

CITY COUNCIL

- Kevin Johnson, Mayor
- Angelique Ashby, Mayor Pro Tem, District 1
- Allen Warren, Vice Mayor, District 2
- Jeff Harris, District 3
- Steve Hansen, District 4
- Jay Schenirer, District 5
- Eric Guerra, District 6
- Rick Jennings, II, District 7
- Larry Carr, District 8

CHARTER OFFICERS

- James Sanchez, City Attorney
- Shirley Concolino, City Clerk
- John F. Shirey, City Manager
- Russ Fehr, City Treasurer



Agenda
City Council
Financing Authority
Housing Authority
Public Financing Authority
Redevelopment Agency
Successor Agency
 City Hall-Council Chamber
 915 I Street, 1st Floor
 Published by the Office of the City Clerk
 (916) 808-5163

Tuesday, December 1, 2015
6:00 p.m.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group. **Speaker slips are available on the City’s Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.**

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts meeting agendas on the City website, at City Hall as well as offsite meeting locations. The order and estimated time for agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The agenda provides a general description and staff recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City’s website and include all attachments and exhibits. “To Be Delivered” and “Supplemental” reports will be published as they are received. All meeting materials are also available at the meeting for public review. Contracts subject to the 10-day review period, as required by the Council Rules of Procedure, can be found on the City’s website at: <http://portal.cityofsacramento.org/Clerk/Contract-Posting>

City Council meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. Live video streams and indexed archives of meetings are available via the internet. Visit the City’s official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

General Conduct for the Public Attending Council Meetings

- Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council
- Members of the public wishing to provide documents to the Council shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the City Council

Purpose of Public Comment. The City provides opportunities for the public to address the Council as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the City Council as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Council and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Council Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

Speaker Time Limits. In the interest of facilitating the Council's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Council during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Council member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Council at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

AGENDA

Tuesday, December 1, 2015

6:00 p.m.

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 6:00 p.m.

Roll Call

Pledge of Allegiance

Closed Session Report

Consent Calendar Estimated Time: 5 minutes

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

1. **Administrative Approvals Associated with the June 7, 2016 Primary and November 8, 2016 General Election**
 Report # 2015-00942
Location: Citywide
Recommendation: 1) Pass a **Resolution** calling for a primary municipal election to be held on Tuesday, June 7, 2016, for the election of certain officers (Mayor and Districts 2, 4, 6 and 8); and for a general municipal election to be held on Tuesday, November 8, 2016, for a run-off election of certain officers if necessary; 2) a **Resolution** requesting the Sacramento County Board of Supervisors to consolidate the City of Sacramento's primary and general municipal elections with the statewide primary and general elections; and 3) a **Resolution** requesting the Sacramento County Board of Supervisors to permit the County Elections Official to render certain election services to the City of Sacramento in connection with the consolidated elections.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

2. **Confirmation of Board and Commission Appointments**
 Report # 2015-01081
Location: Citywide
Recommendation: Pass a Motion confirming board/commission appointment(s): Sacramento Youth Commission District 7 – Jessica Rogers (Seat M) and Winnie Leung (Seat N).
Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

- 3. October 2015 Monthly Investment Transactions Report**
 Report # 2015-01021
Location: Citywide
Recommendation: Receive and file.
Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer
- 4. Agreement: Modification to Brownfield Cleanup Loan Amendment for Curtis Park Village**
 Report # 2015-01018
Location: District 5
Recommendation: Pass a Motion approving the loan modification agreement for the \$900,000 Brownfield Cleanup Loan to Calvine Elk Grove-Florin, LLC for the Curtis Park Village Project.
Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department
- 5. Allocation of Sewer Credits to Ice House LP for the Ice Blocks - Block II Project**
 Report # 2015-01054
Location: District 4
Recommendation: Pass a **Resolution** allocating 88.891 Economic Development Treatment Capacity Bank Credits to Ice House LP for the Ice Blocks - Block II Project located at 1800 18th Street and 1801 17th Street.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department
- 6. Allocation of Sewer Credits to Northwest Land Park, LLC for The Mill at Broadway Project**
 Report # 2015-01055
Location: District 4
Recommendation: Pass a **Resolution** allocating 150.750 Economic Development Treatment Capacity Bank Credits to Northwest Land Park, LLC for The Mill at Broadway Project located at 2640 5th Street.
Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department
- 7. Contract Amendment for City Attorney Compensation Adjustment**
 Report # 2015-01056
Location: Citywide
Recommendation: Pass a Motion: 1) amending the City's contract with the City Attorney to reflect a 2% salary increase for a total annual salary of \$240,087.69, and 2) amending section 7 of the City's contract to achieve consistency with the Personnel Resolution for Unrepresented Employees.
Contact: Barbara A. Dillon, Interim Director, (916) 808-7173, Human Resources Department

8. Compensation Adjustment for City Auditor and City Clerk Positions

Report # 2015-01093

Location: Citywide**Recommendation:** Pass a Motion approving a 2% salary increase for the City Auditor and City Clerk.**Contact:** Barbara Dillon, Interim Director, (916) 808-7173, Human Resources**Public Hearings**

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

9. Applicant Appeal: Jessie Avenue Subdivision Tentative Map (Noticed 11/20/2015)

Report # 2015-00970

Estimated Time: 20 minutes**Location:** Jessie Avenue (West of Dry Creek Road and north of Interstate 80), District 2**Recommendation:** Conduct a public hearing and upon conclusion pass 1) a **Resolution** approving an addendum to a Mitigated Negative Declaration (MND) and a Mitigation Monitoring Plan (MMP); and 2) a **Resolution** approving a tentative map to subdivide approximately 27.29 acres into 146 parcels for 144 single family lots, a park/detention basin and a landscape lot; and Site Plan and Design Review with deviations for a tentative map.**Contact:** Teresa Haenggi, Associate Planner, (916) 808-7554; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department**Discussion Calendar**

Discussion calendar items include an oral presentation including those recommending “receive and file”.

10. Update on Emergency Preparedness Strategies

Report # 2015-00969

Estimated Time: 30 minutes**Location:** Citywide**Recommendation:** Receive and file.**Contact:** Steve Winton, Police Lieutenant, Office of Emergency Services, (916) 808-1746, Police Department**11. Preliminary Term Sheet for the Development of a Major League Soccer Stadium for Sacramento Republic FC and Funding for Advisory Services**

Report # 2015-01082

Estimated Time: 15 minutes**Location:** Downtown Railyards, District 3**Recommendation:** Pass a **Resolution** 1) approving the Sacramento Major League Soccer Stadium Preliminary Term Sheet; 2) establishing a multi-year operating project (MYOP) for the MLS Stadium Project (I80020500); 3) increasing the General Fund transient occupancy tax budget by \$100,000; and 4) establishing a \$100,000 General Fund (Fund 1001) expenditure budget in I80020500.**Contact:** John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager

Public Comments-Matters Not on the Agenda (2 minutes per speaker)

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment



City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-00942

Title: Administrative Approvals Associated with the June 7, 2016 Primary and November 8, 2016 General Election

Location: Citywide

Recommendation: 1) Pass a Resolution calling for a primary municipal election to be held on Tuesday, June 7, 2016, for the election of certain officers (Mayor and Districts 2, 4, 6 and 8); and for a general municipal election to be held on Tuesday, November 8, 2016, for a run-off election of certain officers if necessary; 2) a Resolution requesting the Sacramento County Board of Supervisors to consolidate the City of Sacramento’s primary and general municipal elections with the statewide primary and general elections; and 3) a Resolution requesting the Sacramento County Board of Supervisors to permit the County Elections Official to render certain election services to the City of Sacramento in connection with the consolidated elections.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

Presenter: None

Department: City Clerk

Division: City Clerk

Dept ID: 04001011

Attachments:

- 1-Description/Analysis
- 2-Calling Resolution
- 3-Resolution Consolidating Elections
- 4-Resolution Requesting Election Services
- 5-City/County Election Services MOU

City Attorney Review

Approved as to Form
Matthew Ruyak
11/13/2015 12:26:34 PM

Approvals/Acknowledgements

Department Director or Designee: Wendy Klock-Johnson - 10/15/2015 4:34:56 PM

Description/Analysis

Issue Detail: The terms for the incumbent Mayor and Council Members in Districts 2, 4, 6, and 8 will expire in November 2016. Pursuant to established procedures, the Office of the City Clerk is calling for the holding of a primary election in June 2016 to fill these vacancies, and for a general election for these offices in November 2016 if a run-off election is necessary. In accordance with the City Charter, regular city elections are to be consolidated with statewide elections.

Policy Considerations: The actions outlined in this report are in accordance with the California Elections Code and the Sacramento City Charter.

Economic Impacts: None.

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: None.

Rationale for Recommendation: These actions are necessary to hold a June 2016 primary election and a November 2016 general election.

Financial Considerations: Funds are available in the City Clerk's election budget to accommodate the cost of these elections. The following is a rough estimate of election costs provided by the County Registrar.

Mayoral - \$143,078
 District 2 - \$17,452
 District 4 - \$24,148
 District 6 - \$20,461
 District 8 - \$17,977

First Citywide Measure - \$13,292

Estimated Grand Total - \$236,408

Additional Citywide Measures - \$ 13,292

The cost of the November election will depend on the necessity of run-off elections. Information on the cost of a November election will be brought back to Council if those contests are called. The cost for measures in November are expected to be similar to the cost for measures in June.

Local Business Enterprise (LBE): None.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

CALLING FOR A PRIMARY MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 7, 2016, AND FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, FOR THE PURPOSE OF ELECTING OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES

BACKGROUND

- A. In November 2016, the terms of the Mayor and City Council Members in Districts 2, 4, 6, and 8 will expire.
- B. As provided in the City Charter, the election of officers is held on the same date as the statewide primary and general elections.
- C. As provided in the California Elections Code, elections must be formally called by resolution.
- D. If, for each elective office, one candidate does not receive a majority of votes in the June primary election, a run-off election will be required at a November general election.

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

- Section 1. Pursuant to the requirements of the laws of the State of California relating to charter cities, there is called and ordered to be held in the City of Sacramento, California, on Tuesday, June 7, 2016, a Primary Municipal Election; and on Tuesday, November 8, 2016, a General Municipal Election, for the purpose of electing a Mayor and four members of the City Council (Districts 2, 4, 6, and 8) for the full term of four years.
- Section 2. That the ballots to be used at the election shall be in form and content as required by law.
- Section 3. That the polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

Section 4. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 5. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in the time, form, and manner as required by law.

Section 6. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO TO CONSOLIDATE THE CITY OF SACRAMENTO'S JUNE 7, 2016, PRIMARY MUNICIPAL AND NOVEMBER 8, 2016, GENERAL MUNICIPAL ELECTIONS WITH THE STATEWIDE ELECTIONS ON THE SAME DATES

BACKGROUND

- A. The Sacramento City Council has called and ordered a Primary Municipal Election to be held on June 7, 2016, for the purpose of electing a Mayor and City Council Members in Districts 2, 4, 6, and 8; and has called a General Municipal Election to be held on November 8, 2016, for the purpose of conducting a run-off in those offices if necessary.
- B. As provided in the California Elections Code, the request for consolidation with the jurisdiction conducting the election must be formally adopted.
- C. It is desirable that the Primary and General Municipal Elections be consolidated with the Statewide Primary and General Elections to be held on the same date and in the same manner as if there were one election.

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

- Section 1. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Sacramento is hereby requested to consent and agree to the consolidation of a Primary Municipal Election with the Statewide Primary Election on Tuesday, June 7, 2016, and of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purposes of the election of a Mayor and City Council Members in Districts 2, 4, 6, and 8.
- Section 2. That the County Elections Department is authorized to canvass the returns of the Primary and General Municipal Elections. The elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
- Section 3. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

- Section 4. That the City of Sacramento recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.
- Section 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Sacramento County Board of Supervisors and the County Elections Department.
- Section 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

REQUESTING THE SACRAMENTO COUNTY BOARD OF SUPERVISORS TO PERMIT THE COUNTY ELECTIONS OFFICIAL TO RENDER CERTAIN ELECTION SERVICES TO THE CITY OF SACRAMENTO RELATING TO THE CONDUCT OF THE JUNE 7, 2016, PRIMARY AND NOVEMBER 8, 2016, GENERAL MUNICIPAL ELECTIONS, PURSUANT TO SECTION 10002 OF THE ELECTIONS CODE

BACKGROUND

- A. The Sacramento City Council has called for consolidation of the June 7, 2016, Primary Municipal Election and November 8, 2016, General Municipal Election with the Statewide Elections for the purpose of electing a Mayor and City Council Members in Districts 2, 4, 6, and 8.
- B. In the course of conduct of the elections it is necessary for the City to request services of the County.
- C. All necessary expenses in performing these services shall be paid by the City of Sacramento.

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

- Section 1. The Board of Supervisors of the County of Sacramento is hereby requested to permit the County Elections Official to render the following services in accordance with and pursuant to the provisions of the California Elections Code to the City of Sacramento in conducting a Primary Municipal Election to be held on Tuesday, June 7, 2016, and a General Municipal Election to be held on Tuesday, November 8, 2016:
 - 1. Examine the signatures upon any nomination paper or petition of any candidate for municipal office.
 - 2. Establish precincts and polling places, secure election officers, and prepare and mail notices of appointment.
 - 3. Purchase precinct supplies and absentee voter supplies.

4. Print sample ballots and polling place cards, including the statements of candidates' qualifications and mail to registered voters.
5. Transport voting booths, ballots, original books of affidavits, ballot boxes, and precinct supplies to precincts.
6. Provide printed official ballots.
7. Provide for absentee voting through the Office of the County Registrar of Voters.
8. Supervise and conduct election.
9. Tabulate electronic votes.
10. Perform all things necessary or incidental to accomplish the proper and legal conduct of the election.

Section 2. That the County Elections Department is authorized to canvass and certify the returns of the Primary and General Municipal Elections.

Section 3. That the City of Sacramento recognizes that costs will be incurred by the County by reason of this election and agrees to reimburse the County for those costs.

Section 4. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Sacramento.

Section 5. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN
THE CITY OF SACRAMENTO
AND
THE COUNTY OF SACRAMENTO**

1. **PARTIES.** This Memorandum of Understanding (MOU) is entered into by the City of Sacramento, a California charter city and municipal corporation (“City”) and the County of Sacramento, a political subdivision of the State of California (“County”).

2. **PURPOSE OF THIS MOU.** The purpose of this MOU is to define the expectations, rights, and responsibilities of the parties with regard to providing certain services for all elections. This MOU supersedes any other agreement between the parties related to the matters covered by this MOU. By entering this MOU the parties are mutually cancelling that certain City Agreement No. 83119, which was approved by the Board of Supervisors Resolution No. 84-124 and City Council Resolution 83-1034.

3. **ROLES AND RESPONSIBILITIES.** The responsibilities of the Sacramento County Registrar of Voters and the City Clerk of the City of Sacramento are defined in Attachment A (Scope of Services), which is a part of this MOU.

4. **REIMBURSEMENT FOR SERVICES PROVIDED.** The City agrees to reimburse the County for elections services within 30 days from receipt of an invoice from the County Elections Office. If there is a dispute about services provided or costs claimed, the Registrar of Voters and the City Clerk shall meet in good faith to resolve the dispute before any other remedies are sought.

5. **MUTUAL INDEMNIFICATION.**

5.1 City agrees to indemnify and hold harmless County, its officers, employees, agents, and volunteers from any and all liabilities for injury to persons and damage to property arising out of any act or omission of City, its officers, employees, agents or volunteers in connection with City’s performance of its obligations under this MOU.

5.2 County agrees to indemnify and hold harmless City, its officers, employees, agents, and volunteers from any and all liabilities for injury to persons and damage to property arising out of any act or omission of County, its officers, employees, agents or volunteers in connection with County’s performance of its obligations under this MOU.

5.3 This Section 5 survives the termination or expiration of this MOU.

6. **TERM OF AGREEMENT.** This MOU is effective upon the signatures of the parties, and may be modified at any time by the written consent of the parties. It may be terminated at any time upon mutual consent of the parties, or unilaterally upon written notice from the terminating party to the other party at least 60 days prior to the date of termination. The City shall reimburse the County for cost of services provided through the date of the termination notice.

