



**REPORT TO THE
REDEVELOPMENT AGENCY
AND CITY COUNCIL
of the City of Sacramento**

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

7

Consent
February 17, 2009

**Honorable Mayor and Members of the City Council
Honorable Chair and Members of the Board**

Title: Agreement: Docks Riverfront Promenade Project -Phase I

Location/Council District: Sacramento Riverfront from O Street to R Street, District 1

Recommendations: Adopt a **City Resolution** a) approving and authorizing the City Manager to enter into an Agreement between the City of Sacramento and the California Department of Parks and Recreation for the Docks Riverfront Promenade Project – Phase I to allow for the relocation of rail line and related improvements; and b) authorizing the City to accept property from the Agency for the Docks Promenade – Phase I Project;

Adopt a **Redevelopment Agency Resolution** authorizing the Executive Director or her designee to convey property to the City of Sacramento for the Docks Promenade – Phase I Project.

Contact: Beth Tincher, Sr. Project Manager 808-7730; Leslie Fritzsche, Downtown Development Manager 808-5450

Presenters: None

Departments: Economic Development Department

Division: Downtown

Organization No: 18000

Description/Analysis

Issue: On October 16, 2007, the City Council approved the design for the Docks Promenade, a multi-phased project that will front the Sacramento River from O

Street to Miller Park (Attachment 1 and 2), and approved the construction of the Docks Promenade - Phase I (Attachment 3) from O Street to R Street. The proposed promenade is a mile-long, 20-foot-wide pedestrian/bicycle path and the Project includes development of a park at R Street. Background information and a description of elements contained in Phase I are outlined in more detail in Attachment 4.

A portion of the Phase I project requires relocation of the State's railroad tracks used for the Old Sacramento excursion train operations and the construction of new pedestrian railroad crossings. The proposed Agreement outlines the obligations of both the City of Sacramento and California Department of Parks and Recreation "State Parks" to swap property and outlines the responsibility of each party during construction to ensure the project is executed as designed. The project elements that the Agreement pertains to include the following:

- Relocate the railroad easement to accommodate the relocation of the railroad right-of-way from O Street to the projection of R Street.
- Provide for the removal, relocation and reconstruction of approximately 1,550 feet of primary track and signals.
- Compensate State Parks through project contingencies for lost revenues if construction prevents operation of its currently scheduled train trips.
- Remove 350 feet of a spur line (which will be replaced during the next phase of the Docks Promenade).
- Construction of two at-grade pedestrian crossings.

Approval and execution of this Agreement will allow commencement of construction of the project as approved by the City Council on March 2, 2009. The Redevelopment Agency owns a portion of the property on which the project will be developed. The Agency has already issued a Right of Entry to the City of Sacramento to allow for construction of the promenade and park improvements and this action will authorize the transfer of that parcel to the City.

Policy Considerations: Constructing the Promenade is consistent with the City's strategic plan to achieve sustainability and livability and to expand economic development throughout the City.

Sacramento Riverfront Master Plan - The recommended actions are consistent with prior City Council direction related to the implementation of the 2003 Sacramento Riverfront Master Plan by connecting the Promenade to Miller Park and providing access to the water's edge.

Redevelopment Agency of the City of Sacramento – The recommended actions are consistent with the Amended Merged Downtown Redevelopment Plan, the 2005-2009 Merged Downtown Implementation Plan and the 2005-2007 Docks Area Community Planning Process. Redevelopment of the Docks Area will eliminate blight by: 1) eliminating environmental deficiencies in the Merged Project Area,

including mixed uses, small and irregular lots, obsolete, aged and deteriorated buildings, inadequate public improvements, and uneconomic land uses; and 2) strengthening retail and other commercial functions in the downtown area by the installation of needed site improvements either inside or outside the Merged Project Area to stimulate new commercial expansion, employment and economic growth.

Environmental Considerations: Phase I and Phase II Environmental Site Assessments for the project area were prepared in October 2005, August 2007 and July 2008. Based on these analyses, the project properties are not expected to have any soil contamination.

The City Council considered and adopted a Mitigated Negative Declaration and approved the Mitigation Monitoring Plan for the Promenade project on July 15, 2008. The Agency had an opportunity to review the environmental document. Mitigation measures are included as part of the project construction scope of work.

