RESOLUTION NO. 2009-042

Adopted by the Sacramento City Council

January 27, 2009

ACCEPTING A MAXIMUM GUARANTEED PRICE FOR THE CONSTRUCTION OF THE K STREET STREETSCAPE – PHASE 1 PROJECT (B18217000); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AMENDMENT TO CITY AGREEMENT 2008-1154 WITH OTTO CONSTRUCTION, A PROJECT AGREEMENT WITH SACRAMENTO REGIONAL TRANSIT (RT) AND AN INDIVIDUAL PROJECT AGREEMENT (IPA) WITH THE SACRAMENTO REDEVELOPMENT AGENCY; AND ALLOCATING PARK DEVELOPMENT IMPACT FEE FUNDS (FUND 3204) FOR ST. ROSE OF LIMA PARK

BACKGROUND

A. The Redevelopment Agency of the City of Sacramento ("Agency") has adopted the Merged Downtown Redevelopment Plan ("Redevelopment Plan") and an Implementation Plan for the Merged Downtown Project Area ("Project Area").

B. Planned improvements to K Street's streetscape include new and consistent paving materials, street furniture, trash receptacles, landscaping, lighting, enhanced intersections and gateway elements and relocations of two Regional Transit (RT) mini-high platform stations.

C. Streetscape improvements to K Street are consistent with the Amended Merged Downtown Redevelopment Plan, the 2005-2009 Merged Downtown Redevelopment Plan, and the J-K-L Corridor Charette.

D. Final designs and environmental review for the K Street Streetscape Project ("Project") were approved by City Council on May 25, 2008 by City Resolution 2008-174.

E. Phase one improvements include the 700 block of K Street, St. Rose of Lima Park and relocation of the existing RT platform station at 7th and K streets to the east side of 7th Street.

F. On July 22, 2008 City Council approved suspension of competitive bidding for a General Contractor for phase one of the K Street Streetscape Project and directed staff to issue a Design/Build Request for Qualifications ("RFQ") by City Resolution 2008-523.

G. On July 23, 2008 a Design/Build RFQ for the Project was issued and four companies submitted proposals on August 22, 2008.

H. Following evaluation and interviews for the RFQ, a selection committee chose Otto Construction to provide design-assist contracting services through100% design and construction for phase one of the Project.

I. On January 26, 2008 the RT Board of Directors approved a Project Agreement, between the City and RT, for the construction of a new RT platform at 7th and K streets.

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

Section 1. After due consideration of the evidence presented, the findings, including the environmental findings regarding this action as stated in the staff report that accompanies this Resolution, are approved.

Section 2. The Guaranteed Maximum Price for the K Street Streetscape – Phase I Project (B18217000) in the amount of $3,907,482 is accepted.

Section 3. The Construction Phase Amendment to City Agreement 20080-1154 is approved and the City Manager is authorized to execute the Construction Phase amendment with Otto Construction for the construction of the K Street Streetscape – Phase I Project (B18217000) for a price not to exceed $3,907,482.

Section 4. The Project Agreement with Sacramento Regional Transit (RT) is approved and the City Manager is authorized to execute the Project Agreement with RT for construction of a new RT platform station at 7th Street, between the K-L alley and L Street.

Section 5. An allocation of $400,000 in Park Development Impact Fees (Fund 3204) from fund balance to the K Street Streetscape – Phase I Project (B18217000), for St. Rose of Lima Park improvements is approved.

Section 6. Pursuant to Section 33445 of the Health and Safety Code of the State of California, the City further finds and determines that: (a)The proposed streetscape public improvements along the K Street Mall, between 7th and 12th streets will benefit the immediate neighborhood and project area by relocating the light rail stations to preferable sites, replacing dated street furniture, increasing pedestrian lighting, improving planting, and standardizing pavement materials; (b) No other reasonable means of financing these streetscape public improvements in the Merged Downtown Redevelopment Project Area is available to the community; and (c)The payment of the cost for the planning and design of the streetscape public improvements is consistent with the Merged Downtown Redevelopment Project Area Implementation Plan and will assist in eliminating the following blighting conditions: dilapidated infrastructure along the K Street Mall.

Section 7. The City Manager, or his designee, is authorized to enter into an Individual Project Agreement (IPA) with the Agency for $500,000 in tax increment funds (Fund 3701) for this project and amend the revenue and expenditure budget for B18217000 for these funds.

Adopted by the City of Sacramento City Council on January 27, 2009 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

Mayor Kevin Johnson

Attest:

Shirley Concolino, City Clerk