CITY OF SACRAMENTO, a California
charter city and municipal corporation

COUNTY OF SACRAMENTO,
a political subdivision of the State of
California

By: _____
City Clerk

By: _____
Registrar of Voters

Date: _____

Date: _____

Approved as to Form:

Approved as to Form:

By: _____
Assistant City Attorney

By: _____
County Counsel

ATTACHMENT A

SCOPE OF SERVICES

ALL ELECTIONS

Registrar of Voters shall provide the following services for all City of Sacramento elections:

1. Prepare election process forms and provide to the City Clerk at least 120 days prior to the election.
2. Verify signatures on petitions, including but not limited to, all candidate official filing forms, nomination paper petitions, and supplemental nomination paper petitions; initiative, referendum, and recall petitions; Notices of Intent to Circulate Petitions; and Notices of Intent to Recall.
3. Assign measure letters.
4. Prepare, translate, and format the sample ballot for materials including, as applicable: candidates' statement, ballot arguments and rebuttals, measure ballot title and summary, measure impartial analysis, facsimile ballot, voting instructions, polling location information, and map and/or address of ballot drop-off locations in the City of Sacramento.
5. Provide all sample ballot materials to the City Clerk for review and confirmation within the Registrar's time frames to make necessary changes in time to meet legal deadlines prior to printing and mailing.
6. Supply sample ballot materials to registered voters in the affected Council Districts.
7. Provide to the City Clerk an electronic listing of all electors eligible to vote in the election, including polling location, if applicable.
8. Provide ballot tabulation equipment and qualified and trained personnel for its operation throughout the election as provided by law.
9. Provide security during ballot counting and tabulation process.
10. Provide sufficient personnel to deliver, process, count, and tabulate election ballots.
11. Provide sufficient personnel to process, count, and tabulate signature withdrawal requests.
12. Distribute and process vote-by-mail ballots.
13. Distribute and process provisional ballots and challenged ballots.
14. Perform canvass and issue Official Statement of Vote to the City Clerk as required by federal and state election laws.
15. Prepare invoices for services rendered within 45 days of the election and provide revised invoices, as necessary, following cost reconciliation
16. Refer media inquiries and requests relating to City of Sacramento elections to the City Clerk.
17. Other services as requested by the City Clerk.

The City Clerk shall provide the following services to the Registrar of Voters for all City of Sacramento elections:

1. Provide a copy of the resolution calling the election and requesting services as required by federal and state election law.
2. Provide City Council action regarding costs for printing of candidate statements.
3. Promptly forward candidates' Candidate Official Filing forms and Statement of Qualification upon submittal.

4. As applicable, promptly furnish copies of the full text of measures, including a written description of any related maps or images, impartial analysis, ballot title and summary, arguments, and rebuttals.
5. Promptly review and confirm content and content placement of sample ballot materials.
6. Furnish copies of published Notice of Election and list of qualified candidates.
7. Remit payment for services rendered within 30 days of receiving invoice.

ELECTION POLLING LOCATIONS

The Registrar of Voters shall provide the additional following services for City of Sacramento polling location elections:

1. Establish polling locations that are compliant with State of California law regarding accessibility.
2. Provide furniture and equipment, as needed, for polling locations and poll workers.
3. Hire, train, and compensate poll workers and alternate poll workers.
4. Hire, train, and compensate Coordinators and technical teams for technical and logistical support to poll workers and elections personnel.
5. Provide the City Clerk with a direct link to County website that indicates polling locations.

The City Clerk shall provide the additional following services for City of Sacramento polling election locations:

1. Provide location and security for a ballot box for vote-by-mail drop-offs at City Hall on Election Day and at least 15 days prior.

ALL-MAIL-BALLOT ELECTIONS

The Registrar of Voters shall provide the additional following services for City of Sacramento all-mail-ballot elections:

1. Provide materials, equipment, staffing, and activities required for all-mail-ballot elections as required by law.
2. Hire and train workers for ballot drop-off locations.
3. Provide for the establishment of ballot drop-off locations, with days and hours of operation for a period of at least 15 days prior to Election Day and on Election Day from 7 a.m. to 8 p.m. or as required by election law.
4. Provide materials, furniture, and equipment, as needed, for ballot drop-off locations.
5. Timely deliver all official ballots as required by law.
6. Provide daily tallies of returned ballots by Council District to the City Clerk.

The City Clerk shall provide to the Registrar of Voters for City of Sacramento all-mail-ballot elections:

1. Assist with the identification of potential facilities for ballot drop-off locations.
2. Provide location and security for a ballot box for vote-by-mail drop-offs at City Hall on Election Day and 15 days prior to Election Day or as otherwise required by law.



City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01081

Title: Confirmation of Board and Commission Appointments

Location: Citywide

Recommendation: Pass a Motion confirming board/commission appointment(s): Sacramento Youth Commission District 7 – Jessica Rogers (Seat M) and Winnie Leung (Seat N).

Contact: Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509; Phoebe Schueler, Senior Deputy City Clerk, (916) 808-7605, Office of the City Clerk

Presenter: None

Department: City Clerk

Division: City Clerk

Dept ID: 04001011

Attachments:

1-Description/Analysis

2-Background

City Attorney Review

Approved as to Form
Gerald Hicks
11/24/2015 9:32:13 AM

Approvals/Acknowledgements

Department Director or Designee: Wendy Klock-Johnson - 11/23/2015 2:24:25 PM

Description/Analysis

Issue Detail: As required by City Charter section 230, board and commission appointments made by the Mayor must be confirmed by the City Council.

Policy Considerations: None.

Economic Impacts: None.

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: After review and consideration by the District Councilmember, candidates were nominated and forwarded to the Mayor for Appointment, which now requires council confirmation. A full list of candidates are outlined in the background section of this report.

Rationale for Recommendation: Confirmation of appointment(s) by the City Council finalizes the process.

Financial Considerations: None.

Local Business Enterprise (LBE): None.

Background:

On November 17, 2015, the Mayor made the following appointments, which require confirmation by the City Council:

Board/Commission	Appointee Name	Seat Number	Seat Description	Nominated By:
Sacramento Youth Commission	Jessica Rogers	M	A member between 14 and 19 years of age recommended for appointment by the District 7 Councilmember.	District
Sacramento Youth Commission	Winnie Leung	N	A member between 14 and 19 years of age recommended for appointment by the District 7 Councilmember.	District

The following is the status of all individuals who applied but were not selected in the application review and/or interview process:

Board/Commission	Applicant Name	Seat Number	Seat Description
Sacramento Youth Commission	Ariana Lizaldi	M or N	A member between 14 and 19 years of age recommended for appointment by the District 7 Councilmember.
Sacramento Youth Commission	Sophia O'Neal-Roberts	M or N	A member between 14 and 19 years of age recommended for appointment by the District 7 Councilmember.

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01021

Title: October 2015 Monthly Investment Transactions Report

Location: Citywide

Recommendation: Receive and file.

Contact: John Colville, Chief Investment Officer, (916) 808-8297, Office of the City Treasurer

Presenter: None

Department: City Treasurer

Division: City Treasurer

Dept ID: 05001011

Attachments:

1-Description/Analysis

2-Background

3-Exhibits A to F

City Attorney Review

Approved as to Form

Joseph Cerullo

11/23/2015 11:39:35 AM

Approvals/Acknowledgements

Department Director or Designee: Russell Fehr - 11/10/2015 5:50:20 PM

Description/Analysis

Issue Detail: The City Treasurer provides monthly reports to the City Council on current investment activity.

Policy Considerations: The City Treasurer routinely reports on monthly investment transactions to keep the City Council advised of current investment activity.

Economic Impacts: None

Environmental Considerations: None

Sustainability: None

Commission/Committee Action: None

Rationale for Recommendation: The City Treasurer is responsible for investing and reporting in accordance with the authority granted by City Charter section 73, City Council ordinances and resolutions, and applicable state law.

Financial Considerations: The monthly investment report sets forth the monthly transactions of the City Treasurer's Office Investment Pool A funds. Portfolio value was \$904,268,395 on September 30, 2015, and \$848,580,824 on October 31, 2015. The interest yield for the month was 1.00%. There were 20 total transactions for the period (7 purchases, 3 sales, 5 calls, and 5 maturities). The estimated duration of the portfolio is 1.97 years.

Consistent with the Investment Policy adopted by City Council on August 25, 2015, the monthly report includes the content described in Government Code sections 53607 and 53646 (b).

Local Business Enterprise (LBE): Because this transaction does not involve the purchase of goods or services for the City, LBE efforts are not applicable.

Background Information:

In 1995 and 1996, the California Legislature amended the Government Code in response to the December 1994 Orange County investment fiasco that resulted in investment losses exceeding \$1.7 billion for Orange County and other local government entities (Stats. 1995, ch. 783; Stats. 1996, ch. 749). These amendments addressed the investing of public funds, requiring, among other things, the reporting of investment activity on a periodic basis. Specifically, Government Code section 53607 requires monthly reports to the City Council.

Since March 1997, the City Treasurer, as the person vested with authority to invest City funds, has rendered monthly transaction reports to the City Council. This staff report accompanies the latest of those reports. This practice is consistent with prior City Council principles regarding investment authority, which emphasize full disclosure and prompt reporting of investment policy, strategies, programs, and actual investments as reflected in Resolution No. 95-108.

For informational purposes, the City Treasurer also reports on transactions of other funds invested by the Treasurer's Office in addition to the City's funds. The summary and transactions detail for the month ended October 31, 2015, are listed in Exhibits A, B, C, D, E, and F.

**City of Sacramento
Summary of Transactions
October-15**

Local Agency Funds:

	<u>Pool A</u>	<u>Ethel Hart Trust</u>	<u>Public Trust</u>	<u>George Clark</u>	<u>Total</u>
Purchases	\$ 30,082,504	\$ -	\$ -	\$ -	\$ 30,082,504
Sales	5,495,590	-	47,621	-	5,543,211
Calls	21,483,500	-	-	-	21,483,500
Maturities	32,146,433	-	-	-	32,146,433
Contributions	52,870,988	653	1,307	-	52,872,948
Withdrawals	108,789,499	653	11,394	2,726	108,804,272
Total	\$ 250,868,514	\$ 1,306	\$ 60,322	\$ 2,726	\$ 250,932,868

Outside Agency Funds:

Sacramento City Employees' Retirement System (SCERS) Funds:

	<u>Fixed Bonds</u>	<u>Equity Income</u>	<u>Large Cap</u>	<u>International</u>	<u>Total</u>
Purchases	\$ 1,479,587	\$ 34,448	\$ 6,511,421	\$ 751,679	\$ 8,777,135
Sales	-	-	1,571,193	-	1,571,193
Calls	-	-	-	-	-
Maturities	52,220	-	-	-	52,220
Expenses	372	-	-	-	372
Contributions	-	-	-	-	-
Withdrawals	3,453,736	240,269	169,324	505,625	4,368,954
Total	\$ 4,985,915	\$ 274,717	\$ 8,251,938	\$ 1,257,304	\$ 14,769,874

**City of Sacramento
Summary of Transactions
October-15**

SHRA Investment Pool Fund:

	<u>Pool D</u>	<u>Total</u>
Purchases	\$ 2,005,200.00	\$ 2,005,200
Sales	2,330,433	2,330,433
Calls	1,666,667	1,666,667
Maturities	496,000	496,000
Contributions	-	-
Withdrawals	-	-
Total	<u>\$ 6,498,300</u>	<u>\$ 6,498,300</u>

Capitol Area Development Authority (CADA) Funds:

	<u>CADA</u>	<u>CADA-A</u>	<u>CADA-B</u>	<u>Total</u>
Contributions	\$ -	\$ -	\$ -	\$ -
Withdrawals	-	-	-	-
Total	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

All Other Funds:

	<u>ARFCD</u>	<u>RD</u>	<u>SPLA</u>	<u>TNBC</u>	<u>Total</u>
Contributions	\$ -	\$ -	\$ -	\$ -	\$ -
Withdrawals	-	-	2,717,847	-	2,717,847
Total	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,717,847</u>	<u>\$ -</u>	<u>\$ 2,717,847</u>

GRAND TOTAL **\$ 274,918,889**

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
PURCHASES							
10-01-15	9,000,000	UBS Finance 0.500% Due 05-10-16	99.69	8,972,250			
10-06-15	900,000	Oceanside Calif Pension Oblig 2.870% Due 08-15-19	102.87	925,821			
10-08-15	14,000,000	UBS Finance 0.480% Due 05-24-16	99.69	13,957,253			
10-09-15	3,000,000	Pepsico Inc 2.150% Due 10-14-20	100.26	3,007,800			
10-20-15	3,000,000	Federal Farm Credit Bank 1.360% Due 10-28-19	99.90	2,997,000			
10-28-15	110,000	Florida Hurricane Catastrophe 2.995% Due 07-01-20	102.15	112,361			
10-28-15	110,000	Union City Calif Cmnty Redev A 1.000% Due 10-01-16	100.02	110,019			
TOTAL				30,082,504			

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
SALES							
10-09-15	3,000,000	Intel Corp 1.350% Due 12-15-17	99.85	2,995,590	100.24	3,007,200	11,610
10-09-15	500,000	Federal Home Loan Bank 1.000% Due 09-18-17	100.00	500,000	100.00	500,000	0
10-19-15	2,000,000	Ebay Inc 0.780% Due 08-01-19	100.00	2,000,000	96.35	1,927,000	-73,000
TOTAL				5,495,590		5,434,200	-61,390

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CALLS							
10-14-15	3,000,000	Federal Home Loan Bank 1.000% Due 08-09-17	100.00	3,000,000	100.00	3,000,000	0
10-14-15	2,500,000	Federal Home Loan Bank 1.000% Due 09-18-17	100.00	2,500,000	100.00	2,500,000	0
10-24-15	3,000,000	Federal Home Loan Bank 1.200% Due 05-24-18	99.45	2,983,500	100.00	3,000,000	16,500
10-29-15	3,000,000	Citigroup Inc 1.750% Due 04-29-19	100.00	3,000,000	100.00	3,000,000	0
10-30-15	10,000,000	Fannie Mae 2.125% Due 01-30-20	100.00	10,000,000	100.00	10,000,000	0
TOTAL				21,483,500		21,500,000	16,500

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
MATURITIES							
10-01-15	1,185,000	Bay Area Wtr Supply & Consv Ag 0.566% Due 10-01-15	100.00	1,185,000	100.00	1,185,000	0
10-13-15	4,000,000	General Electric Capital Corp 0.330% Due 10-13-15	99.78	3,991,053	99.78	3,991,053	0
10-13-15	11,000,000	MUFG Union Bank 0.270% Due 10-13-15	99.82	10,980,530	99.82	10,980,530	0
10-27-15	10,000,000	Western Alliance Bank 0.300% Due 10-27-15	100.00	10,000,000	100.00	10,000,000	0
10-28-15	6,000,000	General Electric Capital Corp 0.290% Due 10-28-15	99.83	5,989,850	99.83	5,989,850	0
TOTAL				32,146,433		32,146,433	0

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CONTRIBUTIONS							
10-01-15		B Of A Cash		25,811			
10-01-15		Fidelity Fund		1,241			
10-01-15		Fidelity Fund		766			
10-01-15		Fidelity Fund		416,465			
10-01-15		Fidelity Fund		125,986			
10-01-15		Fidelity Fund		5,625			
10-01-15		Fidelity Fund		3,820,920			
10-01-15		Fidelity Fund		5,182			
10-01-15		Fidelity Fund		60,964			
10-02-15		B Of A Cash		3,178,465			
10-02-15		Fidelity Fund		440			
10-02-15		Fidelity Fund		755,863			
10-05-15		B Of A Cash		2,185,413			
10-05-15		Fidelity Fund		31,039			
10-06-15		B Of A Cash		2,712,215			
10-07-15		B Of A Cash		875,132			
10-07-15		Fidelity Fund		675			
10-07-15		Fidelity Fund		495			
10-08-15		B Of A Cash		3,893,030			
10-09-15		B Of A Cash		2,192,536			
10-09-15		Fidelity Fund		1,412			
10-09-15		Fidelity Fund		621			
10-09-15		Fidelity Fund		367			
10-09-15		Fidelity Fund		36,725			
10-13-15		B Of A Cash		5,885			
10-13-15		Fidelity Fund		18,939			
10-14-15		Fidelity Fund		1,173			
10-14-15		Fidelity Fund		680			
10-14-15		Fidelity Fund		663			
10-14-15		Fidelity Fund		33,660			
10-14-15		Fidelity Fund		135,319			
10-15-15		B Of A Cash		7,793			
10-15-15		B Of A Cash		139,951			
10-15-15		Fidelity Fund		204			
10-15-15		Fidelity Fund		38,170			
10-16-15		B Of A Cash		1,357,753			
10-19-15		B Of A Cash		2,341,820			
10-19-15		Fidelity Fund		42,692			
10-19-15		Fidelity Fund		18,325			
10-20-15		B Of A Cash		2,109,739			
10-21-15		B Of A Cash		9,078,799			
10-21-15		Fidelity Fund		9,450			
10-21-15		Fidelity Fund		17,614			
10-22-15		B Of A Cash		1,257,886			
10-23-15		B Of A Cash		2,761,868			
10-23-15		Fidelity Fund		16,715			
10-23-15		Fidelity Fund		32			
10-23-15		Fidelity Fund		20			
10-23-15		Fidelity Fund		27			
10-23-15		Fidelity Fund		28			
10-26-15		B Of A Cash		4,476,769			