Sustainability Considerations: Despite the fact that parks and public spaces are not required to follow Leadership in Energy and Environmental Design (LEED) guidelines, or achieve a LEED rating, the project will follow best practices in design in the following ways:

- Concrete waste from demolition will be recycled.
- High-recycled content materials will be used, such as: structural steel, reinforcing steel, light gauge metal framing and concrete (15% fly ash).
- A minimum of 20% of building materials will be manufactured within a 500-mile radius.
- Adhesives and sealants will contain low-Volatile Organic Compounds (VOC) content to meet Sacramento Metropolitan Air Quality Management District (SMAQMD) Rule 1168 standards.
- Paints and coatings will contain low-VOC content to meet applicable Green Seal standards.
- A project waste management plan will be implemented.

The trees proposed in the Promenade plan will make a contribution to clean air and water, storm water runoff reduction, energy conservation, improved public health, and increased property values. A more complete description of the Project, including its energy efficient systems and green features, is described in Attachment 4.

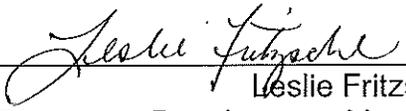
Commission/Committee: See Attachment 4 for the dates of the prior commission, committee and public workshops.

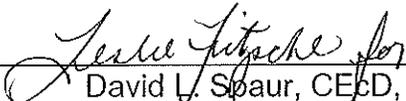
Rationale for Recommendation: The project design has resulted from significant collaboration efforts between the City of Sacramento and State Parks Department to ensure that the design met the needs of State Parks' excursion train requirements and the City's desire to create a unique destination-oriented waterfront. The plan provides

public access to the water's edge, establishes an additional connection to Downtown via the R Street Bridge, creates an activity node through the development of the R Street Park, and act as a catalyst for the redevelopment of the Docks area. Technical requirements such as project drainage, engineering, park planning, public safety and Americans with Disabilities Act are also met in the Docks Promenade Plan. Approval and execution of this Agreement will allow the City to move forward with the construction of this Project.

Financial Considerations: The City established a project budget of \$5.36 million on July 15, 2008 (Docks Promenade Construction Project, B18430000). A portion of this budget includes the cost of relocating the railroad and the construction of new railroad crossings. As part of this Agreement, State Parks will allow the temporary cessation of its excursion train operations without compensation. However, if the construction schedule is delayed, State Parks is requesting reimbursement for its net loss of revenue from cessation of its currently scheduled excursion and/or school train trips. While the City's contractor's schedule currently does not plan to disrupt the State Park's train schedule, the City has included a contingency of \$18,000 to cover any unanticipated train trip cancellations that might arise in March, 2009.

Emerging Small Business Development (ESBD): NA

Respectfully Submitted by: 
Leslie Fritzsche
Downtown Development Manager
Redevelopment Agency of the City of Sacramento

Approved by: 
David L. Spaur, CECD, EDFP
Director, Economic Development Department

Recommendation Approved:

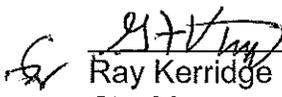

Ray Kerridge
City Manager

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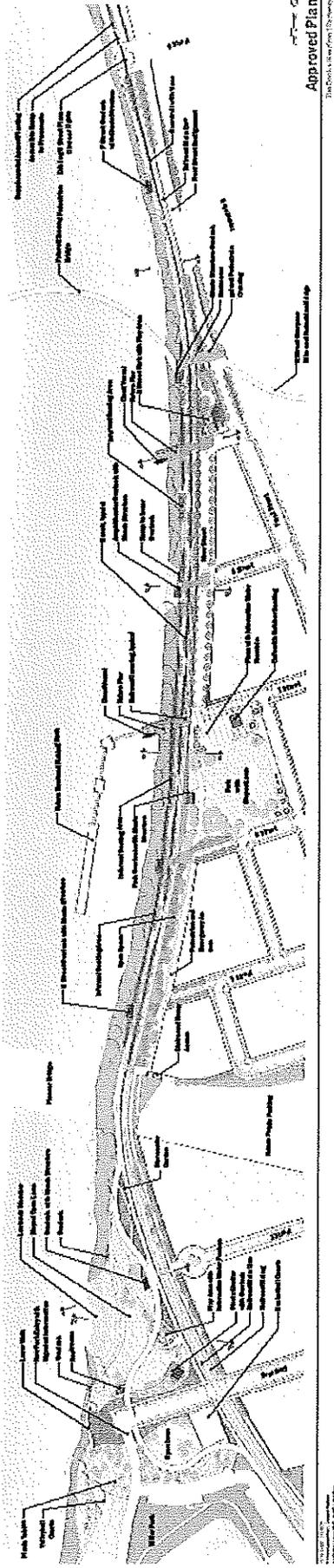
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6	Agency Resolution	Pg 16

