieu Fee articulated in Chapter 15.50 and WSAFCA's efforts to complete the SLIP and advance the federal project.

Environmental Considerations
The appropriate level of environmental clearance for the Bridgeway Drain Rehabilitation Project under the California Environmental Quality Act guidelines is an Initial Study/Mitigated Negative Declaration, which was prepared and adopted by the RD 900 Board on February 1, 2018, Resolution No. 2018-02-01 as Lead Agency and filed with the Yolo County Clerk/Recorder on March 16, 2018 with WSAFCA as the Responsible Agency. The actions recommended in attached Resolution 18-74 are exempt from CEQA.

Commission Recommendation
Not applicable

Strategic Plan Integration
Approving the contribution meets a Top Priority identified in Policy Agenda of the 2018 Strategic Plan in providing flood protection for the City. The contribution also reinforces and demonstrates the City's commitment to the safety of West Sacramento's residents and business and to the City's local, state, and federal partners engaged in advancing the WSLIP.

Alternatives
The staff recommendation is to authorize a budget appropriation of $1,000,000 for the WSAFCA Bridgeway Drain Improvement Project from available balances in the Flood In-Lieu Impact Fee Fund. Alternatively, the City Council may choose something less than $1,000,000 at this time, in which case the project would increase the amount of funding to the project from WSAFCA assessments. Finally, City Council may choose not to approve any appropriation, in which case WSAFCA would fund the project completely with WSAFCA flood assessment revenues.

Coordination and Review
Preparation of this report was coordinated with the Community Development Department and the City Manager's Office. If the City Council authorizes the contribution, WSAFCA staff will take a companion item to accept the contribution for consideration by the WSAFCA Board at its November 15, 2018 meeting.

Budget/Cost Impact
The budget appropriation of $1,000,000 will come from the Flood In-Lieu Impact Fee Fund (229-9999-5950) from the fiscal year 2018/19 fund balance. As of October 3, 2018, the unencumbered available balance is $2.05 million. The funds will be transferred to WSAFCA's CIP budget 871-0000-4990 and CIP Work Order 871-40017-4990.

ATTACHMENT
Resolution 18-74

RESOLUTION 18-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING AMENDMENTS TO THE FLOOD IN-LIEU IMPACT FEE BUDGET FOR FISCAL YEAR 2018/19

WHEREAS, the City Council adopted the biennial Capital Improvement Program (CIP) budget for Fiscal Years 2017-18 and 2018-19 on June 14, 2017; and

WHEREAS, the City Council adopted mid-term amendments to the Capital Improvement Program (CIP) budget for Fiscal Year 2018/19 on May 23, 2018 via Resolution 18-35; and

WHEREAS, on March 15, 2018, the West Sacramento Area Flood Control Agency Board of Directions ("WSAFCA Board") approved the award of construction of the Bridgeway Drain Rehabilitation Project ("the Project"); and

WHEREAS, WSAFCA staff are requesting that the City contribute City Flood In-Lieu Impact Fees to fund a portion of the Project, freeing up WSAFCA assessment revenue for other purposes; and

WHEREAS, it is anticipated that the WSAFCA Board will approve the acceptance of the City's funds at its meeting of November 15, 2018;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Sacramento as follows:

1. The City Council hereby approves amendments to the O&M and CIP Budgets for the 2018/19 fiscal year as listed below.

Sources:		
Amount:	$1,000,000	Fund: 229-9999-5950
Uses:		
Amount:	$1,000,000	Fund: 871-0000-4990/871-40017-4990

2. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the West Sacramento City Council this 17th day of October, 2018, by the following vote:

AYES:
NOES:
ABSENT:

Christopher L. Cabaldon, Mayor

ATTEST:

Kryss Rankin, City Clerk

CITY OF WEST SACRAMENTO **AGENDA REPORT**

MEETING DATE: October 17, 2018 **ITEM #** 13

SUBJECT:

CONSIDERATION OF A REGULAR UPDATE ON THE PILOT ON-DEMAND RIDESHARE SERVICE AND WORKSHOP ON THE SIX MONTHS VIA RIDESHARE USER SURVEY

INITIATED OR REQUESTED BY:

[X] Council [ ] Staff

[ ] Other

REPORT COORDINATED OR PREPARED BY:

Sarah Strand, Associate Transportation Planner

Denix Anbiah, Director of Public Works

ATTACHMENT [X] Yes [ ] No [ ] Information [X] Direction [ ] Action

OBJECTIVE

The purpose of this report is to provide an update on the status of the City's Pilot On-Demand Rideshare service, in accordance with the City Council's request for monthly project reports, and to conduct a workshop to solicit City Council feedback on the Draft 6-month Via Rideshare User survey submitted by staff.

RECOMMENDED ACTION

Staff respectfully recommends that the City Council:

1) Receive and discuss the informational update and presentation on the Pilot On-Demand Rideshare service; and
2) Conduct a workshop to provide feedback on the Draft six months Via User Survey.

BACKGROUND

The Pilot On-Demand Rideshare service is an innovative public transportation model being tested by the City as an early action item of the broader Mobility Action Plan (MAP). The Pilot will operate citywide for one (1) full year using a fleet of dedicated, co-branded Mercedes Benz Metris vans to provide on-demand, share rides for a flat fare. Ongoing performance monitoring and data collection will be leveraged to inform broader transportation planning considerations, including opportunities to optimize fixed route bus service and increase mobility for underserved communities. Throughout the life of the Pilot, service parameters such as fares, hours operation, or service areas may be modified to better meet demands.

On January 17, 2018, the City Council elected to award a contract to Nomad Transit LLC, a wholly-owned subsidiary of Via Transportation Inc., to assist with the planning, marketing, launch, operation, maintenance and performance evaluation of the service. At that time, City Council directed staff to return monthly with project updates, including proposed service modifications, data on service performance and ridership, as well as higher-level policy considerations to ensure ample opportunity for Councilmembers to provide input on the project. At the end of the 1-Year Pilot term, a final performance evaluation report conducted by the UC Berkeley Transportation Sustainability Research Center will be submitted for Council's consideration. City Council may elect to continue or terminate service, contingent on performance and cost to sustain the program, at that time.

This report is submitted for City Council consideration and provides updated performance metrics on ridership and quality of service, as well as project related activities such as marketing and outreach. City Council input is requested on the six months User Survey included as Attachment 3.

ANALYSIS

As of October 6, 2018, the City's Pilot On-Demand Rideshare program has completed twenty-one (21) weeks (roughly 5 months) of service. The service has been operating in "full launch" mode with extended hours and alternative pricing options (ViaPass) available for sixteen (16) weeks. A total of 2,913 Via accounts have been opened since launch, which represents a doubling in Via user accounts since mid-July. Despite a mild plateauing effect on ridership observed in the week of October 1st, average daily ridership has surpassed Via's pre-launch expectations by nearly 50%. Staff will be working closely with the Via team to project growth in demand for the remaining months of the Pilot term to ensure that service can be provided such that new demand continues to

be accommodated with a high-quality level of service. Staff will return to City Council with findings upon completion of this analysis. Additional details on the robust growth in ridership are attached or included below.