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
10-26-15		Fidelity Fund		460			
10-26-15		Fidelity Fund		18,238			
10-26-15		Fidelity Fund		12,166			
10-26-15		Fidelity Fund		520			
10-27-15		B Of A Cash		2,497,322			
10-28-15		B Of A Cash		6,038,434			
10-28-15		Fidelity Fund		12,535			
10-29-15		B Of A Cash		3,429			
10-29-15		Fidelity Fund		5,852			
10-30-15		B Of A Cash		26,080			
10-30-15		Fidelity Fund		712			
10-30-15		Fidelity Fund		173			
10-30-15		Fidelity Fund		930			
10-30-15		Fidelity Fund		54,770			
TOTAL				52,870,988			

City of Sacramento
TRANSACTION SUMMARY
City Investment Pool A
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-01-15		B Of A Cash		3,093,539			
10-02-15		B Of A Cash		2,348,144			
10-05-15		B Of A Cash		1,720,641			
10-06-15		B Of A Cash		923,130			
10-06-15		Fidelity Fund		205,754			
10-07-15		B Of A Cash		590,409			
10-07-15		Fidelity Fund		1,605,078			
10-08-15		B Of A Cash		2,259,882			
10-09-15		B Of A Cash		1,300,000			
10-09-15		B Of A Cash		1,740,875			
10-09-15		Fidelity Fund		1,153,812			
10-13-15		B Of A Cash		30,481,928			
10-14-15		B Of A Cash		3,502,019			
10-15-15		B Of A Cash		9,852,065			
10-15-15		Fidelity Fund		938,175			
10-16-15		B Of A Cash		200,000			
10-16-15		B Of A Cash		762,608			
10-16-15		Fidelity Fund		112,752			
10-19-15		B Of A Cash		2,832,121			
10-20-15		B Of A Cash		1,896,047			
10-20-15		Fidelity Fund		286,455			
10-21-15		B Of A Cash		869,721			
10-22-15		B Of A Cash		4,686,622			
10-23-15		B Of A Cash		1,200,000			
10-23-15		B Of A Cash		55			
10-23-15		B Of A Cash		1,462,594			
10-26-15		B Of A Cash		4,190,055			
10-26-15		Fidelity Fund		438,080			
10-26-15		Fidelity Fund		291,382			
10-27-15		B Of A Cash		7,861,761			
10-27-15		Fidelity Fund		429,520			
10-28-15		B Of A Cash		555,891			
10-29-15		B Of A Cash		2,863,894			
10-30-15		B Of A Cash		16,134,491			
TOTAL				108,789,499			

City of Sacramento
TRANSACTION SUMMARY
Ethel Hart Mutual Endowment Fund
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CONTRIBUTIONS							
10-01-15	25	Pjt Partners Inc Com Cl A	26.14	653			
TOTAL				653			

City of Sacramento
TRANSACTION SUMMARY
Ethel Hart Mutual Endowment Fund
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-01-15	1,000	Blackstone Group L P Com Unit Ltd	37.74			653	
TOTAL						653	

City of Sacramento
TRANSACTION SUMMARY
Ann Land/Bertha Henschel Endowment Fund
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
SALES							
10-14-15	700	Wal Mart Stores Inc	68.03	47,621	60.99	42,692	-4,929
TOTAL				47,621		42,692	-4,929

City of Sacramento
TRANSACTION SUMMARY
Ann Land/Bertha Henschel Endowment Fund
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CONTRIBUTIONS							
10-01-15	50	Pjt Partners Inc Com Cl A	26.14	1,307			
TOTAL				1,307			

City of Sacramento
TRANSACTION SUMMARY
Ann Land/Bertha Henschel Endowment Fund
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-01-15	2,000	Blackstone Group L P Com Unit Ltd	37.74	1,307			
10-31-15		Pool A Cash		10,087			
TOTAL				11,394			

City of Sacramento
TRANSACTION SUMMARY
George H. Clark Memorial Scholarship Fund
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-31-15		Pool A Cash		2,726			
TOTAL				2,726			

City of Sacramento
TRANSACTION SUMMARY
Fixed Bonds
SCERS
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
PURCHASES							
10-28-15	250,000	Union City Calif Cmnty Redev A 4.250% Due 10-01-30	97.83	244,587			
10-29-15	1,235,000	Moreland Calif Sch Dist 4.400% Due 08-01-30	100.00	1,235,000			
TOTAL				1,479,587			

City of Sacramento
TRANSACTION SUMMARY
Fixed Bonds
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
MATURITIES							
10-01-15	14,823	Walgreens Drugs/Adahi, Inc 6.500% Due 05-01-24	100.00	14,823	100.00	14,823	0
10-15-15	104	Gnma Pool #439515 7.000% Due 03-15-27	98.06	102	100.00	104	2
10-15-15	58	Gnma Pool #450066 7.500% Due 12-15-26	99.34	58	100.00	58	0
10-15-15	16,710	Gnma Pool #550718 5.000% Due 11-15-35	97.31	16,261	100.00	16,710	449
10-15-15	122	Gnma Pool #157445 9.000% Due 06-15-16	101.32	124	100.00	122	-2
10-15-15	45	Gnma Pool #167166 9.500% Due 08-15-16	103.07	46	100.00	45	-1
10-15-15	179	Gnma Pool #208975 9.500% Due 03-15-17	100.55	180	100.00	179	-1
10-15-15	273	Gnma Pool #211421 9.500% Due 04-15-17	100.55	274	100.00	273	-2
10-15-15	147	Gnma Pool #320296 8.000% Due 03-15-22	98.19	144	100.00	147	3
10-15-15	314	Gnma Pool #329837 7.500% Due 11-15-22	98.47	309	100.00	314	5
10-15-15	14,033	Gnma Pool #648348 5.500% Due 10-15-35	99.66	13,985	100.00	14,033	48
10-26-15	5,934	Gnma Pool #256393 6.000% Due 09-01-36	99.67	5,914	100.00	5,934	19
TOTAL				52,220		52,741	521

City of Sacramento
TRANSACTION SUMMARY
Fixed Bonds
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
EXPENSES							
10-01-15		Portfolio Investment Fees Payable		172			
10-15-15		Portfolio Investment Fees Payable		200			
TOTAL				372			

City of Sacramento
TRANSACTION SUMMARY
Fixed Bonds
SCERS
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
WITHDRAWALS							
10-01-15		Pool A Cash		3,000,000			
10-31-15		Pool A Cash		453,736			
TOTAL				3,453,736			

City of Sacramento
TRANSACTION SUMMARY
Equity Income
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CONTRIBUTIONS							
10-01-15	1,300	Pjt Partners Inc Com Cl A	26.50	34,448			
TOTAL				34,448			

City of Sacramento
TRANSACTION SUMMARY
Equity Income
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/ Loss
WITHDRAWALS							
10-01-15	52,000	Blackstone Group L P Com Unit Ltd	38.26	34,448			
10-31-15		Pool A Cash		205,821			
TOTAL				240,269			

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
 From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
PURCHASES							
10-01-15	200	Apple Inc Cll Opt121.0000 10162015	0.08	1,700			
10-01-15	60	Avago Tech Ltd Cll Opt145.0000 10162015	0.13	780			
10-01-15	60	Citigroup Inc Cll Opt 55.0000 10162015	0.10	630			
10-01-15	3	Facebook Inc Cll Opt100.0000 10162015	0.10	31			
10-01-15	2	Keurig Green M Cll Opt 60.5000 10162015	0.20	41			
10-01-15	130	Schlumberger Cll Opt 77.0000 10162015	0.08	1,105			
10-01-15	5,000	Spdr Series Trust Kbw Regn Bk Etf	41.15	205,754			
10-02-15	-50	Avago Tech Ltd Cll Opt130.0000 10162015	1.08	-5,425			
10-02-15	-200	Citigroup Inc Cll Opt 51.5000 10162015	0.45	-9,100			
10-02-15	90	Citigroup Inc Cll Opt 55.0000 10162015	0.08	765			
10-02-15	100	Delta Air Lns Cll Opt 50.0000 10162015	0.08	825			
10-02-15	-200	Keurig Green M Cll Opt 58.0000 10162015	0.36	-7,300			
10-02-15	-150	Skyworks Soltn Cll Opt 90.0000 10162015	0.51	-7,725			
10-02-15	4,000	Celgene Corporation	113.96	455,828			
10-02-15	4,000	Gilead Sciences Inc	96.77	387,089			
10-02-15	6,000	Merck & Co Inc (new)	49.42	296,522			
10-02-15	8,000	Teva Pharmaceutical In Adr	59.12	472,971			
10-06-15	48	Facebook Inc Cll Opt100.0000 10162015	0.08	408			
10-06-15	120	Unitedhealth Cll Opt130.0000 10162015	0.10	1,260			
10-06-15	3,000	Avago Technologies Ltd Shs	115.53	346,583			
10-06-15	3,000	Celgene Corporation	114.12	342,375			
10-06-15	2,000	Gilead Sciences Inc	98.32	196,640			
10-06-15	5,000	Teva Pharmaceutical In Adr	58.59	292,966			
10-08-15	-270	American Airs Cll Opt 41.0000 10162015	0.38	-10,395			
10-08-15	49	Facebook Inc Cll Opt100.0000 10162015	0.02	122			
10-08-15	-280	Halliburton Co Cll Opt 41.5000 10162015	0.28	-7,980			
10-09-15	150	Skyworks Soltn Cll Opt 90.0000 10162015	0.08	1,200			
10-09-15	17,000	Kinder Morgan Inc Del Com	32.41	551,011			
10-09-15	3,000	Under Armour Inc Cl A	102.22	306,650			
10-12-15	30	Amazon Com Inc Cll Opt570.0000 10162015	0.63	1,888			

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
 From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
10-12-15	-30	Amazon Com Inc Cll Opt620.0000 11202015	7.76	-23,278			
10-12-15	-46	Arista Network Cll Opt 80.0000 11202015	0.85	-3,926			
10-12-15	50	Avago Tech Ltd Cll Opt130.0000 10162015	0.07	350			
10-12-15	-50	Avago Tech Ltd Cll Opt130.0000 11202015	2.33	-11,650			
10-12-15	100	Facebook Inc Cll Opt 97.5000 10162015	0.07	750			
10-12-15	-100	Facebook Inc Cll Opt105.0000 11202015	0.61	-6,150			
10-12-15	30	Google Inc Cll Opt690.0000 10162015	0.35	1,055			
10-12-15	-30	Alphabet Inc Cll Opt715.0000 11202015	5.83	-17,495			
10-12-15	280	Halliburton Co Cll Opt 41.5000 10162015	0.08	2,380			
10-12-15	-280	Halliburton Co Cll Opt 43.0000 11202015	0.48	-13,580			
10-12-15	-100	Skyworks Soltn Cll Opt 90.0000 11202015	1.78	-17,850			
10-12-15	90	Valero Energy Cll Opt 67.5000 10162015	0.10	923			
10-12-15	-90	Valero Energy Cll Opt 70.0000 11202015	0.64	-5,760			
10-13-15	-150	Apple Inc Cll Opt120.0000 11202015	1.36	-20,475			
10-13-15	-54	Arista Network Cll Opt 80.0000 11202015	0.90	-4,849			
10-13-15	-150	Delta Air Lns Cll Opt 52.5000 11202015	0.58	-8,775			
10-13-15	175	Nxp Semicndctr Cll Opt 92.5000 10162015	0.30	5,187			
10-13-15	-175	Nxp Semicndctr Cll Opt 97.5000 11202015	1.68	-29,337			
10-13-15	65	Tesoro Corp Cll Opt105.0000 10162015	0.24	1,590			
10-14-15	270	American Airls Cll Opt 41.0000 10162015	2.58	69,795			
10-14-15	-135	American Airls Cll Opt 48.0000 11202015	0.47	-6,412			
10-14-15	-135	American Airls Cll Opt 49.0000 11202015	0.33	-4,522			
10-14-15	200	Keurig Green M Cll Opt 58.0000 10162015	0.09	1,750			
10-14-15	50	Netflix Com Cll Opt115.0000 10162015	4.70	23,523			
10-14-15	150	Spdr S&p500 Tr Cll Opt199.0000 10162015	1.55	23,250			
10-14-15	-150	Spdr S&p500 Tr Cll Opt207.0000 11202015	0.88	-13,200			

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
10-14-15	65	Tesoro Corp Cll Opt101.0000 10162015	0.33	2,176			
10-14-15	-65	Tesoro Corp Cll Opt110.0000 11202015	1.06	-6,921			
10-15-15	200	Citigroup Inc Cll Opt 51.5000 10162015	1.39	27,850			
10-15-15	-200	Citigroup Inc Cll Opt 55.0000 11202015	0.53	-10,650			
10-15-15	160	Disney Walt Co Cll Opt105.0000 10162015	2.63	42,051			
10-15-15	-100	Facebook Inc Cll Opt105.0000 11202015	0.80	-8,050			
10-15-15	150	Home Depot Inc Cll Opt120.0000 10162015	1.39	20,850			
10-15-15	-150	Home Depot Inc Cll Opt125.0000 11202015	1.28	-19,200			
10-15-15	100	Ishares Rs2000 Cll Opt113.0000 10162015	1.51	15,150			
10-15-15	-200	Ishare Rus2000 Cll Opt119.0000 11202015	0.47	-9,400			
10-15-15	190	Mondelez Intl Cll Opt 45.0000 10162015	0.09	1,805			
10-15-15	-190	Mondelez Intl Cll Opt 48.0000 11202015	0.48	-9,215			
10-15-15	50	Netflix Com Cll Opt115.0000 10162015	0.11	540			
10-15-15	-50	Netflix Com Cll Opt120.0000 11202015	1.39	-6,940			
10-15-15	110	Nike Inc Cll Opt123.0000 10162015	5.45	59,953			
10-15-15	-110	Nike Inc Cll Opt135.0000 11202015	0.78	-8,630			
10-15-15	150	Spdr S&p500 Tr Cll Opt198.5000 10162015	2.83	42,478			
10-15-15	-150	Spdr S&p500 Tr Cll Opt208.0000 11202015	0.76	-11,428			
10-15-15	-65	Tesoro Corp Cll Opt110.0000 11202015	1.43	-9,327			
10-15-15	9,000	Market Vectors Etf Tr Gold Miner Etf	16.92	152,279			
10-15-15	3,000	Market Vectors Etf Tr Jr Gold Miners E	23.37	70,110			
10-15-15	700	Spdr Gold Trust Gold Shs	113.29	79,303			
10-16-15	-60	Avago Tech Ltd Cll Opt135.0000 11202015	1.83	-11,010			
10-16-15	-190	Mondelez Intl Cll Opt 49.0000 11202015	0.38	-7,315			
10-19-15	-160	Disney Walt Co Cll Opt115.0000 11202015	0.58	-9,360			
10-19-15	-115	Keurig Green M Cll Opt 57.0000 10302015	0.51	-5,877			
10-20-15	80	Disney Walt Co Cll Opt115.0000 11202015	0.99	7,920			
10-20-15	-80	Disney Walt Co Cll Opt117.0000 11202015	0.55	-4,400			