ATTACHMENT 1

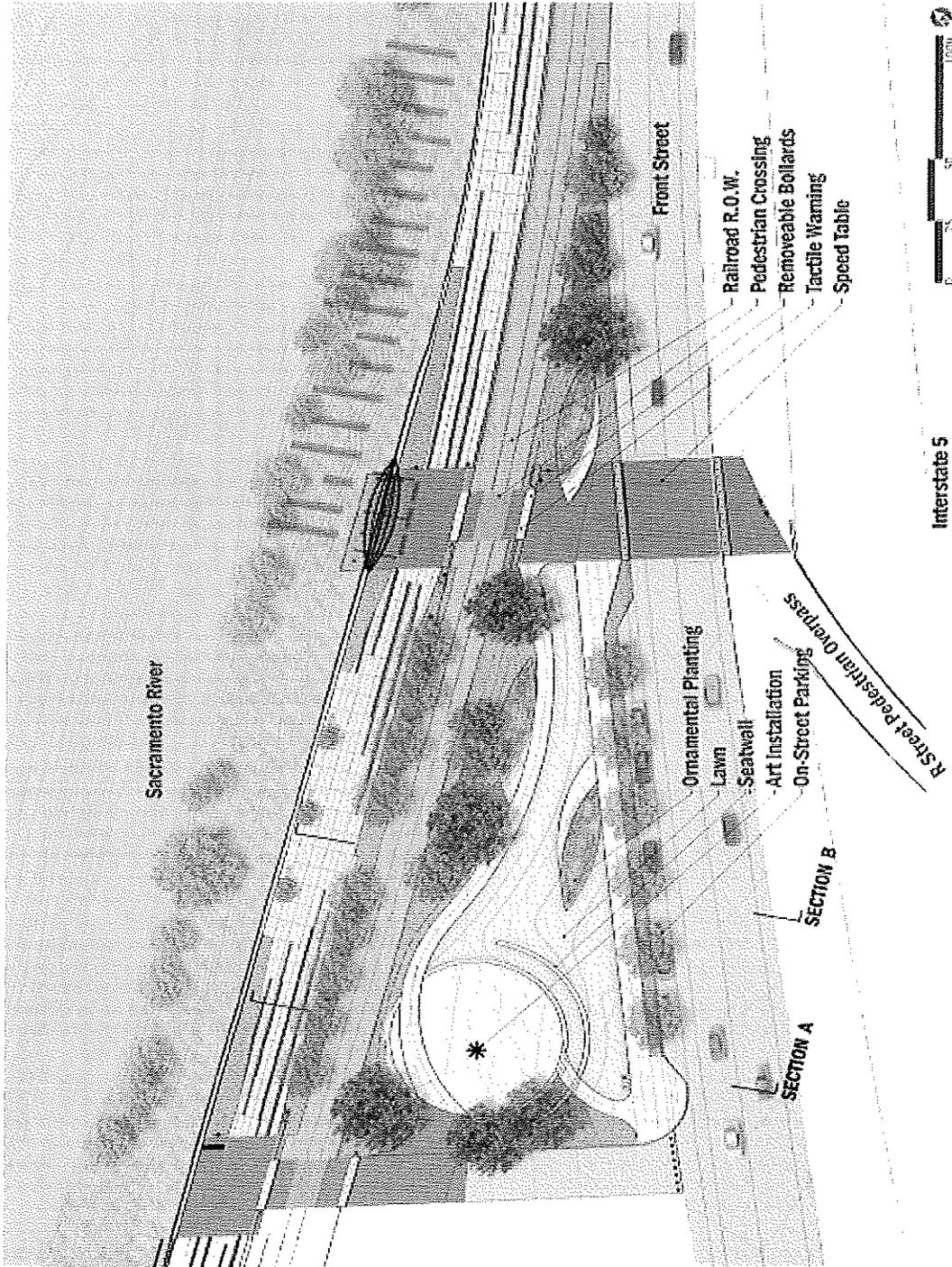
Location Map: Docks Promenade Parkway and Phase I