Overview of Ridership Data, Performance & Customer Feedback
Ridership has continued to grow with roughly 1,450 rides provided in week 21, and over 18,000 total rides completed since launching. A mild plateauing effect has been observed in weekly ridership since the "WSCITY" promo code expired on September 30th, however growth is expected to continue increasing organically as fewer promotions are offered moving forward.

Prior to service launch, the Via team anticipated a maximum average daily ridership of approximately 200 rides per day. However, West Sacramento's service is quickly nearing an average daily ridership closer to 300 rides per day, representing nearly 50% greater ridership than initially expected. As demand has risen, average ETAs and trip times have also experienced a slight growth, up to an average 8.2-minute wait time, and 9-minute trip time. The average customer satisfaction rating over the course of the Pilot has maintained an average 4.9 out of 5 possible stars.

Shared Rides & Bookings: Alongside minor growth in ETA's and trip times, the Via Rideshare service has experienced significant gains in efficiency as demand for the service has grown. In the past two weeks of service, over 50% of Via rides had two or more passengers in them. Similarly, over 30% of bookings were shared, meaning that two or more unrelated riders were matched into the same Via van during their trip. Attachment 1 provides week by week detail demonstrating the growth in shared rides and shared bookings since May 2018.

Repeat Ridership: Over 33% of Via users have taken five or more rides on the Via platform since launching, more than 50% have used the service three or more times, and roughly 70% have taken at least two rides using the platform.

Age-Friendly Ridership: Out of almost 3,000 Via users, exactly 217 users or about 7.5%, are recipients of a Senior or Disabled Rider discount. Ridership from this subpopulation has continued to contribute a notable proportion of ridership to the platform, with close to 230 to 250 weekly rides recorded each week for the past month. This represents roughly 15% of weekly ridership. Out of over 18,000 Via rides completed to-date, 185 Via rides, or roughly 1%, requested a wheelchair accessible vehicle (WAV) to complete their trip. Currently, only one WAV is provided on the platform and appears to be sufficiently meeting the level of demand demonstrated by the community, thus far.

On September 5, Transportation Section staff assisted the City Manager's Office with an AARP Rideshare Scholarship on-boarding event, which drew close to 50 older adults from the community to participate in a study of rideshare education and incentive strategies through the AARP Community Challenge grant program. Following the event, the City Manager's Office mailed out additional promo codes and resulting in a total of roughly 65 participants in the AARP Rideshare Scholarship program.

Time of Use: Since launch, Via rideshare has been most popular between the hours of 10a.m. and 2p.m. However, the past month has seen an increase of roughly 2% of rides shift to the morning commute hours (7 a.m. to 10 a.m.). This increase is likely related to the start of the 2018/19 school year. West Sacramento's time of use patterns have differed significantly from other Via markets. While other Via markets tend to see highest demand during morning and evening commutes, the West Sacramento market has exhibited an inverted demand curve, with peak demand in the day alongside fairly steady demand during morning and evening commute periods.

This observance is highly significant because while other markets are able to operate fewer average vehicles per day by reducing vehicle supply during slower times, West Sacramento's On-Demand Rideshare service has necessitated maximum utilization of up to seven (7) Via vans during all hours of operation in order to accommodate the steady stream of demand throughout the day.

Top Pick-up and Drop-off Locations: Commercial and Civic Centers have continued to be the dominant Pick-up and Drop-off locations using the Via Platform, including popular destinations such as, Riverpoint Plaza, the Southport Town Center, the West Sacramento Civic Center and Raley's Market. River City High School has also exhibited clear demand, in tandem with the West Sacramento Recreation Center.

Moderate demand has also been observed at Jefferson Plaza (i.e. Lenise's Café) and the Country West Plaza (i.e. Kick'n Mule), and the Lowe's Plaza. In addition, many places of employment beyond City

facilities are demonstrating a growth in demand for Via service, including CalSTRS and the Ziggurat Building, multiple employers in the Stillwater Business Park such as the Amazon DSM1 Delivery Station and Bayer Crop Sciences. Continual moderate demand has continued at restaurants and other recreational locations, such as Raley Field, where higher rates of pooled rides are observed, as well. Lastly, multifamily residential complexes throughout the City appear to be emerging as ridership hubs.

Customer Feedback: Per City Council request, a summary of feedback received from Via riders is included in this report as **Attachment 2**.

Marketing, Outreach & Events

Since transitioning into the Full Launch phase in June 2018, staff in conjunction with the Via project team has more recently began to reduce the level of direct marketing and outreach related to the service and is transitioning to focus on more targeted outreach and promotions moving forward.

Discounted Fare Promotions: Since launching in May 2018, new Via riders were offered their first two Via rides for free using the promo code "WSCITY". This promotion officially expired on September 30, 2018. Whereas the first three to six months of service provided more robust promotions to encourage residents to try the service out at low or no cost, the second half of the Pilot will provide more limited promotions while observing how well riders continue use the service while paying a full fare. However, the Via Referral program will continue to be offered as an ongoing promotion incentivizing existing Via users to refer friends and family to the rideshare platform.

Los Rios Student Appreciation Day: Via and City staff hosted a booth at this annual Los Rios event on September 25, 2018 providing flyers to students and answering questions about the service.

Learn-to-Ride Event: The next Via outreach event will be held October 18, 2018 from 5 p.m. to 8 p.m. at the VFW Post 9498 in the Broderick/Bryte neighborhood. All are invited to learn about how to use the City's On-Demand Rideshare service, obtain help signing up for an account, and applying for a Senior or Disabled Rider discount. Questions or feedback on the Via Rideshare service are welcome.

Election Day Promotion: On November 6, Via will be offering $1 rides to polling locations within the City. Community members will have a sustainable and affordable transportation option to access their polling place, regardless of access to a personal automobile or other mode.

Washington Unified Outreach: On October 10, Transportation Section staff met with Washington Unified School District staff to discuss the Via Rideshare service and other resources that encourage alternative transportation for students. Staff has been contacted by staff from multiple schools interested in leveraging Via for student use in various way, including Yolo High, Washington Middle College High School, and Riverbank Elementary.

Challenges/Barriers

Via Support Line: Since launching, both City and Via staff have received ongoing and intermittent complaints regarding issues with the Via Customer Support Line used for booking by phone. Specifically, some riders were struggling to get through to an operator during morning hours. Upon closer examination, City staff observed that the Via Support Line did not have the ability to place callers on hold, or to indicate how long their call wait time may be. Rather, the current Support Line refers users to text or email any issues they are facing and terminates the call, requiring a rider that wishes to book a ride to continue calling back. City staff flagged this as a major issue due to the reliance of non-smartphone users, and asked Via staff to look into the issue.