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
10-20-15	-115	Keurig Green M Cll Opt 56.0000 10302015	0.81	-9,372			
10-20-15	75	Home Depot Inc Cll Opt125.0000 11202015	1.59	11,926			
10-20-15	-75	Home Depot Inc Cll Opt128.0000 11202015	0.61	-4,576			
10-20-15	-250	Southwest Airl Cll Opt 44.5000 11202015	0.39	-9,875			
10-20-15	55	Nike Inc Cll Opt135.0000 11202015	1.98	10,904			
10-20-15	-55	Nike Inc Cll Opt138.0000 11202015	0.96	-5,294			
10-20-15	-130	Schlumberger Cll Opt 80.0000 11202015	0.53	-6,955			
10-20-15	-205	Tjx Companies Cll Opt 77.5000 11202015	0.38	-7,892			
10-21-15	10,000	Market Vectors Etf Tr Gold Miner Etf	15.82	158,248			
10-21-15	3,000	Market Vectors Etf Tr Jr Gold Miners E	21.66	64,980			
10-21-15	800	Spdr Gold Trust Gold Shs	111.72	89,376			
10-22-15	-70	Celgene Corp Cll Opt126.0000 11202015	1.46	-10,255			
10-22-15	-73	Cummins Inc Cll Opt119.0000 11202015	0.88	-6,460			
10-22-15	5,000	Kinder Morgan Inc Del Com	29.76	148,800			
10-22-15	3,000	Under Armour Inc Cl A	93.57	280,720			
10-23-15	-120	Unitedhealth Cll Opt125.0000 11202015	0.79	-9,492			
10-27-15	73	Cummins Inc Cll Opt119.0000 11202015	0.07	507			
10-27-15	25	Keurig Green M Cll Opt 56.0000 10302015	0.07	187			
10-27-15	115	Keurig Green M Cll Opt 57.0000 10302015	0.05	632			
10-27-15	-220	Visa Inc Cll Opt 82.0000 11202015	0.63	-13,862			
10-28-15	80	Halliburton Co Cll Opt 43.0000 11202015	0.09	760			
10-28-15	4,000	Market Vectors Etf Tr Gold Miner Etf	16.64	66,580			
10-28-15	2,000	Market Vectors Etf Tr Jr Gold Miners E	22.58	45,160			
10-28-15	400	Spdr Gold Trust Gold Shs	112.59	45,036			
10-28-15	3,000	Ishares Russell 2000 ETF	116.39	349,163			
10-28-15	24,000	Twitter Inc Com	28.51	684,271			
10-29-15	100	Halliburton Co Cll Opt 43.0000 11202015	0.09	950			
10-29-15	-130	Nxp Semicndctr Cll Opt 84.0000 11202015	0.70	-9,100			
10-29-15	155	Nxp Semicndctr Cll Opt 97.5000 11202015	0.06	917			
10-29-15	8,000	Starbucks Corp	62.40	499,178			
10-30-15	100	Halliburton Co Cll Opt 43.0000 11202015	0.08	785			
10-30-15	20	Nxp Semicndctr Cll Opt 97.5000 11202015	0.10	210			
TOTAL				6,511,421			

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
SALES							
10-16-15	0	American Airls Cll Opt 41.0000 10162015	0.00	69,795	0.00	10,395	-59,400
10-16-15	0	American Airls Cll Opt 45.0000 10162015	0.00	575	0.00	7,350	6,775
10-16-15	0	Apple Inc Cll Opt121.0000 10162015	0.00	1,700	0.00	12,900	11,200
10-16-15	0	Amazon Com Inc Cll Opt570.0000 10162015	0.00	1,888	0.00	10,155	8,267
10-16-15	0	Avago Tech Ltd Cll Opt130.0000 10162015	0.00	350	0.00	5,425	5,075
10-16-15	0	Avago Tech Ltd Cll Opt145.0000 10162015	0.00	780	0.00	10,355	9,575
10-16-15	0	Citigroup Inc Cll Opt 51.5000 10162015	0.00	27,850	0.00	9,100	-18,750
10-16-15	0	Citigroup Inc Cll Opt 55.0000 10162015	0.00	1,395	0.00	7,125	5,730
10-16-15	0	Delta Air Lns Cll Opt 50.0000 10162015	0.00	825	0.00	7,050	6,225
10-16-15	0	Disney Walt Co Cll Opt105.0000 10162015	0.00	42,051	0.00	9,840	-32,211
10-16-15	0	Disney Walt Co Cll Opt110.0000 10162015	0.00	1,680	0.00	8,560	6,880
10-16-15	0	Facebook Inc Cll Opt 97.5000 10162015	0.00	750	0.00	8,850	8,100
10-16-15	0	Facebook Inc Cll Opt100.0000 10162015	0.00	562	0.00	5,997	5,435
10-16-15	0	Keurig Green M Cll Opt 58.0000 10162015	0.00	1,750	0.00	7,300	5,550
10-16-15	0	Keurig Green M Cll Opt 60.5000 10162015	0.00	41	0.00	123	82
10-16-15	0	Google Inc Cll Opt690.0000 10162015	0.00	1,055	0.00	10,755	9,700
10-16-15	0	Halliburton Co Cll Opt 41.5000 10162015	0.00	2,380	0.00	7,980	5,600
10-16-15	0	Halliburton Co Cll Opt 42.0000 10162015	0.00	910	0.00	8,890	7,980
10-16-15	0	Home Depot Inc Cll Opt120.0000 10162015	0.00	20,850	0.00	16,650	-4,200
10-16-15	0	Ishare Nas Bio Cll Opt380.0000 10162015	0.00	713	0.00	11,891	11,178
10-16-15	0	Ishares Rs2000 Cll Opt113.0000 10162015	0.00	15,150	0.00	4,750	-10,400
10-16-15	0	Ishares Rs2000 Cll Opt116.5000 10162015	0.00	1,600	0.00	11,100	9,500
10-16-15	0	Ishare Rus2000 Cll Opt120.0000 10162015	0.00	1,900	0.00	16,042	14,142
10-16-15	0	Jpmorgan Chase Cll Opt 67.5000 10162015	0.00	825	0.00	4,875	4,050
10-16-15	0	Mondelez Intl Cll Opt 45.0000 10162015	0.00	1,805	0.00	8,645	6,840

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
10-16-15	0	Netflix Com Cll Opt115.0000 10162015	0.00	24,063	0.00	22,957	-1,106
10-16-15	0	Nike Inc Cll Opt123.0000 10162015	0.00	59,953	0.00	8,385	-51,568
10-16-15	0	Nxp Semicndctr Cll Opt 92.5000 10162015	0.00	5,187	0.00	14,529	9,342
10-16-15	0	Nxp Semicndctr Cll Opt100.0000 10162015	0.00	3,254	0.00	24,237	20,983
10-16-15	0	Schlumberger Cll Opt 77.0000 10162015	0.00	1,105	0.00	10,205	9,100
10-16-15	0	Spdr S&p500 Tr Cll Opt198.5000 10162015	0.00	42,478	0.00	7,975	-34,503
10-16-15	0	Spdr S&p500 Tr Cll Opt199.0000 10162015	0.00	23,250	0.00	11,400	-11,850
10-16-15	0	Spdr S&p500 Tr Cll Opt204.0000 10162015	0.00	1,375	0.00	16,733	15,357
10-16-15	0	Spdr S&p500 Tr Cll Opt205.0000 10162015	0.00	1,650	0.00	15,375	13,725
10-16-15	0	Skyworks Soltn Cll Opt 90.0000 10162015	0.00	1,200	0.00	7,725	6,525
10-16-15	0	Skyworks Soltn Cll Opt100.0000 10162015	0.00	1,050	0.00	13,100	12,050
10-16-15	0	Tesoro Corp Cll Opt101.0000 10162015	0.00	2,176	0.00	7,507	5,331
10-16-15	0	Tesoro Corp Cll Opt105.0000 10162015	0.00	1,590	0.00	6,623	5,033
10-16-15	0	Tesoro Corp Cll Opt110.0000 10162015	0.00	1,982	0.00	5,427	3,445
10-16-15	0	Unitedhealth Cll Opt130.0000 10162015	0.00	1,260	0.00	12,400	11,140
10-16-15	0	Valero Energy Cll Opt 67.5000 10162015	0.00	923	0.00	4,725	3,802
10-28-15	4,000	Keurig Green Mountain Inc	53.88	215,512	53.66	214,651	-861
10-28-15	24,000	Twitter Inc Com	28.51	684,271	31.14	747,437	63,166
10-30-15	-90	Keurig Green M Cll Opt 56.0000 10302015	-0.02	187	-1.04	9,372	9,185
10-30-15	0	Keurig Green M Cll Opt 57.0000 10302015	0.00	632	0.00	5,877	5,245
10-30-15	4,500	Nxp Semiconductors N V Com	66.42	298,910	78.07	351,336	52,426
TOTAL				1,571,193		1,740,075	168,882

City of Sacramento
TRANSACTION SUMMARY
Large Cap Growth
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-31-15		Pool A Cash		169,324			
TOTAL				169,324			

City of Sacramento
TRANSACTION SUMMARY
International
SCERS
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
PURCHASES							
10-21-15	6,000	Wisdomtree Trust Japn Hedge Eqt	52.58	315,480			
10-21-15	10,000	Ishares Inc Msci Japan	12.26	122,600			
10-28-15	8,000	Ishares China Large Cap ETF	39.20	313,599			
TOTAL				751,679			

City of Sacramento
TRANSACTION SUMMARY
International
SCERS
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-01-15		Pool A Cash		500,000			
10-31-15		Pool A Cash		5,625			
TOTAL				505,625			

City of Sacramento
TRANSACTION SUMMARY
Pool D
SHRA Investment Pool
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
PURCHASES							
10-09-15	2,000,000	Pepsico Inc 2.150% Due 10-14-20	100.26	2,005,200			
TOTAL				2,005,200			

City of Sacramento
TRANSACTION SUMMARY
Pool D
SHRA Investment Pool
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
SALES							
10-09-15	2,000,000	Intel Corp 1.350% Due 12-15-17	99.85	1,997,100	100.24	2,004,800	7,700
10-09-15	333,333	Federal Home Loan Bank 1.000% Due 09-18-17	100.00	333,333	100.00	333,333	0
TOTAL				2,330,433		2,338,133	7,700

City of Sacramento
TRANSACTION SUMMARY
Pool D
SHRA Investment Pool
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
CALLS							
10-14-15	1,666,667	Federal Home Loan Bank 1.000% Due 09-18-17	100.00	1,666,667	100.00	1,666,667	0
TOTAL				1,666,667		1,666,667	0

City of Sacramento
TRANSACTION SUMMARY
Pool D
SHRA Investment Pool
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
MATURITIES							
10-05-15	248,000	GE Capital Bank 1.000% Due 10-05-15	100.00	248,000	100.00	248,000	0
10-13-15	248,000	Safra National Bank 0.800% Due 10-13-15	100.00	248,000	100.00	248,000	0
TOTAL				496,000		496,000	0

City of Sacramento
TRANSACTION SUMMARY
Capitol Area Development Authority - Banking
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/ Loss
-----------------------	-----------------	-----------------	----------------------	-----------------------	-----------------------	---------------------------	-----------------------

No transactions were found!

City of Sacramento
TRANSACTION SUMMARY
Capitol Area Development Authority - Tax Exempt
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/ Loss</u>
-----------------------	-----------------	-----------------	----------------------	-----------------------	-----------------------	---------------------------	-----------------------

No transactions were found!

City of Sacramento
TRANSACTION SUMMARY
Capitol Area Development Authority - Taxable
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/ Loss</u>
-----------------------	-----------------	-----------------	----------------------	-----------------------	-----------------------	---------------------------	-----------------------

No transactions were found!

City of Sacramento
TRANSACTION SUMMARY
American River Flood Control District
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/ Loss</u>
-----------------------	-----------------	-----------------	----------------------	-----------------------	-----------------------	---------------------------	-----------------------

No transactions were found!

City of Sacramento
TRANSACTION SUMMARY
Reclamation District No. 1000
From 10-01-15 To 10-31-15

<u>Trade Date</u>	<u>Quantity</u>	<u>Security</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Unit Price</u>	<u>Total Proceeds</u>	<u>Gain/Loss</u>
-------------------	-----------------	-----------------	------------------	-------------------	-------------------	-----------------------	------------------

No transactions were found!

City of Sacramento
TRANSACTION SUMMARY
Sacramento Public Library Authority
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/Loss
WITHDRAWALS							
10-01-15		Pool A Cash		17,847			
10-09-15		Pool A Cash		1,300,000			
10-16-15		Pool A Cash		200,000			
10-23-15		Pool A Cash		1,200,000			
TOTAL				2,717,847			

City of Sacramento
TRANSACTION SUMMARY
The Natomas Basin Conservancy
From 10-01-15 To 10-31-15

Trade Date	Quantity	Security	Unit Cost	Total Cost	Unit Price	Total Proceeds	Gain/ Loss
-----------------------	-----------------	-----------------	----------------------	-----------------------	-----------------------	---------------------------	-----------------------

No transactions were found!

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01018

Title: Agreement: Modification to Brownfield Cleanup Loan Amendment for Curtis Park Village

Location: District 5

Recommendation: Pass a Motion approving the loan modification agreement for the \$900,000 Brownfield Cleanup Loan to Calvin Elk Grove-Florin, LLC for the Curtis Park Village Project.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department

Presenter: None

Department: Economic Development Dept

Division: Citywide Development

Dept ID:

Attachments:

- 1-Description/Analysis
- 2-Amended Loan Agreement
- 3-Amended Note
- 4-Amended Deed of Trust

City Attorney Review

Approved as to Form
Michael Sparks
11/20/2015 10:03:16 AM

Approvals/Acknowledgements

Department Director or Designee: Larry Burkhardt - 11/10/2015 8:25:57 AM

Description/Analysis

Issue Detail: In 1997, the City established a Brownfields Cleanup Revolving Loan Fund (“BCRLF”) program funded by the U.S. Environmental Protection Agency. The purpose of the BCRLF program is to provide loans and sub-grants to qualified projects to assist with the investigation and cleanup of contaminated sites within the City.

In 2009, the City approved a \$900,000 BCRLF loan to Calvine & Elk Grove-Florin, LLC (“Borrower”) for the environmental cleanup at the Curtis Park Village project. The loan was fully deferred for a five-year term with two percent simple interest-only payments due annually.

The loan was scheduled to mature on October 1, 2014, but the Borrower requested a one-year extension to October 1, 2015. That extension was approved by Council on September 23, 2014, and a new repayment date was established for October 1, 2015. Prior to the October 1, 2015 maturity date, the borrower again asked for an extension, this time for three years. The parties could not reach agreement on the terms of the loan extension prior to October 1, 2015, and the borrower did not pay off the loan.

Through continuing negotiations, the parties reached a proposed agreement for an extension of the loan. The attached loan documents reflect the new timeframe and additional terms as summarized below:

- Borrower must make a \$300,000 principal payment, plus \$13,322 in interest, within 5 calendar days of the effective date of the amendment to the loan agreement.
- The baseline interest rate for the loan is 2% and will be adjusted quarterly based on changes in the Consumer Price Index (U.S. City Average); however, the interest rate will never be less than 2%.
- Quarterly principal payments of \$8,333 plus interest are required for three years.
- At the end of three years, October 1, 2018, borrower will fully pay off the balance of the loan plus outstanding interest.

Policy Considerations: The BCRLF program supports the 2013 Economic Development Strategy goals to “Invest in Building Sacramento and Invest in Partners.”

Economic Impacts: Not applicable.

Environmental Considerations: These actions are administrative, organizational and fiscal matters that do not constitute a “project” under the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential to cause significant effect on the environment.

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The borrower requested the three-year extension because of delays related to approval from the State Department of Toxic Substances Control for the groundwater remediation.

Financial Considerations: The proposed Loan Amendment requires a \$300,000 principal payment and extends the balance of the loan by three years. On October 1, 2018, the Borrower will be required to fully pay off the loan plus interest. When the funds are received, they will be returned to the Brownfields Revolving Loan Program Fund (Fund 2029) and be available for loans and sub-grants for other qualified projects within the City. No General Funds are involved in this transaction.

Local Business Enterprise (LBE): Not applicable.

SECOND AMENDMENT TO BROWNFIELD CLEANUP REVOLVING LOAN FUND PROGRAM LOAN
AGREEMENT FOR SITE REMEDIATION
(City Agreement 2009-1031-2)

This Second Amendment to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation (the “**Second Amendment**”), dated December 1, 2015, for purposes of identification, is between the City of Sacramento (“**Lender**”), a California municipal corporation, and Calvine & Elk Grove-Florin, LLC (“**Borrower**”), a California limited liability company.

Background

Lender made a loan to Borrower in the original principal amount of \$900,000 (the “**Loan**”). The Loan is evidenced by that certain Brownfields Cleanup Revolving Loan Fund Program loan agreement for site remediation between Lender and Borrower dated October 1, 2009, and identified as City Agreement 2009-1031, as amended by the First Amendment to Installment Promissory Note and to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation dated September 16, 2014, and identified as City Agreement 2009-1031-1 (collectively, the “**Loan Agreement**”).

The Loan is also evidenced by that certain installment promissory note dated October 1, 2009, as amended by the First Amendment to Installment Promissory Note and to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation dated September 16, 2014, and identified as City Agreement 2009-1031-1, payable to the Lender in the original principal amount of \$900,000 (collectively, the “**Note**”).