ATTACHMENT 2 Docks Promenade Parkway Approved Concept Design



ATTACHMENT 3 DOCKS PROMENADE PHASE I PLAN



Park Master Plan
The Docks Riverfront Promenade
The City of Sacramento | October 20, 2008

Walter Macy
Stevens Consulting | James B. Stokes
McFarlane | Evans/PAC | SACF | Bull/Pro

ATTACHMENT 4**Background Information****BACKGROUND:**Promenade and R Street Park (Pioneer Landing Park) Design

Design: The Docks redevelopment area will revitalize an important waterfront location in the City. It will bring the citizens of Sacramento in touch with one of their greatest resources: the Sacramento River. This redevelopment will also provide significant new public open spaces and a new promenade connecting Old Sacramento to Miller Park, and ultimately providing one link in a series of trails that will connect the community to its resources.

The public open spaces within the Docks area are intended to be family-friendly and to be used by the new neighborhood's residents as well as those from throughout the region. There are a series of 3 parks planned within the area. The Park at R Street will be the first park to be developed in the Docks area and will provide a good place for use for those on the Promenade as well as those crossing the R St. Overpass Bridge.

The 0.4-acre park will accommodate a variety of users. The park is an integral part of the Riverfront Promenade and includes a plaza, walkways, turf, a bermed, landscaped area, raised planters in the shape of ship hulls, seat walls, trees, shrubs, benches, a drinking fountain, and an Art in Public Places feature. Because the park and the Promenade are so integrated, they were conceptualized together in order to provide a sense of a larger combined experience for the user. Ample access to the park is provided from the Promenade and Front Street. Nautical forms of ship hulls have been used on the adjacent Promenade overlook, in the park as planting beds and in the Art in Public Places projects for both the Promenade and Pioneer Landing.

Within the park, a paved plaza is located in the southwest as a gathering place and a place to interact with an art piece. This piece will be a sculptural focal point day and night. Ample seating is provided in a variety of places to allow users choice as to direction of view, to sit in a group or individually, and to sit in the sun or shade. Open lawn in the central portion of the park will facilitate passive recreation. The park is intentionally designed for easy surveillance from Front Street in order to add to safety. It has been organized to provide a variety of entry points to encourage use and accommodate many modes of travel. On-street parking is provided to encourage spontaneous use by passersby. Located at the west end of the new R Street Overpass Bridge, the park will also be a stopping point for those enjoying the City's trail systems. The park will be well lit, both from within as well as from adjacent lighting of Front Street and the Promenade. This park will be an asset to the community and will provide a place to enjoy for generations to come.

In the future, it is envisioned that a multi-story building will be built to the west of the

park that will accommodate a mix of uses such as a restaurant and housing. These uses will further enliven the park, day and night.

Two names were suggested for the park. The first is Pioneer Landing, which represents the Gold Rush immigrants from around the world that landed by boat in Sacramento and camped along the river bank. Additionally, the Pioneer Box Company was located in the Docks area near the site. The second is Foundry Park, which represents the many foundries and other industrial uses that dominated the Docks Area from the 1850s, well into the 1950s. In particular, the Union Iron Works Foundry was very near the park site. The name selected for the park by the Parks and Recreation Commission is Pioneer Landing.

Community Meetings:

In August, 2006, Walker Macy was awarded a contract for the Docks Promenade design. On October 26, 2006, the sixth Docks Area Community Workshop was held. This workshop introduced Ned Kahn, a prominent public artist who was selected to complete the art plan for the Docks Promenade.

On April 11, 2007, the design team met with the City's project Technical Advisory Committee (TAC), neighborhood groups, outside agencies and organizations to discuss the development of Promenade concept plans.

On April 18, 2007, the Redevelopment Agency held the seventh Docks Area Community Workshop. Wallace Roberts and Todd presented refined land use plans for the Docks Area plan and Walker Macy presented design options for the Promenade. This workshop also served as an additional scoping meeting for environmental documents.

Additional stakeholder and TAC meetings were held on June 13, 2007 to allow for additional input as refinements to the promenade design concepts were developed. As a result of these meetings, the current alternative was selected for development of design drawings.

On June 13, 2007, prominent public artist Ned Kahn presented refined concepts for the promenade art program to the Art in Public Places/Sacramento Metropolitan Arts Commission (SMAC) and received additional input for refinements to the art program for the promenade.