Upon further investigating, the Via team determined that the current Support Line provider they were subcontracting was falling short of Via and the City's quality of service standards. Further, Via identified a much higher demand for the Support Center resources in the West Sacramento market, relative to their expectations based on other markets. As such, Via has opted to change Support Line vendors at the end of October, which should provide enhanced features such as call waiting and wait time estimates, pending final vendor selection and have a greater capacity to field a higher volume of calls from riders.

Door-to-Door Service & Custom User Profiles: As the Via service nears six months of operations, City staff has identified the need to provide ongoing door-to-door service for riders that have disabilities or mobility issues that prevent them from being able to walk 200-500 feet to a virtual Via stop. Currently, riders with such a challenge must call the Via Support Line to request door-to-door service every time they ride. Based on

staff input, the Via team is working on developing a solution so that user profiles can be customized such that Via riders with known disabilities or mobility impairments can automatically receive door-to-door service without having to call every time.

This approach will also create efficiencies in the way that Via Driver's receive directions to pick-up door-to-door rides. Please note, this feature would be added in addition to the WAV feature, which automatically provides door-to-door service for wheelchair accessible ride requests. A customizable profile feature is required to resolve this issue to ensure that only those who need door-to-door service receive it.

Proposed/Implemented Service Modifications

ViaPass Price Increase: Since June 2018, Via has offered a promotional weekly pass option called "ViaPass", offering up to four rides a day for each operational day of a week (M-Sat) for only $10, a significantly discounted price. Per Transportation Development Act (TDA) Guidelines, Senior and Disabled Riders have enjoyed 50% this offering, and pay a massively discounted $5 for a weekly ViaPass. As a reminder, the City's Via service is subject to TDA Guidelines as the service is partly funded with local TDA funds.

As the service enters into a more mature stage, Via's staff has recommended increasing the cost of the weekly ViaPass to $15 for regular fare riders, or $7.50 for Senior and Disabled Discount holders. This price is proposed to better account for the true cost of the weekly pass, while still providing a very attractive discounted fare option to riders. Via staff suggests that this price increase will have a minimal impact on ridership among ViaPass holders while helping recoup fares needed to cover some of the costs of operating.

Holiday Breaks: The City Council previously approved of the hours of operation for the Via service, which stated that the service would not operate on Sundays and Holidays during the Pilot term. As such, the Via Rideshare service is planned to be non-operational for the major upcoming holidays on November 22 through 24th, and December 22, through January 1st. Based on Via's operations in other markets, these dates are historically very low ridership days wherein the cost to operate grossly exceeds fares recovered. Staff respectfully recommends moving forward with Via's recommendation to not operate on these dates, however if the City Council has questions or feedback on this matter, it is requested at this time so that staff can follow-up, as needed, well in advance of the Holiday season.

Future Opportunities

Via E-Scooter Share: Via Transportation Inc. has recently announced that their company intends to enter the Electric Scooter Share business alongside their successful ridesharing operations. Via is currently in negotiations with unnamed vendors but has expressed an interest in deploying scooters in partner Cities, which could include West Sacramento, in early 2019. As Via provides additional details on their new mobility venture, staff will return for direction from the City Council on whether and/or how to engage with Via on this matter. As a growing number of shared micro-mobility vendors enter into cities across the state, Transportation Section staff will be developing a policy framework to help guide micro-mobility in the City, which will be submitted for City Council consideration in late 2018 or early 2019, unless otherwise directed by City Council.

Business & Employer Outreach: As the Via service has begun maturing to a state where more robust data is available, Transportation Section staff is well-poised to begin partnering with staff from the Economic Development Department and the West Sacramento Chambers of Commerce to begin more targeted outreach at businesses and employers where Via is being more heavily used.

Specifically, staff will be seeking to connect with representatives at CalSTRS and the Department of General Services (DGS) to discuss potential integration of Via into the State's Commuter Benefit program offered to employees. Roughly 150 Via trips have been taken to or from the CalSTRS and DGS employment complex. It is standard for State employers to offer vouchers or incentives to employees for utilizing public transit, and the West Sacramento Rideshare program would be eligible based on the vehicle capacity and pooling nature of the service. In addition, Amazon DSM1 Delivery Station and Bayer Crop Sciences have both exhibited healthy ridership (close to 200 Via trips combined), and there may be interest from these companies to subsidize Via as a benefit to their employees.

Similarly, staff intends to begin identifying more partnership opportunities to support local businesses. Over the Summer, Via Rideshare participated as a primary sponsor of the "Third Saturday Swarm" event hosted by the West Sacramento Chambers of Commerce (Chamber). In advance of the opening of Drake's at the Barn, staff will also be exploring a potential promotion with Via with the help of the Chamber. Unsurprisingly,

many small restaurants are frequented by residents using Via, including Burgers & Brew and the 3rd Street businesses, Broderick's, the Kick'n' Mule and others in the Country West Plaza, and many of the restaurants concentrated around MOD Pizza, Chipotle, and Hawaiian Poke in the Riverpoint Plaza. Offering data illustrating that the City's On-Demand Rideshare program is supporting customer access to these businesses may present a compelling case for local shops to participate in Via promotions as a "win-win" opportunity.

Six Months Via Rideshare User Survey
Per City Council direction to explore additional data related to who is using the rideshare servicing, staff is proposing to deploy a brief user survey (**see Attachment 3**) focused specifically on understand who has been riding the service since it launched, and for what purposes. This interim user survey is intended to be very short, taking roughly five to eight minutes to complete to encourage a strong response. Since the primary goal of the survey is to understand emerging use cases, the six months survey will only be distributed to current Via users.

The survey will be deployed primarily by e-mail to all registered Via accounts in West Sacramento, however a more consolidated paper version of the survey will also be available in all Via vans for those who don't have frequent access to their email account. Survey respondents will have the choice to opt in for a chance to win one of four $25 gift cards for fully completing the survey.

Staff is including the Draft Via Rideshare User Survey as **Attachment 3** for City Council review and feedback. Councilmembers are asked to review the survey for completeness, keeping in mind the need to balance brevity in order to obtain a meaningful response from users. Although this survey is intended to be very brief and capture a limited amount of data to help the City better understand the types of community members using the service, the City Council should keep in mind that a much more comprehensive survey and performance evaluation will be deployed by the UC Berkeley Transportation Sustainability Research Center aimed at both users and non-users of the Via service in early 2019.

At this time, staff respectfully requests that the City Council review the Draft six months survey and provide direction to staff if there are any critical data points that should be added to the survey. Upon receiving and addressing City Council input, staff intends to deploy the six months survey in late-October or early November, and keep the survey open for the full month of November. Survey results would be presented to the City Council in December, unless otherwise directed.