The indebtedness evidenced by the Note is secured by that certain Short Form Deed of Trust and Assignment of Rents made as of October 1, 2009, between Calvine & Elk Grove-Florin LLC, Petrovich Properties LLC, Fidelity National Title Company, and the City of Sacramento, as amended by the First Amendment Short Form Deed of Trust and Assignment of Rents dated September 16, 2014, between Calvine & Elk Grove-Florin LLC, Petrovich Properties LLC, and the City of Sacramento (collectively, the “**Deed of Trust**”).

Under the terms of the Note, the unpaid principal balance of \$900,000 and accrued and unpaid interest of \$13,266 were due and payable on October 1, 2015. As of the date of this Second Amendment, the outstanding unpaid principal balance of the Note remains \$900,000 and accrued and unpaid interest is \$16,263.

In order to facilitate repayment of the Loan, Borrower and Lender have agreed to modify the Loan Agreement and to amend and restate the Note and Deed of Trust as provided in this Second Amendment.

With these background facts in mind, the Borrower and Lender agree as follows:

1. **Conditions Precedent.** Lender is not obligated to execute this Second Amendment unless the following conditions are satisfied in full (to Lender’s satisfaction, in its sole discretion):

(a) **Execution and Delivery.** Borrower has (i) executed and delivered the Amended and Restated Promissory Note (the “**Amended and Restated Note**”), dated December 1, 2015, in the form attached as Exhibit 1, and (ii) delivered an Amended and Restated Short Form Deed of Trust and Assignment of

Rents (the “**Amended and Restated Deed of Trust**”) in the form attached as Exhibit 2 that has been executed by Borrower and Petrovich Properties LLC.

(b) **No Default.** No Event of Default exists.

(c) **Endorsement.** Fidelity National Title Company is unconditionally and irrevocably committed to issue a CTLA 110.5 endorsement to the Title Policy insuring that the Amended and Restated Deed of Trust will have the same priority as the Deed of Trust.

2. **Definitions.** All capitalized terms used in this Second Amendment, but not expressly defined in this Second Amendment, shall have the meanings ascribed to them in Loan Agreement and the Amended and Restated Note. All references to “Loan Agreement” or “AGREEMENT” constitute a reference to the Loan Agreement, as amended by this Second Amendment; all references to “Note” or “PROMISSORY NOTE” constitute a reference to the Amended and Restated Promissory Note; and, all references to “DEED OF TRUST” constitute a reference to the Amended and Restated Deed of Trust.

(a) “**Adjustable Interest Rate**” means an interest rate equal to the Baseline Interest Rate adjusted on the first day of each quarter using the Consumer Price Index for all Urban Consumers (CPI-U), U.S. City Average, All Items (not seasonally adjusted, 1982 - 84 = 100 reference base) (the “**CPI**”), except as follows: if the adjustment results in an interest rate that is less than the Baseline Interest Rate, then the interest rate remains at the Baseline Interest Rate. To calculate the Adjustable Interest Rate, multiply 2.0 by a fraction with a numerator equal to the CPI for the last month of the immediately preceding quarter and a denominator equal to the CPI for October 2015 [237.838]. For the purposes of this Second Amendment, the four quarters that make up the year are January, February, and March (first quarter); April, May, and June (second quarter); July, August, and September (third quarter); and, October, November, and December (fourth quarter).

(b) “**Baseline Interest Rate**” means a 2.0% annual rate of simple interest.

3. **Loan Modification.** The Loan is modified as follows:

(a) Maturity is hereby extended to October 1, 2018.

(b) Borrower shall pay Lender the principal sum of NINE HUNDRED THOUSAND DOLLARS (\$900,000.00), together with interest on the unpaid principal balance, as specified in Schedule A of this Second Amendment. Interest is to be computed on the basis of a 365-day year and actual days elapsed as provided in Section 3.(c) of this Second Amendment.

(c) Beginning on October 1, 2015, the unpaid principal balance will accrue interest at the Baseline Interest Rate. Beginning on April 1, 2016, and continuing until Maturity, the unpaid principal balance will accrue interest at the Adjustable Interest Rate. If Borrower fails to pay any interest payments or the principal amount in full when they are due, whether before Maturity, at Maturity or by acceleration, the interest rate shall increase to a 7.0% annual rate of simple interest or the maximum rate allowed by law, whichever is lower.

4. **Amended and Restated Note.** The Loan shall be evidenced by Borrower’s Amended and Restated Note dated December 1, 2015.

5. **Amended and Restated Deed of Trust.** The indebtedness evidenced by the Amended and Restated Note shall be secured by the Amended and Restated Deed of Trust.

6. **Representations.** As a material inducement for Lender to enter into this Second Amendment, Borrower represents to Lender that:

(a) **No Offset, Defense, or Claim.** Borrower does not have (i) any offsets against the amounts payable under the Loan Agreement or Loan Documents; (ii) defenses to the payments of any amounts under the Loan Agreement or Loan Documents; or, (iii) claims against Lender in connection with the Loan Agreement or Loan Documents.

(b) **No Excuse or Waiver.** This Second Amendment does not excuse Borrower from any of its obligations under the Loan Agreement or Loan Documents or constitute a waiver by Lender of any of the provisions of the Loan Agreement or Loan Documents.

7. **Ratification and Reaffirmation.** The Loan Agreement, as amended by this Second Amendment, remains in effect. The terms of this Second Amendment will govern if any conflict exists between the terms the Loan Agreement and the terms of this Second Amendment.

8. **Severability.** If a court with jurisdiction rules that any nonmaterial part of this Second Amendment is invalid, unenforceable, or contrary to law or public policy, then the rest of this Second Amendment remains valid and fully enforceable.

9. **No Third-Party Beneficiaries.** This Second Amendment is solely for the benefit of Lender and Borrower. It is not intended to benefit any third parties.

10. **Effective Date.** This Second Amendment will not be effective until the date both parties have signed it, as indicated by the dates in the signature blocks below, or the date that Borrower delivers to Lender both the executed Amended and Restated Promissory Note and the Amended and Restated Deed of Trust, whichever occurs later.

(Signature Page Follows)

BORROWER:

CALVINE & ELK GROVE-FLORIN, LLC,
a California limited liability company

Date signed: 11/17/15



By: _____

Name: Paul S. Petrovich

Its: Manager

LENDER:

CITY OF SACRAMENTO, a California municipal
corporation

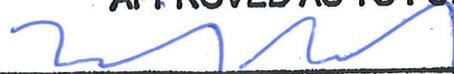
Date signed: _____

By: _____

Name: _____

Its: _____

APPROVED AS TO FORM:



CITY ATTORNEY

Schedule A

Payment Schedule

Payment Due Date	Principal	Outstanding Principal Balance	Interest/Interest Rate
See Note 1	\$300,000.00	\$600,000.00	\$13,266.00/Baseline Interest Rate
1/1/2016	\$ 8,333.00	\$591,667.00	\$12,000.00/Baseline Interest Rate
4/1/2016	\$ 8,333.00	\$583,334.00	TBD/Adjustable Interest Rate
7/1/2016	\$ 8,333.00	\$575,001.00	TBD/Adjustable Interest Rate
10/1/2016	\$ 8,333.00	\$566,668.00	TBD/Adjustable Interest Rate
1/1/2017	\$ 8,333.00	\$558,335.00	TBD/Adjustable Interest Rate
4/1/2017	\$ 8,333.00	\$550,002.00	TBD/Adjustable Interest Rate
7/1/2017	\$ 8,333.00	\$541,669.00	TBD/Adjustable Interest Rate
10/1/2017	\$ 8,333.00	\$533,336.00	TBD/Adjustable Interest Rate
1/1/2018	\$ 8,333.00	\$525,003.00	TBD/Adjustable Interest Rate
4/1/2018	\$ 8,333.00	\$516,670.00	TBD/Adjustable Interest Rate
7/1/2018	\$ 8,333.00	\$508,337.00	TBD/Adjustable Interest Rate
10/1/2018	\$ 8,337.00	\$500,000.00	TBD/Adjustable Interest Rate
10/1/2018	\$500,000.00	\$0.00	TBD/Adjustable Interest Rate
Total	\$900,000.00	\$0.00	\$ TBD

Note 1: The due date for this payment is the fifth calendar day after the effective date of this Second Amendment.

EXHIBIT A

AMENDED AND RESTATED PROMISSORY NOTE

\$900,000.00

Sacramento, California
Date: December 1, 2015

FOR VALUE RECEIVED, Calvine Elk Grove-Florin, LLC, a California limited liability company ("**Borrower**"), promises to pay to the City of Sacramento, a California municipal corporation ("**Lender**"), the principal sum of NINE HUNDRED THOUSAND DOLLARS (\$900,000.00), together with interest on the unpaid principal balance of this amended and restated promissory note (this "**Note**") as specified in Schedule A of this Note. Interest is to be computed on the basis of a 365-day year and actual days elapsed as specified in Section 3 of this Note.

1. This Note is the Promissory Note defined in the Brownfields Cleanup Revolving Loan Fund Program loan agreement for site remediation between Lender and Borrower dated October 1, 2009, and identified as City Agreement 2009-1031, as amended by the First Amendment to Installment Promissory Note and to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation dated September 16, 2014, and identified as City Agreement 2009-1031-1, and as amended by the Second Amendment to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation dated December 1, 2015 (collectively, the "**Loan Agreement**"). This Note amends and restates in its entirety that certain installment promissory note dated October 1, 2009, as amended by the First Amendment to Installment Promissory Note and to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation dated September 16, 2014, and identified as City Agreement 2009-1031-1 (the "**Original Note**"). This Note solely amends and restates Borrower's obligations under the Original Note. Borrower and Lender do not intend this Note to serve as payment or satisfaction of Borrower's obligation under the Original Note. This Note is not a novation.

2. All capitalized terms used in this Note, but not expressly defined in this Note, shall have the meanings ascribed to them in the Loan Agreement. All references in the Loan Agreement to "Note" or "PROMISSORY NOTE" constitute a reference to this Note.

- (a) "**Adjustable Interest Rate**" means an interest rate equal to the Baseline Interest Rate adjusted on the first day of each quarter using the Consumer Price Index for all Urban Consumers (CPI-U), U.S. City Average, All Items (not seasonally adjusted, 1982 - 84 = 100 reference base) (the "**CPI**"), except as follows: if the adjustment results in an interest rate that is less than the Baseline Interest Rate, then the interest rate remains at the Baseline Interest Rate. To calculate the Adjustable Interest Rate, multiply 2.0 by a fraction with a numerator equal to the CPI for the last month of the immediately preceding quarter and a denominator equal to the CPI for October 2015 [237.838]. For the purposes of this Note, the four quarters that make up the year are January, February, and March (first quarter); April, May, and June (second quarter); July, August,

and September (third quarter); and, October, November, and December (fourth quarter).

(b) “**Baseline Interest Rate**” means a 2.0% annual rate of simple interest.

3. Beginning on October 1, 2015, the unpaid principal balance will accrue interest at the Baseline Interest Rate. Beginning on April 1, 2016, and continuing until Maturity, the unpaid principal balance will accrue interest at the Adjustable Interest Rate. If Borrower fails to pay any interest payments or the principal amount in full when they are due, whether before Maturity, at Maturity or by acceleration, the interest rate on this Note shall increase to a 7.0% annual rate of simple interest or the maximum rate allowed by law, whichever is lower (the “**Default Interest Rate.**”)

4. Borrower shall pay all amounts due under this Note in lawful money of the United States at the following address or at such other address as Borrower may designate in writing: City of Sacramento, Department of Economic Development, 915 I Street, Fourth Floor, Sacramento, California 95814.

5. Payments are due to the City of Sacramento on the dates specified in Schedule A of this Note.

6. In addition to the increased interest rate described in Section 3 of this Note, Borrower shall pay a late charge of 5.0% of any payment not paid within five days of the due date of that payment in addition to any other amounts due under this Note.

7. Each payment under this Note will be credited in the following order: first, to any late charges and costs or expenses Lender incurs in collecting the payment, and to any other unpaid charges, expenses, or penalties due; second, to accrued interest; and third, to the unpaid principal.

8. At Lender’s option, this Note will become immediately due and payable upon the occurrence of an Event of Default. After the occurrence of an Event of Default, unpaid accrued interest will be added to the unpaid principal balance of this Note and interest will accrue on that amount at the Default Interest Rate.

9. If this Note is not paid when due, whether at Maturity or by acceleration, then Borrower, every endorser of this Note, and every person who assumes the obligations of this Note each promise to pay all costs of collection, including but not limited to reasonable attorneys’ fees, whether or not an action is filed. Additionally, the holder of this Note will be entitled to reimbursement for all attorneys’ fees and costs incurred in enforcing any judgment arising from, or out of, this Note, whether incurred by the Sacramento City Attorney’s Office or outside counsel, and those fees and costs will not merge into the judgment and may be added to the judgment and be substantiated by supplemental cost bill.

10. Borrower, every endorser of this Note, and every person who assumes the obligations of this Note each waive presentment, demand, protest, notice of protest, notice of dishonor, notice of nonpayment, and notice of any kind with respect to this Note or any guarantee of it.

11. This Note may be changed or terminated only by an agreement in writing signed by the party against whom enforcement of such change or termination is sought.

12. This Note may be prepaid at any time without penalty.

13. The rights, duties, and obligations of Lender and Borrower under this Note are binding upon, and inure to the benefit of, their successors, representatives, receivers, trustees, and assigns, if any.

14. Borrower shall perform and comply with each of the covenants, conditions, provisions, and agreements of Borrower contained in the Loan Agreement, or any agreement or instrument evidencing, securing, or guaranteeing the indebtedness evidenced by this Note.

15. The indebtedness evidenced by this Note is secured by an Amended and Restated Short Form Deed of Trust and Assignment of Rents made as of December 1, 2015, between Calvine & Elk Grove-Florin LLC, Petrovich Properties LLC, Fidelity National Title Company, and the City of Sacramento (the "Deed of Trust"). The Deed of Trust also secures all indebtedness evidenced by any extension or renewal of this Note. Lender acknowledges that the Deed of Trust is subject to all existing agreements, easements, covenants and restrictions encumbering and/or recorded against the property that is encumbered by the Deed of Trust.

16. If any part of this Note cannot be enforced according to its terms, that fact will not affect the balance of this Note.

17. Whenever the due date for any payment to be made under this Note falls on a day that Lender's main offices located at 915 "I" Street, Sacramento, California, are closed to the public, then the due date will be extended to the next day succeeding day that Lender's main offices are open to the public.

BORROWER:

Calvine Elk Grove-Florin, LLC, a California limited liability company

By: _____
Paul S. Petrovich, Manager

Schedule A

Payment Schedule

Payment Due Date	Principal	Outstanding Principal Balance	Interest/Interest Rate
See Note 1	\$300,000.00	\$600,000.00	\$13,266.00/Baseline Interest Rate
1/1/2016	\$ 8,333.00	\$591,667.00	\$12,000.00/Baseline Interest Rate
4/1/2016	\$ 8,333.00	\$583,334.00	TBD/Adjustable Interest Rate
7/1/2016	\$ 8,333.00	\$575,001.00	TBD/Adjustable Interest Rate
10/1/2016	\$ 8,333.00	\$566,668.00	TBD/Adjustable Interest Rate
1/1/2017	\$ 8,333.00	\$558,335.00	TBD/Adjustable Interest Rate
4/1/2017	\$ 8,333.00	\$550,002.00	TBD/Adjustable Interest Rate
7/1/2017	\$ 8,333.00	\$541,669.00	TBD/Adjustable Interest Rate
10/1/2017	\$ 8,333.00	\$533,336.00	TBD/Adjustable Interest Rate
1/1/2018	\$ 8,333.00	\$525,003.00	TBD/Adjustable Interest Rate
4/1/2018	\$ 8,333.00	\$516,670.00	TBD/Adjustable Interest Rate
7/1/2018	\$ 8,333.00	\$508,337.00	TBD/Adjustable Interest Rate
10/1/2018	\$ 8,337.00	\$500,000.00	TBD/Adjustable Interest Rate
10/1/2018	\$500,000.00	\$0.00	TBD/Adjustable Interest Rate
Total	\$900,000.00	\$0.00	\$ TBD

Note 1: The due date for this payment is the fifth calendar day after the effective date of the Second Amendment to Brownfield Cleanup Revolving Loan Fund Program Loan Agreement for Site Remediation.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Economic Development Department
City of Sacramento
915 I Street, HCH, 4th Floor
Sacramento, CA 95814

No Fee Document per Gov. Code § 6103

[SPACE ABOVE FOR RECORDER'S USE ONLY]

AMENDED AND RESTATED SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

This AMENDED AND RESTATED SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS (this **"Deed of Trust"**), dated December 1, 2015, for reference purposes only, is between CALVINE & ELK GROVE-FLORIN, LLC (the **"Borrower"**), a California limited liability company, whose mailing address is 825 K Street, Sacramento, CA 95814, Petrovich Properties LLC (the **"Trustor"**), a California limited liability company, whose mailing address is 825 K Street, Sacramento, CA 95814, Fidelity National Title Company (the **"Trustee"**), and the City of Sacramento (the **"Beneficiary"**), a California municipal corporation, whose mailing address is 915 I Street, HCH, 4th Floor, Sacramento, California 95814.

