RESOLUTION NO. 2008-197

Adopted by the Sacramento City Council

March 25, 2008

APPROVE BUDGET AMENDMENTS FOR THE GEORGE SIM COMMUNITY CENTER EXPANSION PROJECT (LT51, L13000200); AUTHORIZE AMENDING THE EXISTING INDIVIDUAL PROJECT AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO; APPROVE CHANGE ORDER NO. 1 ESTABLISHING THE GUARANTEED MAXIMUM PRICE (GMP) WITH BROWN CONSTRUCTION FOR THE PROJECT; APPROVE THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR THE PROJECT: AND MAKE RELATED FINDINGS

BACKGROUND

A. The George Sim Community Center Expansion project (the "Project") is consistent with the Army Depot Redevelopment Plan to eliminate or ameliorate certain environmental deficiencies, inadequate or deteriorated public improvements. It is also consistent with the goals and objectives outlined in the Army Depot Implementation Plan (2005-09) to provide first-rate public facilities which includes making improvements at the George Sim Community Center in order to provide more recreational opportunities to the community and is consistent with City Council's strategic planning focus area of sustainability and livability.

B. The City of Sacramento has determined it has no additional funding to complete construction of the George Sim Community Center Expansion Project Phases I, II, III and IV.

C. The Environmental Services Manager has determined the project, as proposed, will not have a significant impact on the environment; therefore, a Mitigated Negative Declaration has been prepared. In compliance with Section 15070 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. These mitigation measures address Transportation and Circulation, Hazards, Biological Resources, and Cultural Resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Attachment 1). The draft Mitigated Negative Declaration was circulated for a 20-day public review and comment period from January 22, 2008 through February 11, 2008. On February 4, 2008, the public review and comment period was extended to February 25, 2008 to allow for the noticing of more owners/residents and neighborhood groups within the project area and to give the newly-noticed people the full 20 days for noticing as required by Section 15105 of the CEQA Guidelines. No comment letters were received during the public review and comment period.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The receipt of $2,252,145 in 2006 Army Depot Tax Exempt Bond funds, $2,987,488 in 2006 Army Depot Taxable Bond funds, and $5,006,367 in Army Depot Tax Increment funds to the Project (LT51, L13000200) is approved.

Section 2. The City Manager or the City Manager's designee is authorized to amend the existing Individual Project Agreement (IPA) with the Redevelopment Agency of the City of Sacramento in the amount of $10,246,000 for construction of the Project Phases I, II, III and IV.

Section 3. Establishing the guaranteed maximum price with Brown Construction for the Project in an amount not to exceed $15,168,643 is approved.

Section 4. The City Manager or City Manager's designee is authorized to execute Change Order No. 1 in an amount not to exceed $14,227,868 with Brown Construction.

Section 5. The Mitigated Negative Declaration and Mitigation Monitoring Plan for the Project are approved.

Section 6. Pursuant to Section 33445 of the Health and Safety Code of the State of California (California Redevelopment Law), the City Council makes the following findings:

a The Project will benefit the Redevelopment Project Area by eliminating blighting conditions and ameliorating certain environmental deficiencies, inadequate or deteriorated public improvements to deliver first-rate public facilities which are critical towards attracting new development to the area and will improve public recreational and educational opportunities to increase the quality of life for existing and future residents.

b There are no other reasonable means of fully financing the project available to the community.

c The payment of the cost for the Project is consistent with Army Depot Five-Year Implementation Plan (2005-2009) which includes making Community Facilities/Park Improvements at the George Sim Community Center in order to provide more recreational opportunities to the community.

Adopted by the City of Sacramento City Council on March 25, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo

Mayor Heather Fargo

Attest:

Dawn Bullwinkel

Dawn Bullwinkel, Assistant City Clerk