Environmental Considerations
On January 17, 2018, the City Council approved a Categorical Exemption for this project under Class 6, Guidelines Section 15306 (Information Collection) of CEQA since the Pilot will focus on data collection, research and evaluation activities which do not result in a serious or major disturbance to an environmental resource and will inform the City's consideration of approving and funding the service for additional years. A Notice of Exemption was submitted to the County Clerk's Office.

Commission Recommendation
Staff has been and will continue to provide regular project status updates on the Via Rideshare program to the Transportation, Mobility, and Infrastructure Commission for the term of the Pilot program. The next update to the TMI Commission will be presented on November 5, 2018.

Strategic Plan Integration
This project advances the Strategic Plan Management Agenda item, "Mobility Action Plan."

Alternatives
1) Accept this informational item about the Pilot On-Demand Rideshare service.
2) Elect not to accept this informational item at this time.

Coordination and Review
This report was prepared by the Transportation Section of the Public Works Department in coordination with the Via Transportation, Inc. project team. The six months Via User Survey was reviewed by the City Manager's Office to ensure coordination with the timing and content of the upcoming User Survey of AARP Rideshare Scholarship recipients.

Budget/Cost Impact
This project has an approved budget of $749,000 funded by a $149,999 SACOG TDM Innovation Grant and a Council allocation of $599,001 from using local Transportation Development Act (TDA) funds [a combination of State Transit Assistance (STA) and Local Transportation Funds (LTF)]. No additional budget impact is associated with this informational update. All revenues recovered from Via fares are held in reserve by the City. The City Council will be presented at a later date with options to reinvest the recovered revenue back into the service or may utilize the funds to recover some costs, should the Council elect not to continue the service.

ATTACHMENT(S)
Attachment 1 – Via Ridership Report (May 14 – October 6, 2018)
Attachment 2 – Summary of Customer Feedback
Attachment 3 – 6-Month Via Rideshare User Survey (DRAFT)

ATTACHMENT 1

RIDERSHIP REPORT
(MAY 14, 2018 – OCT 6, 2018)

18,105 Total Rides Completed

RIDES	DRIVERS	QUALITY OF SERVICE
18,105 completed rides	2.27 utilization	8.23 minute ETAs
3,746 completed Viapass rides	31 active drivers	84% requested rides completed
8.94 minutes per ride	7,867 driver hours	4.90 average ride rating
2.98 miles per ride		

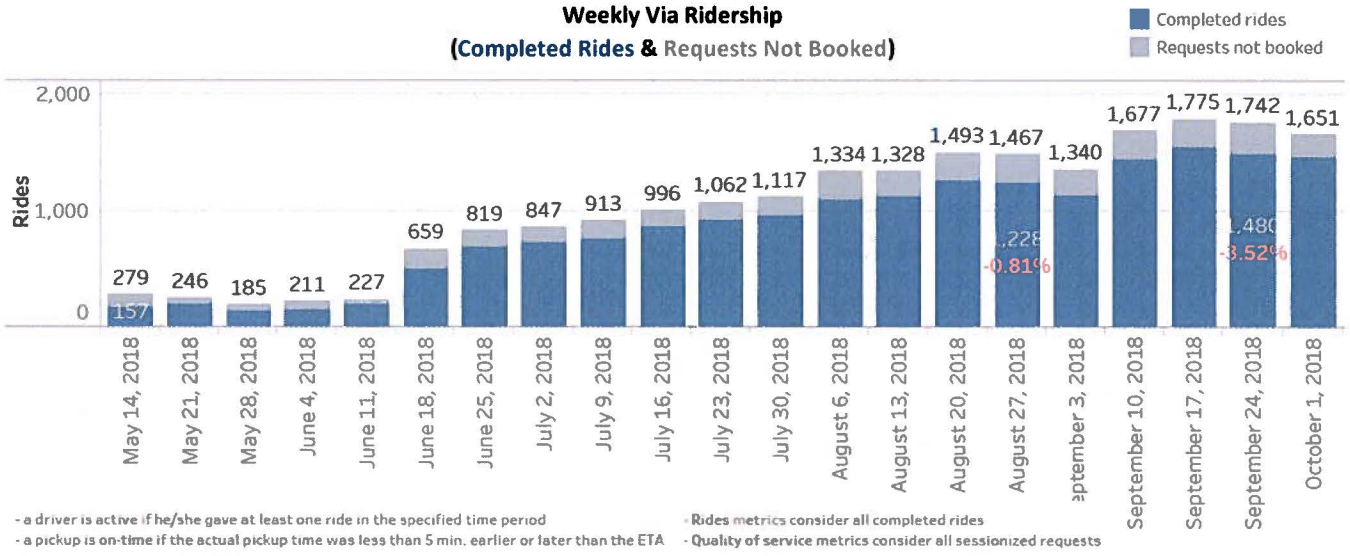
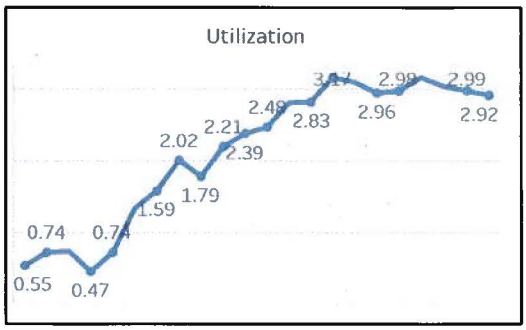


Figure 1 Ridership Report. As of October 6th, over 18,000 Via trips have been taken since the service launched on May 14, 2018. 20% of all rides were taken using a weekly ViaPass.

From June to September, growth continued on an upward trajectory on a weekly basis. The week of September 3, 2018 reflects a slight dip in ridership due to a Holiday Closure on Labor Day.

Growth continued through the first half of September before an observable, though mild, plateauing effect occurred. This is likely explained by a combination of less intensive outreach and marketing relative to the prior months, alongside the expiration of the "first two rides free" promotion that expired on September 30, 2018.



Driver utilization is a calculation of the average number of rides per driver hour (i.e., # of rides divided by total # driver hours) and is a measure of efficiency. Utilization has steadily grown with demand.

Completed Rides versus Requests Not Booked are shown in the blue and grey bars, respectively. Roughly 85% on all ride requests are completed. The remaining "Requests Not Booked" result from when a prospective rider submits an origin and destination and receives a time/cost quote in the Smartphone App. Often, this occurs when new users are exploring the App or when staff is demonstrating the App to new users. However, this can also represent an instance where a prospective driver gets a time estimate or cost estimate that they choose to decline and do not book a ride on the platform.

