

Item No. 19 Supplemental Material # 1

For
City of Sacramento
City Council
Housing Authority
Redevelopment Agency
Economic Development Commission
Sacramento City Financing Authority

Agenda Packet

Submitted: May 28, 2009

For the Meeting of: June 2, 2009

- Additional Material
- Revised Material

Subject: Reports and Agreements for Sacramento Intermodal Transportation Facility Project

Attached are replacement pages to delete reference to approval of the Easement Agreement for Pedestrian Tunnel Access since that agreement has not been finalized.

Contact Information: Hinda Chandler (808-8422)

Please include this supplemental material in your agenda packet. This material will also be published to the City's Intranet. For additional information, contact the City Clerk Department at Historic City Hall, 915 I Street, First Floor, Sacramento, CA 95814-2604 - (916) 808-7200.



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

STAFF REPORT
June 2, 2009

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

**Title: Reports and Agreements for Sacramento Intermodal Transportation Facility
Project (T15029000 and T15029005)**

Location/Council District: Downtown between I Street Bridge and Seventh Street.
Location Map – Exhibit A of Resolution (District 1)

Recommendation: Adopt: 1) a **Resolution** Adopting the Mitigated Negative Declaration and the Mitigation Monitoring Program for the Track Relocation and Sacramento Valley Station Improvements Project; 2) a **Resolution** Receive and File the Environmental Assessment and Section 4(f) Evaluation Report for the Sacramento Intermodal Transportation Facility Project and Approving the Programmatic Agreement Regarding Final Identification and Evaluation of Historic Properties; 3) a **Resolution** Rescinding Resolution 2004-853 and Approving the "Don't Move the Depot" Alternative; 4) a **Resolution** Authorizing the Agreement with Union Pacific Railroad for Track Design; 5) a **Resolution** Authorizing the Transportation Director to Apply to the California Utilities Commission for an Order Authorizing Construction of Grade Separated Crossings of the Union Pacific Railroad Tracks; and 6) a **Resolution** Authorizing the Execution of a Possession and Use Agreement for Parcel B and an Easement Agreement for Pedestrian Tunnel Access with S. Thomas Enterprises of Sacramento, LLC.

Contact: Hinda Chandler, Senior Architect, (916) 808-8422; Jon Blank, Supervising Engineer, (916) 808-7914;

Presenters: Hinda Chandler

Department: Transportation

Division: Office of the Director

Organization No: 15001141

Description/ Analysis

Issue: During the past year, the Sacramento Intermodal Transportation Facility (SITF) project has been undergoing two major study efforts that are precedents for project implementation – development of site plans for the eventual

RESOLUTION NO.

Adopted by the Sacramento City Council

AUTHORIZING THE EXECUTION OF A POSSESSION AND USE AGREEMENT FOR PARCEL B AND AN EASEMENT AGREEMENT FOR PEDESTRIAN TUNNEL ACCESS WITH S. THOMAS ENTERPRISES OF SACRAMENTO, LLC

BACKGROUND

- A. The City of Sacramento has prepared conceptual design plans for the Track Relocation Project, which is the first phase of the Sacramento Intermodal Transportation Facility Project and involved relocating the Union Pacific Railroad (UPRR) freight tracks and passenger platforms.
- B. The Track Relocation Project is to be located on Parcel B, which is currently owned by S. Thomas Enterprises of Sacramento, LLC (Thomas Enterprises). City and Thomas Enterprises entered into a Purchase and Sale Agreement (PSA) dated December 13, 2006 (City Agreement No. 2006-1405), which included an option for the City to purchase Parcel B.
- C. The PSA provides for the value of Parcel B to be determined through arbitration, which has not yet commenced. The City needs to obtain control of Parcel B by means of a Possession and Use Agreement to undertake testing required for final engineering, to submit applications to the PUC, to enter into utility relocation agreements, and to execute UPRR construction and maintenance agreements.
- D. ~~Part of the Track Relocation Project includes the construction of two pedestrian access tunnels underneath the relocated UPRR tracks. The West Tunnel would provide access between Old Sacramento and the planned Rail Technology Museum. The Passenger Tunnel allows for Intermodal customers and the public to connect between the Depot building and the Central Shops District.~~
- E. ~~The tunnel ramps on the north for the West and Passenger Tunnels would be located on property owned by Thomas Enterprises which is planned to be public plazas that provide connections to the planned street system and parking lots. The City needs Thomas Enterprises to grant to the City public access easements for these two tunnels, in accordance with the requirements set out in the Railyards Tentative Map conditions and the Development Agreement, in order for the City to obtain approval for construction of the Track Relocation Project by~~

~~the state and federal government which are providing funding for this project.~~

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

Section 1. The City Manager is hereby authorized to execute a Possession and Use Agreement for Parcel B with S. Thomas Enterprises of Sacramento, LLC which is consistent with the terms of the PSA, contingent on the prior issuance by FHWA of the environmental determination under NEPA to allow for final design for the Track Relocation Project to commence.

~~Section 2. The City Manager is hereby authorized to execute an Easement Agreement for Pedestrian Tunnel Access with S. Thomas Enterprises of Sacramento, LLC which is consistent with the terms of the Railyards Tentative Map conditions and Development Agreement, contingent on the prior issuance by FHWA of the environmental determination under NEPA to allow for final design for the Track Relocation Project to commence.~~