Background

Trustor and Borrower previously executed and delivered to Beneficiary that certain Short Form Deed of Trust and Assignment of Rents dated October 1, 2009, by and between Borrower, Trustor, Trustee, and Beneficiary (the **"Original Deed of Trust"**), which encumbers certain real property located in the City of Woodland in Yolo County. The Original Deed of Trust was inadvertently recorded on December 16, 2009, in the Official Records of Sacramento County, California, Book 20091216, Page 0397. Trustor, Borrower, and Beneficiary executed a First Amendment to Short Form Deed of Trust and Assignment of Rents, which included the Original Deed of Trust as an exhibit, that was recorded on October 21, 2014, in the Official Records of Yolo County, as Instrument No. 2014-0023943, and re-recorded on October 21, 2015, as Instrument No. 2015-0028521 (the **"First Amended Deed of Trust"**). The Original Deed of Trust as amended by the First Amended Deed of Trust is referred to as the **"Amended Deed of Trust"**.

The Amended Deed of Trust secures certain indebtedness and obligations of Borrower as evidenced by that certain installment promissory note dated October 1, 2009 (the **"Original Note"**) executed by Borrower and payable to Beneficiary, in the original principal amount of Nine Hundred Thousand Dollars (\$900,000) (the **"Original Loan"**). The Amended Deed of Trust was provided under that certain Brownfields Cleanup Revolving Loan Fund Program loan agreement for site remediation dated October 1, 2009, and identified as City Agreement 2009-1031, between Beneficiary and Borrower (the **"Original Loan Agreement"**).

In 2014, Borrower executed and delivered to Beneficiary a First Amendment to Installment Promissory Note and to Brownfield Cleanup Revolving Loan Fund Program loan agreement for site remediation identified as City Agreement 2009-1031-1 (the “**First Amendment**”), which modified the Original Note and the Original Loan Agreement to extend the maturity date and to modify the payment obligations under the Original Loan. The Original Note and Original Loan Agreement as amended by the First Amendment are referred to as the “**Amended Note**” and “**Amended Loan Agreement.**”

Borrower has executed and delivered to Beneficiary a second amendment to the Amended Loan Agreement (the “**Second Amendment**”), dated December 1, 2015, and an amended and restated promissory note (the “**Amended and Restated Note**”), dated December 1, 2015, both of which extend the maturity date and modify the payment obligations under Amended and Restate Note and Amended Loan Agreement.

Borrower, Trustor, and Beneficiary desire to amend and restate the Amended Deed of Trust in its entirety to secure the indebtedness and obligations evidenced by the Amended and Restated Note.

With these background facts in mind, Amended Deed of Trust is amended and restated in its entirety as follows:

1. Trustor is the owner of the property in the City of Woodland, Yolo County, California, commonly known as 801 Main Street located at 801, 819 and 823 Main Street, Woodland, California, and identified as Assessor’s Parcel Numbers 005-223-001-000, 005-223-002-000, and 005-223-003-000 (collectively, the “**Property**”). The Property is more particularly described in **Exhibit A**, which is a part of this Deed of Trust.

2. Trustor hereby irrevocably grants, transfers, and assigns the Property to Trustee in trust, with power of sale, together with the rents, issues and profits from the Property, subject to the right, power, and authority of the Beneficiary to collect and apply rents, issues and profits under paragraph 10 of the provisions of the fictitious deed that are incorporated by reference in Section 4.

3. The grant, transfer, and assignment made in Section 2 is for the purpose of securing: (a) Payment of the indebtedness of Borrower evidenced by the Amended and Restated Note, dated December 1, 2015, and any extension, renewal, modification, refinancing, or substitution of the Amended and Restated Note, in the principal sum of Nine Hundred Thousand and No/100 Dollars (\$900,000.00), executed by Borrower in favor of Beneficiary or order; and (b) Payment of such further sums as Borrower may owe Beneficiary in the future under the terms of the Amended and Restated Note on and after December 1, 2015, through the date of sale or foreclosure of the Property under this Deed of Trust, which has not been paid to Beneficiary as required by law. If Trustor sells, conveys, transfers, or disposes of, or further encumbers the Property, or any part of the Property, or any interest in the Property, voluntarily or involuntarily, without first obtaining the written consent of Beneficiary, then Beneficiary may declare all sums secured by this Deed of Trust immediately due and payable.

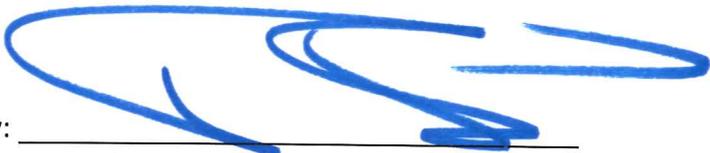
4. To protect the security of this Deed of Trust, Trustor shall observe and perform provisions 1 to 14 of the fictitious deed of trust recorded October 23, 1961, in Book 653 at Page 245 of Official Records in the Office of the County Recorder of the County of Yolo (these provisions are printed on pages 6 to 9 of this Deed of Trust), which are made a part of this Deed of Trust. The references to property, obligations, Deed, note, and parties in provisions 1 to 14 are deemed to refer to the Property, obligations, this Deed of Trust, the Amended and Restated Note, and parties set forth in this Deed of Trust.

5. Trustor and Borrower covenant and confirm that (a) the Property continues to be subject to the lien of the Amended Deed of Trust; (b) all of the Property is subject to all terms and covenants of the Amended Deed of Trust; and (c) this Deed of Trust in no way impairs the lien, charge or priority of the Amended Deed of Trust upon the Property.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale under this Deed of Trust be mailed to it at 825 K Street, Sacramento, CA 95814.

TRUSTOR:

PETROVICH PROPERTIES, LLC,
a California limited liability company

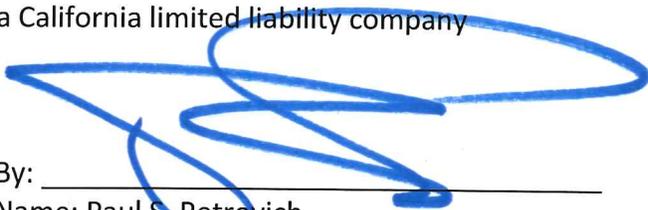


By: _____
Name: Paul S. Petrovich
Its: Manager

Date signed: 11/17, 2015

BORROWER:

CALVINE & ELK GROVE-FLORIN, LLC,
a California limited liability company



By: _____
Name: Paul S. Petrovich
Its: Manager

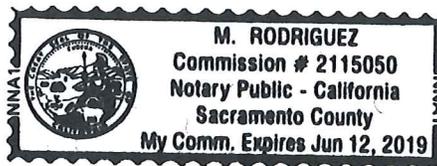
Date signed: 11/17, 2015

State of California)
)
County of Sacramento)

On November 18, 2015 before me, M. Rodriguez, a notary public, personally appeared Paul S. Petrovich, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature M. Rodriguez

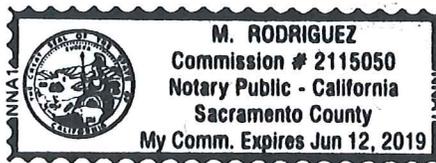
(Seal)

State of California)
)
County of Sacramento)

On November 18, 2015 before me, M. Rodriguez, a notary public, personally appeared Paul S. Petrovich, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature M. Rodriguez

(Seal)

EXHIBIT A

Legal Description of Property

**801, 819 AND 823 MAIN STREET
WOODLAND, CALIFORNIA**

The land referred to in this Deed of Trust is situated in the State of California, County of Yolo, City of Woodland, and is described as follows:

Parcel One:

Lots 1, 2 and 3, Block 4, Town (now City) of Woodland, according to the official plat thereof, filed for record in the Office of the Recorder of Yolo County, California on June 25, 1863 in Book D of Deeds, Page 722.

APN: 005-223-001-000

Parcel Two:

Lot 4, Block 4, Town (now City) of Woodland, according to the official plat thereof, filed for record in the Office of the Recorder of Yolo County, California on June 25, 1863 in Book D of Deeds, Page 722.

APN: 005-223-002-000

Parcel Three:

Lot 5, Block 4, Town (now City) of Woodland, according to the official plat thereof, filed for record in the Office of the Recorder of Yolo County, California on June 25, 1863 in Book D of Deeds, Page 722.

APN: 005-223-003-000

DO NOT RECORD

The following is a copy of provisions (1) to (14), inclusive, of the fictitious deed of trust, recorded in each county in California, as stated in the foregoing Deed of Trust and incorporated by reference in said Deed of Trust as being a part thereof as if set forth at length therein.

To Protect the Security of This Deed of Trust, Trustor Agrees:

1. To keep said property in good condition and repair, not to remove or demolish any building thereon, to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor, to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon, not to commit or permit waste thereof, not to commit, suffer or permit any act upon said property in violations of law to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.
2. To provide maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Trustor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee, and to pay all costs and expenses including cost of evidence of title and attorneys' fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear, and in any suit brought by Beneficiary to foreclose this Deed.
4. To pay at least ten days before delinquency all taxes and assessments affecting said property, including assessments on appurtenant water stock, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto, all costs, fees and expenses of this Trust.

Should Trustor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Trustor and without releasing Trustor from any obligation hereof, may make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee, pay, purchase, contest or compromise any encumbrance, charge or lien

which in the judgment of either appears to be prior or superior hereto, and in exercising any such powers, pay necessary expenses, employ counsel and pay his reasonable fees.

5. To pay immediately and without demand all sums so expended by Beneficiary or Trustee, with interest from date of expenditure at the amount allowed by law in effect at the date hereof, and to pay for any statement provided for by law in effect at the date hereof regarding the obligation secured hereby any amount demanded by the Beneficiary not to exceed the maximum allowed by law at the time when said statement is demanded.

6. That any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

7. That by accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his rights either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

8. That at any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may reconvey any part of said property, consent to the making of any map or plot thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

9. That upon written request of Beneficiary state that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in such reconveyance of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "The person or persons legally entitled thereto" Five years after issuance of such full reconveyance, Trustee may destroy said note and this Deed (unless directed in such request to retain them).

10. That as additional security, Trustor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and

expenses of operation and collection, including reasonable attorneys' fees. Upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

11. That upon default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder. Beneficiary may declare all sums secured hereby immediately due and payable by delivery to Trustee of written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property which notice Trustee shall cause to be filed for record. Beneficiary also shall deposit with Trustee this Deed, said note and all documents evidencing expenditures secured hereby.

After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels, and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee may postpone sale of all or any portion of said property by public announcement at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement Trustee shall deliver to such purchaser its deed conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Trustor, Trustee, or Beneficiary as hereinafter defined, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title in connection with sale, Trustee shall apply the proceeds of sale to payment of all sums expended under the terms hereof, not then repaid, with accrued interest at the amount allowed by law in effect at the date hereof, all other sums then secured hereby, and the remainder, if any, to the person or persons legally entitled thereto.

12. Beneficiary, or any successor in ownership of any indebtedness secured hereby, may from time to time, by instrument in writing, substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee or Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers and duties. Said instrument must contain the name of the original Trustor, Trustee and Beneficiary hereunder, the book and page where this Deed is recorded and the name and address of the new Trustee.

13. That this Deed applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall

mean the owner and holder, including pledgees, of the note secured hereby whether or not named as Beneficiary herein in this Deed, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

14. That Trustee accepts this Trust when this Deed, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party unless brought by Trustee.

DO NOT RECORD

REQUEST FOR FULL RECONVEYANCE

To be used only when note has been paid:

Dated: _____

To: Fidelity National Title Company, Trustee
8950 Cal Center Drive Bldg. 3, Suite 100
Sacramento, CA 95826

The undersigned is the legal owner and holder of all indebtedness secured by the within Deed of Trust. All sums secured by said Deed of Trust have been fully paid and satisfied; and you are hereby requested and directed, on payment to you of any sums owing to you under the terms of said Deed of Trust, to cancel all evidences of indebtedness, secured by said Deed of Trust, delivered to you herewith together with said Deed of Trust, and to reconvey, without warranty, to the parties designated by the terms of said Deed of Trust, the estate now held by you under the same.

BENEFICIARY:
CITY OF SACRAMENTO

Signed: _____
Name: _____
Title: _____

MAIL RECONVEYANCE TO:

SIGNATURE PAGE FOLLOWS

Do not lose or destroy this Deed of Trust or the Amended and Restate Note that it secures. Both must be delivered to the Trustee for cancellation before reconveyance will be made.

TRUSTOR:

PETROVICH PROPERTIES, LLC,
a California limited liability company

By: _____
Name:
Its:

The State of California

County of Sacramento

On _____, before me, _____, personally appeared [Name] who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[signature]

(This area for official notarial seal)



Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01054

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Allocation of Sewer Credits to Ice House LP for the Ice Blocks - Block II Project

Location: District 4

Recommendation: Pass a Resolution allocating 88.891 Economic Development Treatment Capacity Bank Credits to Ice House LP for the Ice Blocks - Block II Project located at 1800 18th Street and 1801 17th Street.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department

Presenter: None

Department: Economic Development Dept

Division: Citywide Development

Dept ID:

Attachments:

1-Description/Analysis

2-Resolution

City Attorney Review

Approved as to Form
Joseph Cerullo
11/23/2015 12:45:45 PM

Approvals/Acknowledgements

Department Director or Designee: Larry Burkhardt - 11/17/2015 4:19:51 PM

Description/Analysis

Issue Detail: The City's Economic Development Department recommends approval of the attached resolution allocating 88.891 Economic Development Treatment Capacity Bank Credits ("**Credits**") to Ice House LP for the project known as "Ice Blocks (Block II)," located at 1800 18th Street and 1801 17th Street (APNs 009-0095-010 and 009-0095-001). If the City Council allocates the requested 88.891 Credits, then the City will have 2,298.69 Credits remaining.

Policy Considerations: Included in the City's Economic Development Strategy goals is the support of physical development and investment in the City through efforts to create jobs, improve the quality of life, and provide the necessary infrastructure to attract development and businesses. Encouraging projects that promote job growth and creation is an important cornerstone of the City's economic-development goals. Within the City's General Plan as part of the economic-development goals, one of our commitments is to promote and support such projects to make Sacramento the most Livable City in America, as well as to support and encourage efforts to implement key development projects that meet the City's revitalization and redevelopment goals. Approval of the attached resolution serves to promote this City objective by creating new jobs, improving quality of life, and encouraging a development project that would revitalize and redevelop an area in the urban core.

Economic Impacts: The Ice Blocks project is estimated to have an economic impact of approximately \$57 million and will create approximately 338 jobs.

The indicated economic impacts are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilized the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. Actual impacts could differ significantly from the estimates and neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

Environmental Considerations: The Ice Blocks (Block 2) project was subject to environmental review (a Mitigated Negative Declaration) as part of its development – application approval.

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The Sacramento Regional County Sanitation District ("**SRCS**D") established an Economic Development Treatment Capacity Bank (the "**Bank**") in June 2000. Creation of the Bank was made possible by SRCSD's purchase of unused sewer capacity from industrial users (e.g., closed canneries). The Bank allocated the Credits to SRCSD's member agencies, which in turn allocate the Credits to new development projects in accordance with SRCSD's guidelines and their own guidelines.

Since 2001, the City has participated in the Bank under a series of agreements, the first of which was City Agreement No. 2001-054, a memorandum of understanding with SRCSD. As required by these agreements, the City Council has approved guidelines for allocating Credits, most recently by the adoption of Resolution No. 2006-457 in 2006.

The Economic Development / Commercial Guidelines state that the prospective project will be considered if it meets at least one of three conditions: it is a high job creation project with the creation of a minimum of 35 new full-time jobs; it is a locally owned and operated business and creates a minimum of three new full-time jobs; or it is a “catalyst project” (i.e., the City Council finds that the proposed project furthers economic development).

This application for 88.891 Credits meets the Council-approved guidelines for allocating Credits, because the Ice Blocks project is considered to be a “catalyst project.” It will facilitate construction of 60,000 square feet of retail space, 50,000 square feet of office space, and 150 units of high-density urban housing.