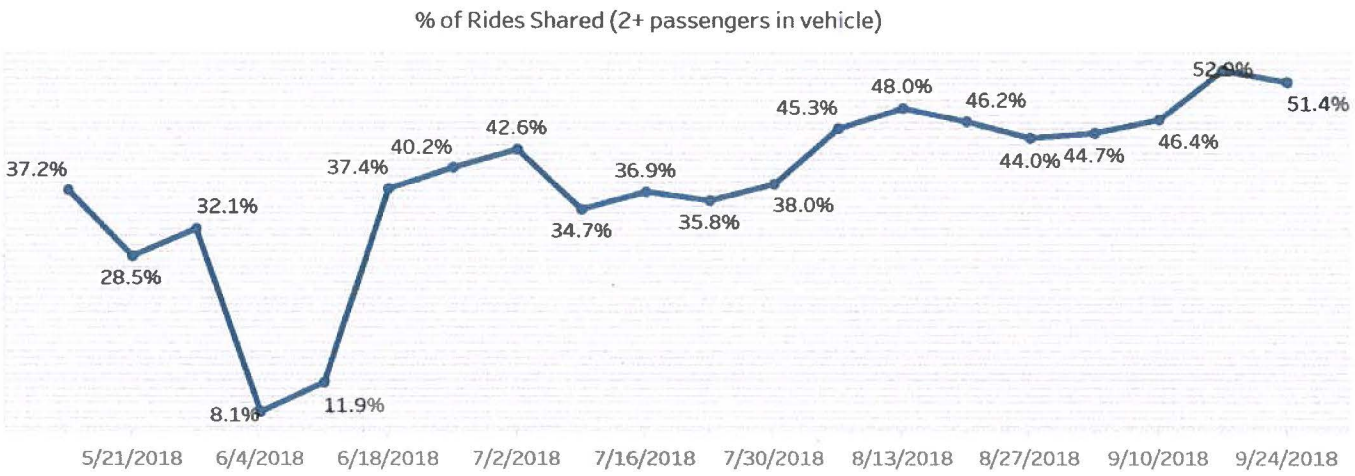


Figure 2 Percent of Rides Shared by 2+ Passengers. The proportion of rides taken with 2+ passengers has varied over the course of the Pilot term. This metric includes any trip taken with more than two passengers (not including the Driver), whether they are a group that deliberately booked a Via trip together, or strangers that whose bookings were matched into the same vehicle. In the past 2-4 weeks of service, high efficiencies are being seen with over half of Via rides carrying 2+ passengers.

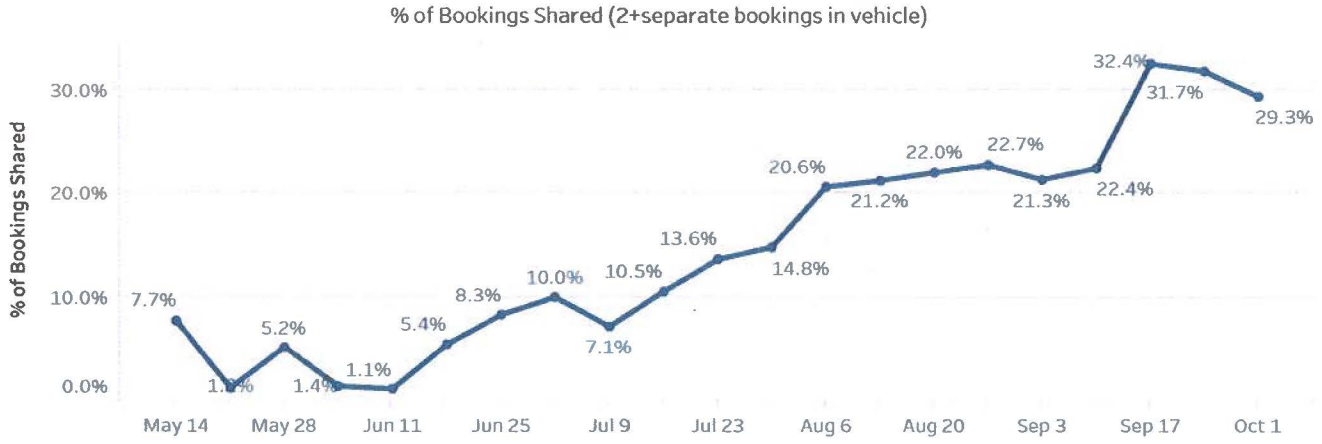


Figure 3 Percent of Bookings Shared by 2+ Ride Requests. This metric illustrates the portion of all Via Ride Bookings that are match with another rider's booking. In other words, this metric shows how often community members are matched into the same Via van without planning to ride together. Currently, about one in three rides will be shared with another Via rider. Ride matching has also seen significant improvement, up to roughly 30%, indicated greater efficiencies being achieved through the service since initially launched.