On October 18, 2007, a presentation was made to the City's Disabilities Advisory Commission to receive input and supported the proposed design. On December 6, 2007, the Parks and Recreation Commission supported 30% design drawings for the entire promenade.

From December, 2007 through March, 2008, staff met with special interest groups to discuss and receive input on the design prior to preparation of 60% design: Downtown Development Group, Southside Park Neighborhood Group, Old Sacramento, the Greater Broadway Association, and the NAG.

In April, 2008, the Final Arts Plan was presented to the SMAC for review and comment. On June 9, 2008, the SMAC approved the Docks Promenade Arts Plan and selected Ned Kahn to be the first artist to build a piece of art to be incorporated into Phase I of the Promenade. Artists will be selected for each phase of the project.

Detailed design features of promenade and park elements were approved by the Parks and Recreation Commission (PRC) and City Council in September 2008. On November 20, the Disabilities Advisory Commission received an update on the progress of the Phase I design and the Commission supported further design development.

On November 6, 2008, the Parks and Recreation Commission supported approval of naming the Park at R Street "Pioneer Landing" and of the Park Master Plan for Pioneer Landing.

Budget

On July 15, 2008, the City Council established a budget of \$5.36 million (B18430000). On February 3, the City Council accepted a guaranteed maximum price of \$4,909,000 to Flintco, Inc. to construct the Docks Promenade Project and authorized the transfer of \$200,000 of additional Quimby Fees. The following provides a summary of estimated costs and the proposed funding plan (including the recent transfer of Quimby Fees):

<u>Project Costs</u>	
Phase I Promenade (O-R Street including the park and rail realignment)	\$4,609,389
Contingency (6.5%)	\$299,610
Proposed GMP	\$4,909,000
City Construction Management Fees, Permits and Studies	\$450,971
Total Estimated Construction Costs:	\$5,359,971
<u>Budget Available for Project</u> (B18430000)	
Proposition 40 Funds (Tax Increment will cover in the interim)	\$1,500,000
CIP (18430000)	\$3,859,971
Total Cash Available:	\$5,359,971

ATTACHMENT 5

RESOLUTION NO. 2009 -

Adopted by the Sacramento City Council

APPROVING AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE DOCKS RIVERFRONT PROMENADE PROJECT – PHASE I

BACKGROUND

- A. In July 2003, the City Council of the City of Sacramento accepted the Sacramento Riverfront Master Plan (Master Plan). The Master Plan includes the Docks Area as an opportunity site. The original concept for the Docks Area included a mixed-use neighborhood and a riverfront promenade.
- B. The City of Sacramento (City) engaged in an extensive community planning process between 2005 and 2008 to further define the Docks Area plan. The Docks Area community planning process resulted in a draft Specific Plan for a high-density, mixed-use neighborhood for the redevelopment of the Docks Area with a riverfront promenade along the Sacramento River. An environmental impact report has been prepared and the EIR and the Specific Plan are scheduled to be presented for approval later this year.
- C. The City also undertook development and design of a separate multi-phased public works project known as the Docks Riverfront Promenade Parkway Project, which fronts the Sacramento River between O Street and Miller Park. A Mitigated Negative Declaration was prepared and approved and the City filed a Notice of Determination on July 15, 2008 with the County Recorder and the State Clearinghouse (SCH# 2008022059) giving notice of the project's approval. The City finds that there is no new information or changed circumstances requiring any additional environmental review for the Docks Riverfront Parkway Promenade Project – Phase I.
- D. The City has approved construction of the first phase of this project, known as the Docks Riverfront Parkway Promenade Project - Phase I ("Project"), which includes the portion of the Promenade from O Street to R Street and development of the Pioneer Landing Park. The City Council approved the construction contract for the Project on February 3, 2009, with commencement of the work conditioned on approval of the Agreement with the State to relocate its Railroad.

- E. The City own parcels of real property that encompass a portion of the land upon which the Project will be developed and has obtained a right of entry from the Redevelopment Agency of the City of Sacramento (“Agency”) to allow construction of the Project to commence. The Agency is willing to transfer title of its property to allow for City ownership of the Promenade.
- F. The State of California owns certain right of way and operates and maintains an interpretive railroad along the prior Sacramento Southern Pacific Railroad tracks (“Railroad”) that traverses the Project site.
- G. In order to facilitate development of the Project, the City needs to relocate the Railroad, accept the State’s Railroad right of way interest and transfer to State an easement over the new rail track alignment and construct two new pedestrian rail crossings to allow for access between the Promenade and the Docks Area. The new rail crossings will require approval by the Public Utilities Commission (PUC).