Financial Considerations: The Bank was made possible by SRCSD’s purchase of unused sewer capacity from industrial users. SRCSD’s member agencies were allocated the Credits to use in accordance with SRCSD’s guidelines and their own guidelines. There is no impact or cost to the General Fund in granting these credits.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO.

Adopted by the Sacramento City Council

ALLOCATING 88.891 ECONOMIC DEVELOPMENT TREATMENT CAPACITY BANK CREDITS TO THE ICE BLOCKS (BLOCK 2) PROJECT, LOCATED AT 1800 18TH STREET AND 1801 17TH STREET (DISTRICT 4)

BACKGROUND

- A. On March 20, 2001, the City Council approved City Agreement No. 2001-054, thereby initiating the City’s participation in the Economic Development Treatment Capacity Bank (the “**Bank**”) established by the Sacramento Regional County Sanitation District (“**SRCS**D”). The City Council subsequently approved amendments to City Agreement No. 2001-054 on June 20, 2006, and October 8, 2013.
- B. Under City Agreement No. 2001-054 as amended, SRCS D transferred Economic Development Treatment Capacity Bank Credits (“**Credits**”) to the Bank and then allocated the Credits to the jurisdictions that were participating in the Bank, including the City.
- C. Resolution No. 2006-457 approved guidelines for the City Council’s allocation of Credits for commercial development, Downtown, low-income, and infill / transit-oriented development projects, as well as a contingency usage.
- D. The Bank has allocated to the City a total of 8,993.1 Credits. As of November 10, 2015, the City had allocated 6,606.019 Credits to eligible projects.
- E. Ice House LP (the “**Recipient**”) is the developer of the Ice Blocks (Block II) project located at 1800 18th Street and 1801 17th Street in Sacramento (009-0095-010 and 009-0095-001) (the “**Project**”). The Project falls within the guidelines for granting Credits because it is an infill development that qualifies as “infill” and “residential” under the City’s General Plan.

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

- Section 1. The City Council finds that the Project meets the approved guidelines for allocation of Credits. Accordingly, the City Council hereby allocates a maximum of 88.891 Credits to the Recipient for use on the Project.
- Section 2. Credits allocated under this resolution will expire automatically and without notice if either of the following occurs:

- (a) the Recipient has not paid its requisite sewer-impact fee to SRCSD within one year after the date of this resolution; or
- (b) the Recipient has not been issued a building permit for the Project within one year after the date of this resolution.



Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01055

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Allocation of Sewer Credits to Northwest Land Park, LLC for The Mill at Broadway Project

Location: District 4

Recommendation: Pass a Resolution allocating 150.750 Economic Development Treatment Capacity Bank Credits to Northwest Land Park, LLC for The Mill at Broadway Project located at 2640 5th Street.

Contact: Sabrina Tefft, Project Manager, (916) 808-3789, Economic Development Department

Presenter: None

Department: Economic Development Dept

Division: Citywide Development

Dept ID:

Attachments:

1-Description/Analysis

2-Resolution

3-Background

City Attorney Review

Approved as to Form

Joseph Cerullo

11/24/2015 11:05:40 AM

Approvals/Acknowledgements

Department Director or Designee: Larry Burkhardt - 11/13/2015 7:47:42 AM

Description/Analysis

Issue Detail: The Economic Development Department recommends approval of the attached resolution allocating 150.75 Economic Development Treatment Capacity Bank Credits (“Credits”) to Northwest Land Park, LLC for the project known as “The Mill at Broadway Project” (formerly Northwest Land Park), located at 2870 3rd Street and 2640 5th Street in Sacramento (APNs 009-0030-008, 009-0030-019, 009-0286-013, and 009-0286-014).

On December 16, 2014, the City Council allocated 150.75 sewer credits to Northwest Land Park, LLC for The Mill at Broadway Project (formerly Northwest Land Park) (Resolution No. 2014-0406). That allocation expires on December 16, 2015, because Northwest Land Park, LLC did not pay the sewer-impact fee to SRCSD within one year after the date of allocation, as required by the guidelines for the Economic Development Treatment Capacity Bank Sewer Credit Program. Northwest Land Park, LLC is ready to proceed with this project and is reapplying for the 150.75 sewer credits. Since the City Council had previously allocated the requested 150.75 Credits, reallocating these Credits will not reduce the current 2,367.581 Credits remaining.

Policy Considerations: Encouraging projects that promote urban infill development is an important cornerstone of the City’s economic-development goals. The City also supports such projects to make Sacramento the most Livable City in America. Approval of the attached resolution will promote housing that furthers the City’s affordable-housing and infill-development goals.

Economic Impacts: The Mill at Broadway project is estimated to have an economic impact of approximately \$103 million and will create approximately 741 jobs.

The indicated economic impacts are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilized the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. Actual impacts could differ significantly from the estimates and neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

Environmental Considerations: The Mill at Broadway Project was subject to environmental review (an Environmental Impact Report) as part of its development-application approval.

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The Sacramento Regional County Sanitation District (“SRCSD”) established an Economic Development Treatment Capacity Bank (the “Bank”) in June 2000. Creation of the Bank was made possible by SRCSD’s purchase of unused sewer capacity from industrial users (e.g., closed canneries). The Bank allocated the Credits to SRCSD’s member agencies, which in turn allocate the Credits to new development projects in accordance with SRCSD’s guidelines and their own guidelines.

Since 2001, the City has participated in the Bank under a series of agreements, the first of which was City Agreement No. 2001-054, a memorandum of understanding with SRCSD. As required by these agreements, the City Council has approved guidelines for allocating Credits, most recently by the adoption of Resolution No. 2006-457 in 2006. This application for 150.75 Credits meets the Council-approved guidelines for allocating Credits, because The Mill at Broadway Project is a development project that qualifies as urban, infill, and residential under the City's General Plan. The project will facilitate construction of 201 infill-development homes in the Central City Community Plan Area, creating a sustainable and livable community.

Financial Considerations: The Bank was made possible by SRCSD's purchase of unused sewer capacity from industrial users. SRCSD's member agencies were allocated the Credits to use in accordance with SRCSD's guidelines and their own guidelines. There is no impact or cost to the General Fund in granting these credits.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO.

Adopted by the Sacramento City Council

ALLOCATING 150.75 ECONOMIC DEVELOPMENT TREATMENT CAPACITY BANK CREDITS TO NORTHWEST LAND PARK, LLC FOR THE MILL AT BROADWAY PROJECT, LOCATED AT 2570 3RD STREET AND 2640 5TH STREET (DISTRICT 4)

BACKGROUND

- A. On March 20, 2001, the City Council approved City Agreement No. 2001-054, thereby initiating the City’s participation in the Economic Development Treatment Capacity Bank (the “**Bank**”) established by the Sacramento Regional County Sanitation District (“**SRCS**D”). The City Council subsequently approved amendments to City Agreement No. 2001-054 on June 20, 2006, and October 8, 2013.
- B. Under City Agreement No. 2001-054 as amended, SRCS D transferred Economic Development Treatment Capacity Bank Credits (“**Credits**”) to the Bank and then allocated the Credits to the jurisdictions that were participating in the Bank, including the City.
- C. Resolution No. 2006-457 approved guidelines for the City Council’s allocating of Credits for commercial development, Downtown, low-income, and infill / transit-oriented development projects, as well as a contingency usage.
- D. The Bank has allocated to the City a total of 8,993.1 Credits. As of November 1, 2014, the City had allocated 6,625.519 Credits to eligible projects.
- E. Northwest Land Park, LLC (the “**Recipient**”) is the developer for The Mill at Broadway Project at 2570 3rd Street and 2640 5th Street in Sacramento (APNs 009-0030-08, 009-0030-019, 009-0286-013, and 009-0286-014) (the “**Project**”), which will include 201 multi-family dwelling units. The Project falls within the guidelines for allocating Credits because it is a development that qualifies as “urban,” “infill,” and “residential” under the City’s General Plan.

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

- Section 1. The City Council finds that the Project meets the approved guidelines for allocating Credits. Accordingly, the City Council hereby allocates a maximum of 150.75 Credits to the Recipient for use on the Project.
- Section 2. Credits allocated under this resolution will expire automatically and without notice if either of the following occurs:

- (a) the Recipient has not paid its requisite sewer-impact fee to SRCSD within one year after the date of this resolution; or
- (b) the Recipient has not been issued a building permit for the Project within one year after the date of this resolution.

BACKGROUND:

On December 16, 2014, the City Council allocated 150.75 sewer credits to Northwest Land Park, LLC for the Northwest Land Park project (Resolution No. 2014-0406). That allocation expires on December 16, 2015, because Northwest Land Park, LLC did not pay the sewer-impact fee to SRCSD within one year after the date of allocation, as required by the guidelines for the Economic Development Treatment Capacity Bank Sewer Credit Program. Northwest Land Park, LLC is ready to proceed with this project, now renamed The Mill at Broadway, and is reapplying for the 150.75 sewer credits.

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01056

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Contract Amendment for City Attorney Compensation Adjustment

Location: Citywide

Recommendation: Pass a Motion: 1) amending the City's contract with the City Attorney to reflect a 2% salary increase for a total annual salary of \$240,087.69, and 2) amending section 7 of the City's contract to achieve consistency with the Personnel Resolution for Unrepresented Employees.

Contact: Barbara A. Dillon, Interim Director, (916) 808-7173, Human Resources Department

Presenter: None

Department: Human Resources

Division: HR Administration

Dept ID:

Attachments:

1-Description/Analysis

2-Exhibit A Fourth Amendment to City Attorney Employment Agreement

3-Attachment 1 City Attorney Employment Agreement

City Attorney Review

Approved as to Form

Brett Witter

11/20/2015 9:48:30 AM

Approvals/Acknowledgements

Department Director or Designee: Barbara A. Dillon - 11/10/2015 2:09:34 PM

Description/Analysis

Issue Detail: On October 30, 2012, the City Council approved the City Attorney Employment Agreement (agreement number 2012-0924, Attachment 1). The agreement was amended on January 7, 2014, to reflect a salary increase, on April 7, 2014, to reflect a change in benefits, and again on November 29, 2014 to reflect a salary increase. In addition, as a term of the 2015 Personnel Resolution for Unrepresented Employees, the City Attorney, as well as the other Charter Officers and most management level employees, received a 1% salary increase to offset a 1% increase to their PERS contributions for a total 8% member contribution effective June 27, 2015.

The City Council evaluated the performance of the City Attorney on October 27, 2015. Based on a positive evaluation, the City Council desires to amend the agreement and adjust the compensation of the City Attorney to reflect a 2% salary increase effective November 28, 2015.

The Fourth Amendment to the City Attorney Agreement is attached as Exhibit A. The amendment harmonizes the Personnel Resolution with the Agreement as it pertains to PERS contributions, and also reflects the 2% merit increase. In all other respects, the Agreement remains unchanged.

Policy Considerations: The City Council may adjust the salary of the appointive officers upon evaluation of performance.

Economic Impacts: None.

Environmental Considerations: Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: From time to time the City Council may review the performance of its appointive officers and recommend a compensation adjustment for outstanding performance.

Financial Considerations: The City Attorney position is an existing budgeted full-time equivalent position. In the current year, the department will cover the costs associated with this change. The City Attorney's budget will be adjusted to reflect the adjusted compensation in FY 2016/17 Proposed Budget.

Local Business Enterprise (LBE): Not applicable.

FOURTH AMENDMENT TO
EMPLOYMENT AGREEMENT
(CITY ATTORNEY)

The City of Sacramento ("City") and James Sanchez ("Employee"), as parties to that certain Employment Agreement designated as Agreement Numbers 2012-0924; 2012-0924-1; 2012-0924-2; and 2012-0924-3 (collectively "Agreement") hereby supplement and modify the Agreement as follows:

Paragraph 5 of the Agreement is amended to reflect a 2% merit increase for an annual salary of Two Hundred Forty Thousand Eighty Seven and 69/100ths Dollars (\$240,087.69) per year commencing on November 28, 2015.

Paragraph 7.a.1. of the Agreement is amended as follows:

(1) that effective June 27, 2015, Employee received a 1% salary increase as an offset against a one percent (1%) increase in the Employee's PERS contribution for a total of an eight percent (8%) member contribution to the applicable PERS retirement plan;

Except as amended above, all other terms and conditions of the Agreement, as amended, remain unchanged and in full force and effect.

EMPLOYEE

James Sanchez

CITY OF SACRAMENTO

By: _____
Kevin Johnson, Mayor

Approved as to Form:

Attest:

Brett M. Witter
Supervising Deputy City Attorney

Shirley Concolino
City Clerk



Requires Council Approval: No YES Meeting:

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Outside Agency	PO Type: Select PO Type	Attachment: Original No.:
\$ Not to Exceed: \$ 224,000.00		Original Doc Number:
Other Party: James Sanchez		Certified Copies of Document::
Project Name: City Attorney Services		Deed: <input type="checkbox"/> None <input type="checkbox"/> Included <input type="checkbox"/> Separate
Project Number:	Bid Transaction #:	E/SBE-DBE-M/WBE:

Department Information

Department: City Attorney Division:

Project Mgr: Supervisor:

Contract Services: Date: Division Mgr:

Phone Number: 808-5346 Org Number: 03001011

Comment:

Review and Signature Routing

Department	Signature or Initial	Date
Project Mgr:		
Accounting:		
Contract Services:		
Supervisor:		
Division Manager:		

City Attorney Signature or Initial Date

City Attorney: _____

Send Interoffice Mail Notify for Pick Up

Authorization Signature or Initial Date

Choose Director
Department Director: _____

City Mgr: yes No

Contract Cover/Routing Form: Must Accompany ALL Contracts; however, is not part of the contract. (01-01-09)

For City Clerk Processing

Finalized:
Initial: *ORB*
Date: *1/5-12*
Imaged:
Initial: *VE*
Date: *1/15/12*

Title: City Attorney Services
Other Party: James Sanchez

2012-0924

Received:
(City Clerk Stamp Here)



Title: City Attorney Services
Other Party: James Sanchez

EMPLOYMENT AGREEMENT

(CITY ATTORNEY)

THIS AGREEMENT is made and entered into this 30th day of October, 2012, by and between the City of Sacramento, a California charter city and municipal corporation ("City"), and James Sanchez ("Employee").

A. On **October 23, 2012**, the governing body of the City of Sacramento (hereinafter referred to as "the City Council"), appointed Employee as City Attorney effective **December 1, 2012** ("Start Date"); and

B. City Council and Employee desire to memorialize in this Agreement certain benefits, terms and conditions of employment of Employee.

In consideration of the mutual covenants contained herein and the foregoing recitals that are incorporated into this Agreement, the parties agree as follows:

1. Employment. City agrees to employ Employee as City Attorney of the City of Sacramento commencing on the Start Date, to serve at the pleasure of the City Council subject to the terms and conditions set forth in this Agreement.

2. Term.

a. This Agreement shall be in effect on the date first written above until **November 30, 2016** ("End Date") unless the Agreement is earlier terminated in accordance with its terms.

b. No earlier than 60 calendar days and no later than 45 calendar days prior to the End Date, Employee may send City and City may send Employee written notice of a request to renegotiate the terms of this Agreement. Upon receipt of such notice both parties will make a good faith effort to renegotiate the terms of the Agreement prior to the End Date.

c. If neither party sends the written notice provided for in Section 2 (b) or if the parties fail to reach agreement on renegotiated terms prior to the End Date, then the End Date shall automatically extend by one ninety (90) calendar day period. The Agreement shall terminate at the end of the ninety calendar day period if a renegotiated Agreement has not been approved by both parties.

3. Duties. Commencing on the Start Date, Employee shall perform the functions and duties

of the City Attorney as specified in Section 72 of the City Charter and such other legally permissible and proper duties and functions consistent with the office of the City Attorney, as City Council assigns.

4. Performance Evaluation. The City Council shall conduct not less than one performance evaluation of Employee per year.

5. Salary. City agrees to pay the Employee for services rendered a starting salary in the sum of Two Hundred Twenty-Four Thousand dollars (\$224,000.00) per year commencing on the Start Date, payable in installments at the same time and in the same manner as other career City employees. City agrees to increase the salary base and other benefits of Employee, by the same percentage and amounts, and at the same time and same manner, as cost of living adjustments granted to other Charter Officers. Additionally, in recognition of Employee's accomplishments and outstanding performance, City Council may grant merit increases and equity adjustments to Employee from time-to-time.