Top Via Rideshare Destinations

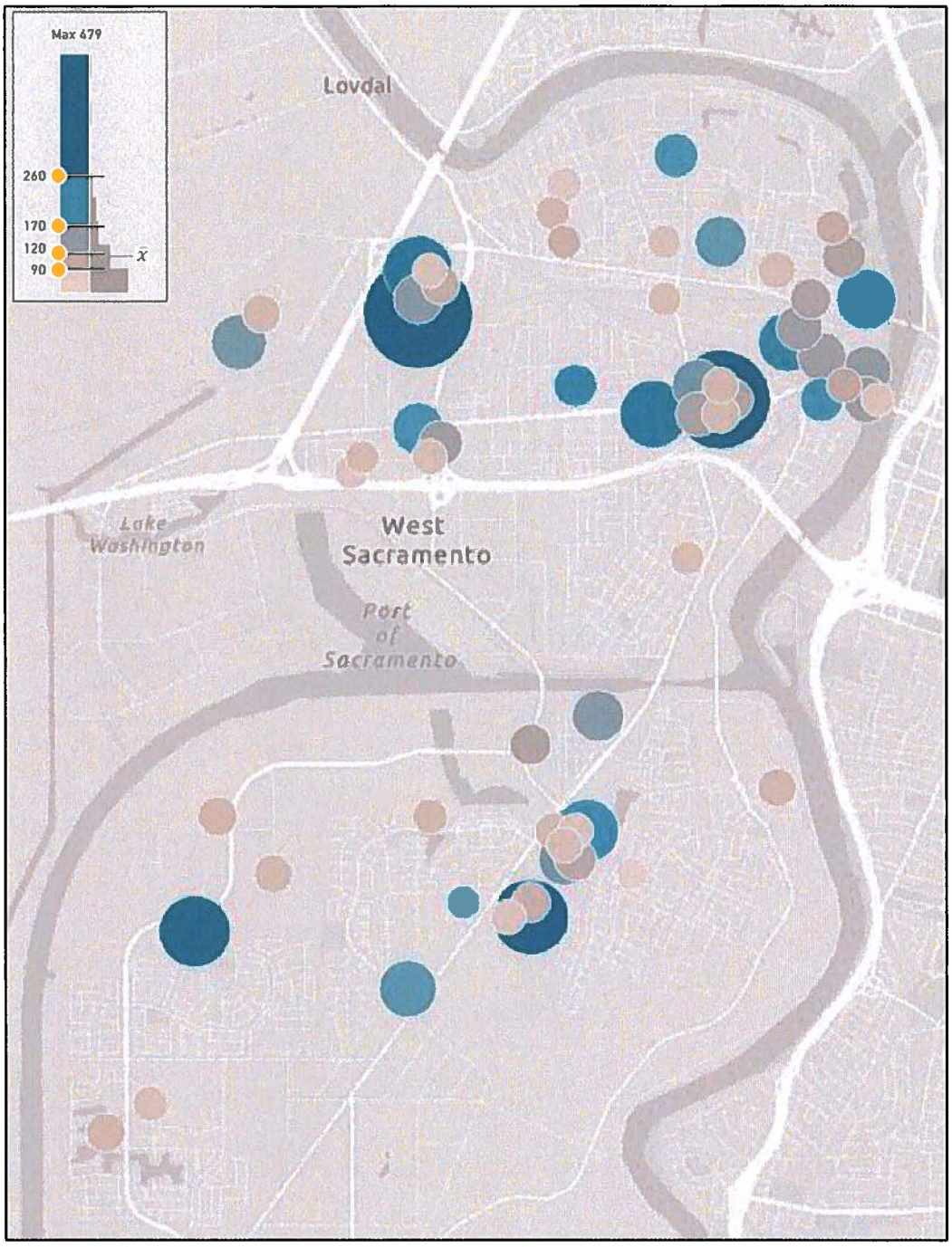


Figure 4 Key Destination Analysis. Staff utilized origin and destination date to conduct a high-level analysis demonstrated hotspots of activity on the Via platform. The analysis focused solely on highlighting key destinations that have received 50 or more Via trips. Visually, these destinations are clustered to anonymize and protect the privacy of users. Key destinations include Commercial Centers, Civic Centers, Schools, and some major employers. Notably, a significant number of Via trips end at or near the Tower Bridge, suggesting that a notable number of Via users are crossing into Sacramento using another mode.

Size & Color: The size of each circle indicates Via trip volumes visiting each destination. Circle size increases with trip volume. The color of the circle indicates the total number of Via passengers (accounting for shared rides) visiting each destination. The circle color becomes darker as the number of total passengers increases. Shared bookings are not represented in this graphic.

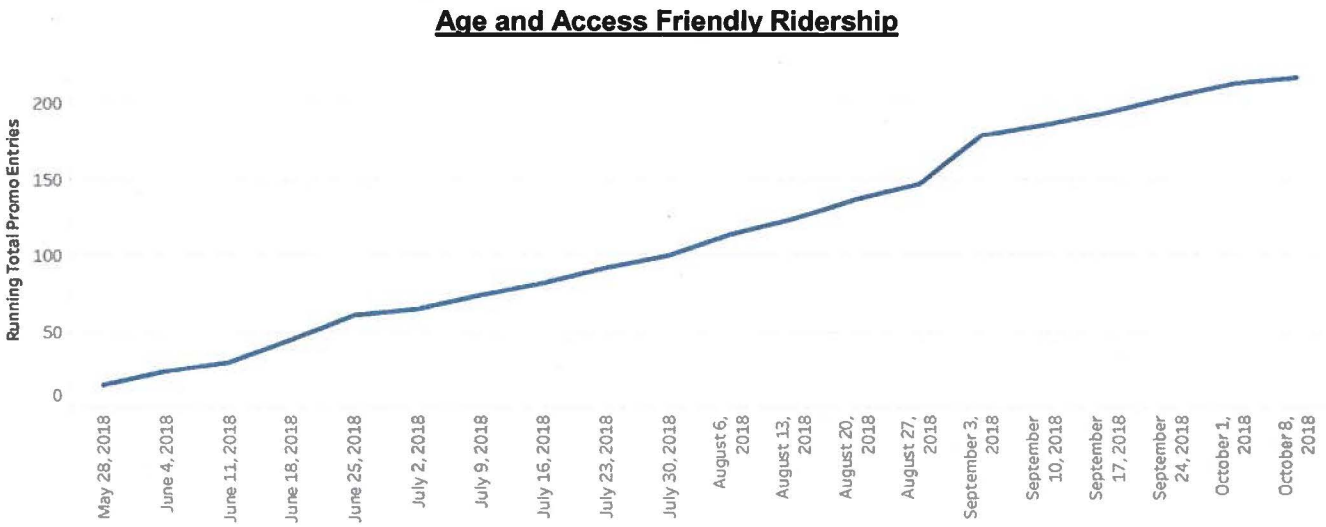


Figure 5A Total Number of Senior or Disabled Rider Discount Recipients. The number of Via riders that have received a Senior or Disabled Rider discount has grown in pace with overall ridership. A sharp period of growth is seen in early September, attributable to the AARP Via Rideshare Scholarship on-boarding event.

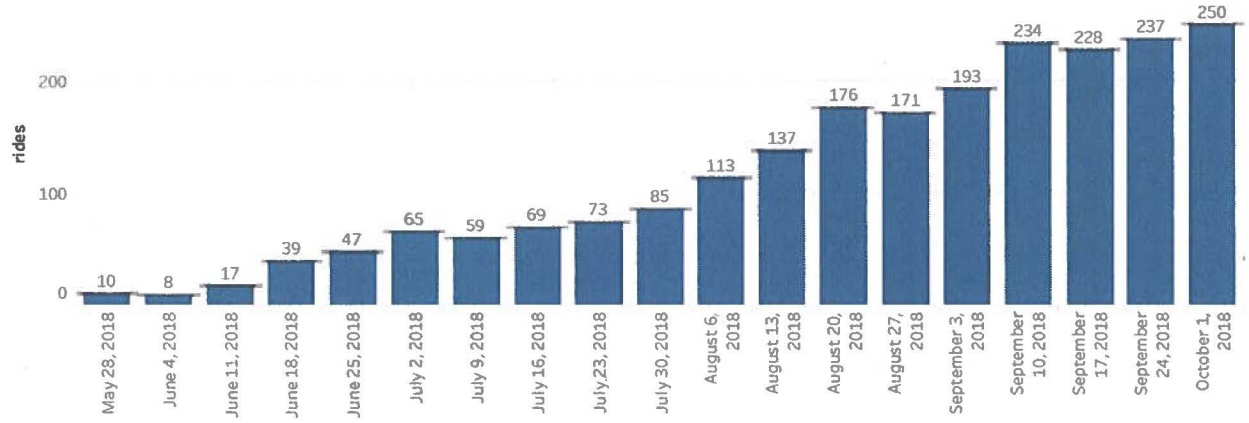


Figure 5B Weekly Ridership of Via Riders with a Senior & Disabled Rider Discount. Recipients of the Via Senior or Disabled Rider discount have emerged as a significant contributor to weekly ridership, approaching 250 rides a week. Overall, recipients of a Senior or Disabled Rider discount contribute roughly 15% of weekly ridership to the platform. This indicates that the older adult community and residents with physical or other limiting factors appear to be well served by the Via Rideshare service.