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 Agreement between the City of Sacramento and the California Department of Parks and Recreation to allow for the construction of the Docks Promenade – Phase I Project, transferring property interests for the railroad realignment, and creation of two new rail crossings is hereby approved. The City Manager or his designee is authorized to enter into the Agreement, to accept and transfer the property interests as described therein, to execute and submit to the PUC the documents and fees required for approval of the new rail crossings, and to take other actions as necessary for the implementation of the Agreement.
- Section 3 The City Manager or his designee is authorized to accept the real property (APN 006-0104-007) (“Property”) from the Redevelopment Agency of the City of Sacramento needed for the Project at no cost and to execute all documents necessary for the completion of the Property transfer.

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- Exhibit A Agreement between the City of Sacramento and the California Department of Parks and Recreation for the Docks Riverfront Parkway Promenade Project – Phase I

Exhibit A

**Agreement between the City of Sacramento
and the California Department of Parks and Recreation for the
Docks Riverfront Parkway Promenade Project – Phase I**

On File at the City Clerk

ATTACHMENT 6

RESOLUTION NO. 2009-

**Adopted by the Redevelopment Agency
of the City of Sacramento**

**APPROVING THE TRANSFER OF AGENCY PROPERTY TO CITY FOR
THE DOCKS RIVERFRONT PROMENADE PROJECT – PHASE I**

BACKGROUND

- A. In July 2003, the City Council of the City of Sacramento accepted the Sacramento Riverfront Master Plan (Master Plan). The Master Plan includes the Docks Area as an opportunity site. The original concept for the Docks Area included a mixed-use neighborhood and a riverfront promenade.
- B. The Redevelopment Agency of the City of Sacramento (Agency) and the City of Sacramento (City) engaged in an extensive community planning process between 2005 and 2008 to further define the Docks Area. The Docks Area community planning process resulted in a draft Specific Plan for a high-density, mixed use neighborhood for the redevelopment of the Docks area with riverfront promenade along the river.
- C. The City is undertaking a multi-phased public works project known as the Docks Riverfront Promenade Parkway Project, which fronts the Sacramento River between O Street and Miller Park and has filed a Notice of Determination dated July 15, 2008, with the State Clearinghouse (SCH# 2008022059) giving notice of the Project's approval.
- D. The City intends to construct the first phase of this project known as the Docks Riverfront Parkway Promenade Project - Phase I ("Project"), the portion of the Promenade from O Street to R Street and the Pioneer Landing Park, which will be referred to in this document as the "Project".
- E. The Agency of the City of Sacramento ("Agency") owns a parcel of real property on Front Street (APN 006-0104-007) that is part of and adjacent to City owned parcels which together are necessary for the redevelopment Project. encompasses a portion of the land upon which the Project will be developed.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS
FOLLOWS:**

- Section 1 The Agency reviewed and considered the Initial Study/Mitigated Negative Declaration for the Docks Riverfront Parkway Promenade, on July 15, 2008, when the joint staff report went forward to the Council and Agency. The Agency finds the circumstances haven't changed, there is no additional impact on the environment and therefore approves and adopts the Docks Riverfront Parkway Promenade Mitigated Negative Declaration.
- Section 2 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 3 Pursuant to section 33445 of the Health and Safety Code of the State of California, the Agency makes the following findings:
- a) The Docks Area Project, including the construction of promenade improvements are of benefit to the Merged Downtown Redevelopment Project Area because the improvements will be a catalyst for development of a high-density mixed-use development and the remediation of a Brownfields site.
 - b) The Agency is conveying its parcels of land for this project because there are no other reasonable means of financing a portion of the Project and funds must be committed prior to the grant application.
 - c) The use of redevelopment area tax increment proceeds for the Project will result in the elimination of blighting influences of inadequate, under-capacity and dilapidated infrastructure inside the Project Area and the Projects is consistent with the implementation plan adopted pursuant to Health and Safety Code of the State of California, section 33490.
- Section 4 The Executive Director or her designee is authorized to convey property located at 006-0104-007 to the City of Sacramento and to execute and submit any documents necessary for the completion of the property transfer.

