

Meeting Date: 2/24/2015

Report Type: Consent

Report ID: 2015-00128

Title: Environmental Study for the I-5 Subregional Fee Program (I15150100) – Establishment of Multi-year Operating Project and Appropriation and Transfer of Funds

Location: Citywide

Recommendation: Pass a Resolution 1) establishing a Multi-year Operating Project (MYOP) for the I-5 Subregional Fee Program Environmental Study (I15150100); 2) appropriating \$68,416 (Fund 3702) in contributions to the Environmental Study MYOP (I15150100); and 3) transferring \$36,074 (Fund 2002) from the Major Street Improvements Project (T15148000) to the Environmental Study MYOP (I15150100).

Contact: Samar Hajeer, Senior Civil Engineer, (916) 808-7808; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

Presenter: None

Department: Public Works Department

Division: Transportation Division

Dept ID: 15001911

Attachments:

1-Description/Analysis

2- Resolution

City Attorney Review

Approved as to Form

Sheryl Patterson

2/18/2015 10:57:14 AM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 2/5/2015 6:53:31 AM

Description/Analysis

Issue: Preparation of a Supplemental Environmental Impact Report (EIR) to the Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP) is necessary so that I-5 Subregional Fee Program mitigation of cumulative freeway impacts will be in compliance with the California Environmental Quality Act (CEQA) requirements. The Environmental Study, along with an updated nexus study, will analyze whether the I-5 Subregional Impact Fee is an appropriate measure to mitigate cumulative impacts of new development on the I-5 State Highway System between the City of Elk Grove and downtown Sacramento. SACOG will be responsible as a lead agency to certify the Supplemental EIR, while the City of Sacramento will oversee the preparation of the Supplemental EIR. The cost of the Supplemental EIR preparation and updated nexus study will be shared equally by Cities of Sacramento, West Sacramento and Elk Grove. The establishment of a Multi-year Operating Project (MYOP) and the acceptance and appropriation of funds are necessary before the Supplemental EIR and nexus study work can commence.

On June 25th, 2014, the Cities of Sacramento, West Sacramento and Elk Grove entered into a Memorandum of Understanding (MOU) with the California Department of Transportation (Caltrans) and SACOG for the Implementation Plan for the I-5 Freeway Subregional Corridor Mitigation Program. The MOU provides that each City will consider adopting the I-5 Subregional Impact fee, either as a voluntary or mandatory fee program, for new development to fund the fair share costs of specified transportation projects to mitigate their cumulative freeway impacts within the I-5 freeway corridor.

The I-5 Subregional Fee Program needs to be evaluated under CEQA to verify that the fee payment will be an adequate mitigation measure for a development project.

Policy Considerations: This study is consistent with the City's 2030 General Plan, Policy M 1.3.6 and M 1.3.7. In particular, the preparation of the Supplemental EIR will help to initiate the process for improving the multi-jurisdictional I-5 transportation corridor and streamline the approval process of development projects within this area.

Economic Impact: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): Establishment of a Multi-year Operating Project and the appropriation and transfer of funds are not subject to the provisions of CEQA under the general rule (Section 15061) in that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The requested action is not a project under CEQA.

Sustainability Considerations: This project is consistent with Sustainability Master Plan. It confirms to the Air Quality Focus Area by improving transportation infrastructure.

Other: None.

Commission/Committee Action: None.

Rationale for Recommendation: Proceeding with the Environmental Study is consistent with the MOU between Caltrans, SACOG, and the Cities of Sacramento, West Sacramento, and Elk

Grove. Furthermore the establishment of a MYOP and the appropriation and transfer of funds are necessary to proceed with the management of this study.

Financial Considerations: The preparation of the Environmental Study and updated nexus study for the I-5 Subregional Fee Program MYOP (I15150100) is estimated to cost \$102,220, with the costs shared among the Cities of Sacramento, West Sacramento, and Elk Grove. Under the cost sharing agreement, the City of Sacramento will contribute \$34,074 toward the study. The balance of the \$102,220 will be funded through contributions from the City of West Sacramento (\$34,074) and City of Elk Grove (\$34,074). In addition, each City shall pay SACOG \$2,000 for their staff costs to certify the Final Supplemental EIR, making the City of Sacramento's contribution to this project a total of \$36,074.

The City of Sacramento's contribution will be transferred from the Major Street Construction Project (T15148000). As of January 22, 2015, the unobligated balance in the Major Street Improvements Project (T15148000) is \$1,102,910, which is sufficient to complete the transfer of \$36,074 (Fund 2002) to the Environmental Study for the I-5 Subregional Fee Program MYOP (I15150100).

There are no general funds planned or allocated for this project.

Local Business Enterprise (LBE): Not applicable as no new goods or services are being purchased. An existing Master Services Agreement is being used for the consultant services.

RESOLUTION NO.

Adopted by the Sacramento City Council

ESTABLISHMENT OF A MULTI-YEAR OPERATING PROJECT AND APPROPRIATION AND TRANSFER OF FUNDS TO THE ENVIRONMENTAL STUDY FOR THE I-5 SUBREGIONAL FEE PROGRAM

BACKGROUND

- A. The Cities of Sacramento, Elk Grove, and West Sacramento collectively funded the preparation of an April 30, 2009, nexus study under the Mitigation Fee Act to determine how to address cumulative freeway impacts of new development along I-5 freeway corridor.
- B. The Cities have entered into a Memorandum of Understanding with the California Department of Transportation and Sacramento Area Association of Governments (SACOG) for the Implementation Plan for the I-5 Freeway Subregional Corridor Mitigation Program, which provides that each city will consider whether to adopt the Subregional Impact fee to fund new development's fair share costs of specified transportation projects to mitigate the cumulative freeway impacts within the I-5 freeway corridor.
- C. The Fee Program needs to be evaluated under the California Environmental Quality Act (CEQA) in order to be an adequate mitigation measure for freeway transportation impacts of a development project.
- D. SACOG has certified an environmental impact report (EIR) in compliance with CEQA for the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP). The transportation improvement projects to be funded with the impact fee are included in the MTP. The Cities intend to tier off that EIR to prepare a Supplemental EIR to evaluate the benefits and impacts of the Program.
- E. Under its Master Services Agreement with DKS, the City of Sacramento is managing the preparation of an updated nexus study and Supplemental EIR, with the costs to be shared among the three cities.
- F. In addition City will pay SACOG \$2,000, for a total of \$6,000, to cover SACOG staff costs to certify the Final Supplemental EIR.
- G. A multi-year operating project (MYOP) is needed for the EIR and nexus study as these studies will not be completed prior to the end of the fiscal year.

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

- Section 1. The Environmental Study for the I-5 Subregional Fee Program (I15150100) is established as a new Multi-year Operating Project (MYOP).
- Section 2. The City Manager is authorized to appropriate the revenue and expenditure budgets of \$68,416 (Fund 3702) in funds from the City of West Sacramento and City of Elk Grove to the Environmental Study for the I-5 Subregional Fee Program MYOP (I15150100).
- Section 3. The City Manager is authorized to transfer \$36,074 (Fund 2002) from the Major Street Improvements Project (T15148000) to the Environmental Study for the I-5 Subregional Fee Program MYOP (I15150100).