ATTACHMENT 2 - Summary of Via Customer Feedback

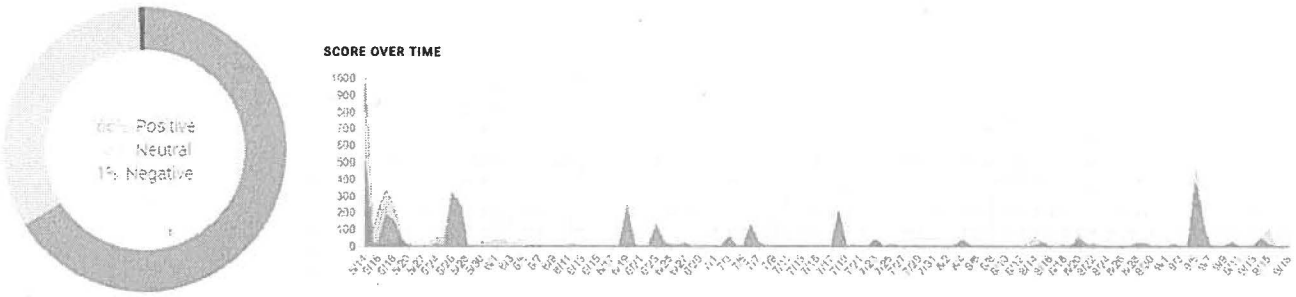


Figure 1. ZenCity Sentiment Report & Score Over Time. The ZenCity "Score Over Time" Report illustrates the community "buzz" around the Via Rideshare program. Most community excitement and discussion of the program peaked at the Service's launch and when extended hours and pricing options were made available in June 2018. The most recent spike in September was a result of the AARP Rideshare Scholarship onboarding event. ZenCity has categorized only 1% of observed community feedback as negative.

Positive Feedback

- **Quality of Life Improvements:** The majority of positive feedback received to-date has focused on direct quality of life improvements for individuals who struggled with mobility and reliable transportation prior to Via Rideshare. Many of these comments are included below.
- **Friendly and Helpful Drivers:** Many comments praise Drivers for being considerate, kind and friendly to Riders.
- **Convenience and Speed of Service:** Residents have generally been impressed with the speed by which Via Vans arrive to pick them up.
- **Ease of Use of Smartphone App:** Smartphone User's have commented on the App's user-friendliness.
- **Accessibility:** Appreciation for Call-to-Book Option and Wheelchair Accessible Vehicle

Highlights from Satisfied Via Customers

"Our neighbor has used the service and was very pleased with the prompt service and courteous drivers. As the 4th generation and longtime resident of this fine city, I am very happy with all the new ideas and services that are being tried. This is by far the best time I have ever lived in West Sacramento. I feel safe, and am very pleased with the direction the city is going in."

"You book a ride, and they're johnny-on-the-spot! When you call them, they're there! It's just great for people like me, because I'm 78 and now I've been getting out of the house for the first time in years. My kids have told me how proud of me they are, because I'm getting out all on my own to participate in activities that I hadn't in years. Now I am attending Ceramics class again, where I've made a number of very nice pieces, and I've started back up at Bunko. And since I started riding Via, I've won at Bunko twice!"

"Via is wonderful! For the first time in years I was able to buy ice cream and popsicles and get them home frozen. I can now purchase fresh fish and be sure that it will get home fresh and without salmonella. The drivers are wonderful, the vans are clean, the service was prompt, and I couldn't ask for more. This will definitely enhance my quality of life. Thank you for your work in getting this program for us. I see very few reasons to ever want to shop outside of West Sacramento again!"

"My friend used this service to give her son a ride within West Sac. They had a really good experience and the price for the ride was very reasonable. They are also able to transport teens 13+, which other transportation companies will not do without an adult present."

"I was in a terrible accident, fell asleep at the wheel, & totaled my car but fortunately, physically only my teeth were damaged, praise God. I LOVE having Via to transport me to places like this to buy my Px and daily necessities. It's wonderful! But, ask them if they can consider taking us elderly to Sacramento for our Doctor appointments, only. We would still promise to do our shopping locally, but all the doctors are in Sacramento. It would be great. But, if not, thank you so much for this service that allows me to leave home once in a while!"

"On Thursday, the 16th of August, I took my first VIA on demand ride. My first ride was to the Dr's office. The driver had a little hard time finding, do to his equipment. So, I phoned the office, dispatch and told them to van went right past my home. Within a few minutes the van was in front of my house. When you don't feel well, every minute counts. I rode to the Dr's office, pharmacy, and back home I am quite pleased with the service and plan to be a frequent rider."

"Please extend our gratitude and appreciation for the new rideshare, Via. We have many seniors at our facility who have used the rideshare and they love it."

"Hello...I have lived my whole life in West Sacramento. I went to Southport elementary and graduated from River City High School in 2012. I want to thank and congratulate you guys for improving our public transportation. By providing us with Via and Jump bikes it has made our lives as residents of West Sacramento a whole lot better."

"I would like to thank the City of West Sacramento for the nice meeting today for the Via program. I am looking forward to using the service and thank you for the free rides .I will now be able to get out and go to the store without having to bother my kids for a ride while my wife is at work. "

Negative Feedback

Generally, negative feedback on the service has been relatively limited, however some minor issues have arisen that staff has resolved or continue to work with Via to resolve.

- **Via Support Line Issues:** The primary challenge since launching has been complaints from Riders who have reported occasions wherein they were unable to reach a Customer Support representative using the Via Support Line. This complaint has been intermittent, but reports tended to focus on the morning hours. Staff has worked closely with Via to investigate and identify enhancements to the Support Line experience. As a result, Via determined that the Support Center they had contracted with was not meeting West Sacramento standard and will be switching to a new provide at the end of October. The Support Line phone number will not change.
- **Door-to-Door Requests:** Early on in the service, a short learning curve was required to help some Riders understand the corner-to-corner concept. Many riders reported previously using Uber/Lyft and were more accustomed to getting picked up at their door. Once they understood the Via model, they did not complain. However, for individuals with an impairment that prevents them from walking to a Virtual Stop, door-to-door service may be requested through the Via Support Line. Some users of this service have complained that they must call every time. As a result, staff is working with Via to enable customizable rider profiles that would allow for Via to automatically provide door-to-door service for eligible customers, which would be restricted to individuals with qualifying disabilities.
- **Demand Error:** Early in the term of the Pilot, an error occurred for some riders that stated they were unable to hail a Via ride due to high demand. This was resulting from a bug in the Via software, which has since been

resolved. However, the error may accurately appear during high demand periods now that ridership has substantially grown.

- **Driver Complaints:** Occasionally, complaints about Via Drivers are received from both Via riders or community members observing the vans on the road. The volume of these types of complaints have been nominal, however all complaints are recorded and seriously reviewed by the Via team. Complaints have ranged from speeding or traffic violation complaints (6 complaints submitted), Driver's playing music at a volume or in a genre not preferred by the passenger, or floormats having mud or dirt on them. Any complaint lodged directly against a Driver is investigated by Via and kept on record. If a single Driver continually receives complaints, Via operates on a tiered penalization system. Depending on the seriousness or severity of the complaint, a Via Driver can receive a suspension, or be disaffiliated with the platform.
- **Accessibility:** Some riders with limited mobility have requested that Via vans carry step-stools to make it easier to load and unload. Staff is working with the Via team to explore this option.

Expansion Requests

Excitement for the Via Rideshare service has often resulted in both geographical and temporal expansions of service. The most commonly requested expansions are in Downtown Sacramento and include the I Street Amtrak Station, Kaiser Permanente, and Downtown Commons/Golden One Arena. To a lesser extent, some requests have been submitted to operate slightly earlier in the morning or later at night, or to add Sunday service.

At this time, staff is not making any recommendation on expansion, but is simply providing feedback from the community to the City Council. In advance of the Final Performance Report, staff will be prepared to discuss the fiscal and operational implications of these types of expansions, should the City Council elect to further explore such options at the end of the Pilot term.

ATTACHMENT 3

CITY OF WEST SACRAMENTO

Via Rideshare User Survey

Thank you for your participation. After you fully complete the survey (5-10 mins), you will have the chance to enter to win a $25 Visa Gift Card.



How many Via Rideshare trips (one-way) have you taken in the past 30 days?

What do you primarily use Via Rideshare for? (Select all that apply.)

- [ ] Commute to Work
- [ ] Commute to School
- [ ] Groceries, Pharmacy, or Other Shopping
- [ ] Medical or Dental Appointments
- [ ] Social and Recreational Activities
- [ ] Bars and Restaurants
- [ ] Other (Please Describe)
- [ ] Transport Children or Other Family Members
- [ ] Personal Care (Beauty, Hair Salon, Gym)
- [ ] Veterinarian Services
- [ ] Events or Concerts
- [ ] Transport to/from Vehicle Break Down or Auto Repair Shop
- [ ] Hotels/Motels

When you need to get somewhere, what other transportation options do you use on a regular basis (at least once a week)?

Please select all that apply.

- [ ] Walk or Wheelchair
- [ ] Skateboard or Scooter
- [ ] Bike
- [ ] JUMP Bike Share
- [ ] Bus
- [ ] Driven by a Friend/Family Member
- [ ] Uber/Lyft
- [ ] Carpool/Vanpool
- [ ] Drive Alone
- [ ] Other (please specify)

If you had not used Via Rideshare, which other transportation options would you have used instead?

Please select all that apply.

- [ ] None. I wouldn't have taken the trip at all if Via was not available.
- [ ] Walk or Wheelchair
- [ ] Skateboard or Scooter
- [ ] Bike
- [ ] JUMP Bike Share
- [ ] Other (please specify)
- [ ] Bus
- [ ] Driven by a Friend/Family Member
- [ ] Uber/Lyft
- [ ] Carpool/Vanpool
- [ ] Drive Alone

Are you a recipient of free Via rides through the AARP Rideshare Scholarship program?

- ◯ Yes
- ◯ No
- ◯ I don't know

Do you have a valid CA Driver's License?

- ◯ Yes
- ◯ No

Do you own or lease a car?

- ◯ Yes
- ◯ No

Do you have a physical or mental condition that prevents you from operating a motor vehicle?

- ◯ Yes
- ◯ No

Do you receive a Senior or Disabled Rider Discount on your Via rides?

- ◯ Yes
- ◯ No
- ◯ I don't know

Do you own a Smartphone?

- ◯ Yes
- ◯ No

How do you normally book your rides on Via?

- ◯ Via Smartphone App
- ◯ Phone Booking Option (Call to Book)

What is the nearest intersection to your home address? Please provide each street name separately below.

Street Name 1 _____

Street Name 2 _____

Overall, how satisfied have you been with West Sacramento's Via Rideshare service?

Very Dissatisfied	Dissatisfied	Neutral	Satisfied	Very Satisfied
○	○	○	○	○

We realize this survey may not have covered everything you were interested in telling us about your experience using Via Rideshare.

If you have additional feedback you would like to share with the City, please share it in the comment box below.

What is your total household income?

- ◯ Less than $10,000
- ◯ $10,000 to $14,999
- ◯ $15,000 to $24,999
- ◯ $25,000 to $34,999
- ◯ $35,000 to $49,999
- ◯ $50,000 to $74,999
- ◯ $75,000 to $99,999
- ◯ $100,000 to $149,999
- ◯ $150,000 to 199,999
- ◯ $200,000 or more

What is the highest level of school you have completed or the highest degree you have received?

- ◯ Less than high school degree
- ◯ High school degree or equivalent (e.g., GED)
- ◯ Some college but no degree
- ◯ Associate degree
- ◯ Bachelor degree
- ◯ Graduate degree

Do you consider yourself to be Hispanic or Latina/Latino?

(Note: For the purpose of this survey, Hispanic or Latina/o is considered an ethnicity, not a race.)

- ◯ No, not of Hispanic or Latina/o origin
- ◯ Yes, Mexican, Mexican-American, Chicana/o
- ◯ Yes, Puerto Rican
- ◯ Yes, Cuban
- ◯ Yes, another Hispanic, Latina/o origin

How would you describe your race?

- ◯ White or Caucasian
- ◯ Black or African American
- ◯ American Indian or Alaska Native
- ◯ Other (Please Describe).
- ◯ Asian
- ◯ Native Hawaiian or Other Pacific Islander
- ◯ Multiracial

What is your age?

- ◯ 13-17
- ◯ 18-21
- ◯ 22-29
- ◯ 30-39
- ◯ 40-49
- ◯ 50-59
- ◯ 60-69
- ◯ 70-79
- ◯ 80-89
- ◯ 90+

Would you like to be entered to win free Via Rides for our participation in this survey?

- ◯ Yes
- ◯ No

Please complete the form below to be entered to win free Via Rides.

ZIP/Postal Code

Email Address

Phone Number