6. Benefits/Retirement. The sums payable to Employee under this Agreement are in addition to all other fringe benefits, retirement plans and contributions, expense and subsistence allowance, leaves, reimbursements and allowances, and other perquisites provided to Charter Officers ("Charter Officer Benefits") under City Council Resolution No. 2012-255--The Personnel Resolution Covering Unrepresented Officers and Employees ("Personnel Resolution") (or any superseding resolution) in effect from time-to-time, except where inconsistent with the terms of this Agreement. Any increases to Charter Officer Benefits that City approves from time-to-time shall apply to Employee. Any decreases in Charter Officer Benefits that City approves from time-to-time shall not apply to Employee, except as otherwise specified in this agreement.

7. Supplemental Benefits/Terms.

a. PERS/401(a)/Technology. Notwithstanding the terms of the Personnel Resolution, Employee agrees: (1) to pay the seven percent (7%) member contribution for the applicable PERS retirement plan, and further agrees to pay any increase in member contribution mandated by state law, or any increase in member contribution paid by all other Charter Officers; (2) that Employee shall not receive a four percent (4%) or any match by City to a 401(a) account; and (3) that Employee shall receive the technology allowance for Charter Officers pursuant to section 8.8 of the Personnel

Resolution.

b. Leave. In addition to the leave provided in the Personnel Resolution, on Employee's Start Date City shall credit Employee with: fifteen (15) days Management Leave and ten (10) days Sick Leave.

c. Auto Allowance. City shall pay Employee a monthly auto allowance of five hundred dollars (\$500).

d. Deferred Compensation. City shall contribute fifteen thousand dollars (\$15,000) annually to Employee's 457(b) Deferred Compensation account deposited during two pay periods per month in 24 equal installments.

e. Professional Associations: The City shall pay dues and/or membership fees for Employee for professional associations that are related to the position and duties held by the Employee, subject to budget appropriations.

8. Termination.

a. Mutual Consent. This Agreement may be terminated at any time upon the mutual, written agreement of both City and Employee.

b. By Employee. Employee may terminate this Agreement at any time by giving City not less than thirty days (30) prior written notice.

c. By City without Cause.

(1) City may terminate Employee without cause, as specified in Section 75 of the City Charter.

(2) City shall pay Employee the Severance Payment upon termination of Employee without cause.

d. By City for Cause. City may terminate Employee for cause, without obligation to make the Severance Payment to Employee, subject to all of the following:

(1) Prior to terminating Employee under this subsection (d), City shall give Employee at least ten (10) working days prior written notice of the charges constituting the cause for termination.

(2) Within the ten-day period, but not earlier than five working days after the notice has been given, City Council shall meet with Employee in closed session lawfully agendized under the

Brown Act and give Employee an opportunity to address City Council regarding the charges consistent with the Brown Act. After hearing Employee’s response to the charges, City Council shall make a decision as to whether to terminate Employee and shall inform Employee in writing of its decision.

(3) “For cause” means Employee’s material breach of this Agreement, conviction of a misdemeanor involving moral turpitude or felony under California law (City may place Employee on leave pending resolution of criminal charges brought against Employee), or a final judicial or administrative decision finding that Employee personally committed unlawful acts of sexual harassment or discrimination against a City official or employee.

e. Severance Payment. The Severance Payment is equal to the sum of:

(1) Six (6) months of Employee’s then current salary, and (2) six (6) months of COBRA health insurance payments for Employee and covered dependents.

9. Relocation Expenses. The City agrees to reimburse Employee for moving expenses associated with relocation in connection with City employment. Relocation expenses means the actual cost of relocating Employee, his family and their belongings from Fresno, California to Sacramento, California, as well as incidental expenses associated with the relocation such as storage and insurance. The relocation expenses shall include only those expenses associated with relocation that are approved in writing by the City Manager. Employee agrees to provide original receipts for all reimbursement claims.

10. Repayment of Relocation Expenses. In consideration for the City of Sacramento reimbursing the costs of moving, the Employee agrees to remain employed by City for a period of thirty-six months. If Employee is terminated by City, employee is not obligated to repay relocation expenses. If Employee leaves employment prior to completion of that period, Employee will be liable to City for all moving expenses which City has paid in connection with such expenses on a pro rata basis as follows:

- a. $\text{Moving expenses}/36 = \text{monthly moving expense ("MME")}$
- b. $\text{MME} \times (36 - \text{number of months worked}) = \text{reimbursement.}$

11. Nondiscrimination. Employee agrees not to unlawfully discriminate in the performance of Employee’s functions and duties on the grounds of or because of race, color, religion, sex,

national origin, age, marital status, physical disability, sexual orientation or any other characteristic protected under applicable law.

12. General Provisions.

a. Entire Agreement. This written Agreement contains the entire understanding between the parties as to the subject matter hereof and supersedes all prior and contemporaneous oral and written understandings or agreements of the parties and as such, is fully integrated. No promise, representation, warranty or covenant not included in this Agreement has been or is relied on by any party.

b. Severability. If any portion of this Agreement or the application thereof is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall not be affected and shall remain in full force and effect to the greatest extent permitted by law.

c. Amendments. This Agreement may be amended only in writing and duly authorized and executed by both parties.

d. Governing Law and Venue. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of California. Litigation arising out of or connected with this Agreement shall be instituted and maintained in the County of Sacramento.

13. Notices. Notices pursuant to this Agreement shall be given by depositing such notice in the custody of the United States postal service, postage prepaid, addressed as follows:

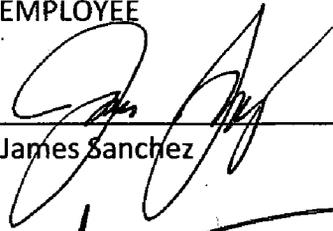
City Clerk
City of Sacramento
915 I Street
Sacramento, CA 95814

James Sanchez
[REDACTED]
[REDACTED]

Alternatively, any notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice at the date such notice is given. Notice shall be deemed given as of the date of personal service or on the third day after deposit of such written notice with the United States postal service.

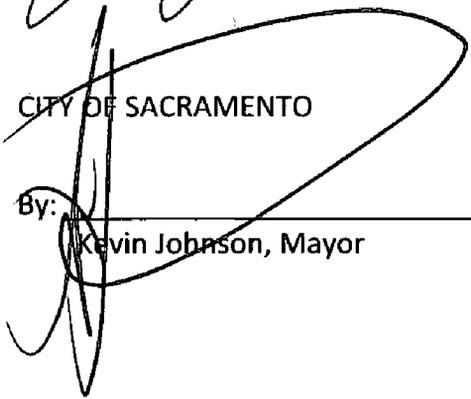
The parties have executed this Agreement the day and year first written above.

EMPLOYEE



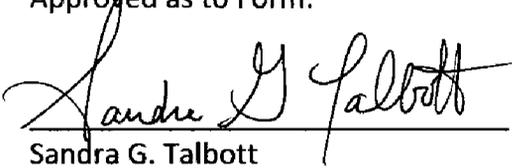
James Sanchez

CITY OF SACRAMENTO

By: 

Kevin Johnson, Mayor

Approved as to Form:



Sandra G. Talbott
Interim City Attorney

Attest:



Shirley Concolino
City Clerk

11-5-12

Meeting Date: 12/1/2015

Report Type: Consent

Report ID: 2015-01093

Title: Compensation Adjustment for City Auditor and City Clerk Positions

Location: Citywide

Recommendation: Pass a Motion approving a 2% salary increase for the City Auditor and City Clerk.

Contact: Barbara Dillon, Interim Director, (916) 808-7173, Human Resources

Presenter: None

Department: Human Resources

Division: HR Administration

Dept ID: 08001011

Attachments:

1-Description/Analysis

City Attorney Review

Approved as to Form
Sandra Talbott
11/24/2015 5:08:17 PM

Approvals/Acknowledgements

Department Director or Designee: Barbara A. Dillon - 11/24/2015 3:36:19 PM

Description/Analysis

Issue Detail: The City Council evaluated the performance of the City Auditor and City Clerk in November 2015. Effective June 27, 2015, other management and Charter positions, including the City Auditor and City Clerk, received a 1% salary increase to offset an increase to the PERS contribution of 1% for a total of an 8% member contribution. In recognition of the employees' accomplishments and outstanding performance, the City Council desires to adjust the compensation of the City Auditor and City Clerk to reflect a 2% salary increase effective December 12, 2015. These compensation adjustments do not exceed the salary range for the associated position.

Policy Considerations: The City Council may adjust the salary of appointive officers upon evaluation of performance.

Economic Impacts: None.

Environmental Considerations: Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: From time to time, the City Council may review the performance of its appointive officers and recommend a compensation adjustment for outstanding performance.

Financial Considerations: The City Auditor and City Clerk positions are existing budgeted full-time equivalent positions. In the current year, the departments will cover the costs associated with this change. The Auditor and Clerk's budgets will be adjusted to reflect the adjusted compensation in the Fiscal Year 2016/17 Proposed Budget.

Local Business Enterprise (LBE): Not applicable.



Meeting Date: 12/1/2015

Report Type: Public Hearing

Report ID: 2015-00970

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Applicant Appeal: Jessie Avenue Subdivision Tentative Map (Noticed 11/20/2015)

Location: Jessie Avenue (West of Dry Creek Road and north of Interstate 80), District 2

Recommendation: Conduct a public hearing and upon conclusion pass 1) a Resolution approving an addendum to a Mitigated Negative Declaration (MND) and a Mitigation Monitoring Plan (MMP); and 2) a Resolution approving a tentative map to subdivide approximately 27.29 acres into 146 parcels for 144 single family lots, a park/detention basin and a landscape lot; and Site Plan and Design Review with deviations for a tentative map.

Contact: Teresa Haenggi, Associate Planner, (916) 808-7554; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

Presenter: Teresa Haenggi, Associate Planner, (916) 808-7554, Community Development Department

Department: Community Development Dept

Division: Current Planning

Dept ID:

Attachments:

- 01-Description/Analysis
- 02-Background
- 03-Resolution - CEQA Finding
- 04-Exhibit A Mitigation Monitoring Plan
- 05-Exhibit B Addendum and Approved MND
- 06-Resolution - Entitlements and Conditions
- 07-Exhibit A-Tentative Map and Utilities Map
- 08-Approved Tentative Map (2006)
- 09-Comment Letters
- 10-Site Photographs

City Attorney Review

Approved as to Form
Kourtney Burdick
11/19/2015 11:38:22 AM

Approvals/Acknowledgements

Department Director or Designee: Ryan Devore - 11/5/2015 3:53:26 PM

Description/Analysis

Issue Detail: This project is before the City Council on an appeal from the applicant. The Jessie Avenue Tentative Map project went to the Planning and Design Commission on October 8, 2015. After much discussion on the adequacy of the traffic study, a motion to approve the project failed. The applicant requested that the Commission vote on a motion to deny the project, opting to appeal the project to Council instead of continuing the item and returning to the Planning and Design Commission. The Commission then voted to deny the project.

The applicant is proposing to subdivide approximately 27.29 acres into 144 residential parcels, a joint park and detention basin, and a landscape lot in the Single Unit or Duplex Dwelling (R-1A) and Agriculture-Open Space (A-OS) zones for future residential development. The project site is located along Jessie Avenue, west of Dry Creek Road and north of Interstate 80.

In June 2006, the Planning Commission approved the project, then known as the Dunmore-Jesse Avenue Project (P04-079), for the subdivision of 188 lots, including 184 single-unit dwellings and a joint park and detention basin. The Dunmore-Jesse Avenue project also included a general plan amendment, community plan amendment, rezone, and inclusionary housing plan, which were approved by the City Council in October 2006. The previously approved tentative map is still valid, but has not been recorded; it is still an active entitlement that does not expire until June 22, 2016. The applicant is proposing to revise the approved tentative map to reconfigure the lots to a more traditional pattern where the single-unit dwelling lots face the street instead of the cluster housing layout that was approved in 2006. In doing so, the number of single-unit dwelling lots, as proposed, is reduced from 184 to 144. The revised tentative map continues to offer a joint neighborhood park and detention basin.

Staff has received written comments from the Robla Park Community Association that expressed concerns that there would be project-related impacts regarding traffic, density, and incompatibility with the existing neighborhood. Staff also received a letter of support from Viva Supermarket that stated the proposed Jessie Avenue Tentative Map project would bring stability to the neighborhood.

The Background Summary, provided in Attachment 2, provides more discussion and entitlement analysis. Discussion addressing the community's concerns is also addressed.

Policy Considerations: The General Plan defines the suburban residential designations as continuing the residential development pattern of existing neighborhoods, while enhancing existing areas with pedestrian safety infrastructure, connectivity, and housing choices. Key urban form characteristics envisioned for the suburban neighborhood designations include the following:

- Predominantly single-family residential scale
- Higher-density uses near centers or major transit routes
- Lot coverage generally not exceeding 60 percent
- Building heights generally ranging from one to three stories
- A street system providing distribution of traffic and route flexibility
- Neighborhood parks within walking distance of local residents
- A range of housing types and designs consistent with existing forms and patterns
- Street design balancing pedestrian and bicycle use with vehicular circulation by incorporating traffic-calming measures and more attractive and functional pedestrian/bicycle facilities
- Consistent patterns of street trees providing shade and enhancing character and identity

The Jessie Avenue Tentative Map project is consistent with the goals and policies of the General Plan, because it continues the pattern of single-family development of the existing neighborhood, while providing a density that is consistent with the General Plan's sustainable practices of developing at a higher density to reduce the impacts on resources and utilizing existing infrastructure. Also, this project contributes to the diversity of housing types provided in the area, and will provide access to a new neighborhood park.

Additional General Plan analysis is provided in the Background section (Attachment 2).

Economic Impacts: None.

Environmental Considerations: The Community Development Department, Environmental Planning Services has reviewed the project and has prepared an Addendum to the previously adopted Dunmore-Jessie Project (P04-079) Mitigated Negative Declaration in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164. The original project was approved by the City Council on October 17, 2006. The project evaluated in the Mitigated Negative Declaration (MND) included a 27.29 acre parcel with 184 residential units, a neighborhood park, two landscape lots, and one detention basin in the Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones.

Due to the proposed reduction in residential units from 184 units to 144 units in comparison to the originally approved project, impacts beyond those identified and analyzed in the Dunmore-Jessie IS/MND would not result. Overall, the proposed modifications to the project would not result in any new information of substantial importance that would have new, more severe impacts, new mitigation measures, or new or revised alternatives from what was identified for the original project in the IS/MND. As such, the proposed project

would not result in any conditions identified in CEQA guidelines section 15162, and a subsequent MND is not required.

An addendum has been prepared to address minor technical changes resulting from the project modification. The mitigation monitoring program would continue to apply to the project.

The Addendum and the Initial Study/Mitigated Negative Declaration is located on the Community Development Department's Environmental Impact Report webpage: <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports.aspx>

Sustainability: The Jessie Avenue Tentative Map project is consistent with the goals and policies of the General Plan, because it continues the pattern of single-family development of the existing neighborhood while providing a density that is consistent with the General Plan's sustainable practices of developing at a higher density to reduce the impacts on resources and utilizing existing infrastructure. Also, this project contributes to the diversity of housing types provided in the area, and will provide access to a new neighborhood park.

Commission/Committee Action: This item was heard at the Planning and Design Commission on October 8, 2015. After taking public testimony, the Commission had a lengthy discussion with a focus on the adequacy of the traffic analysis. The motion to approve the project failed when the motion received a vote of 6 ayes and 3 nays (4 absent). The project required 7 votes for approval. After the initial action failed, the Commission considered continuing the item to a later date to allow for additional traffic studies.

Ultimately, the applicant requested that the Commission vote to deny the project, opting to appeal the project to Council instead of returning to the Planning and Design Commission. The Commission then voted on a motion to deny the project. That motion was approved with 9 supporting votes.

On October 16, the project applicant appealed the Planning and Design Commission's decision to the City Council.

Rationale for Recommendation: Staff recommends the Council approve the proposed Jessie Avenue Tentative Map because it: 1) develops a large, vacant lot in the North Sacramento Area and makes necessary improvements to the area's infrastructure; 2) contributes to sustainability goals by offering a higher density, single-unit dwelling development; 3) provides additional residential dwellings in the Robla area; 4) provides home-ownership opportunities; 5) provides a neighborhood park for existing and future residents; and 6) is consistent with the General Plan Designations of Suburban Neighborhood Low and Medium Density and the Single-Unit and Duplex Dwelling (R-1A) zone.

Financial Considerations: This action has no fiscal considerations.

Local Business Enterprise (LBE): No goods or services are being purchased under this report.

Background Summary

The applicant is proposing to subdivide approximately 27.29 ± acres into 144 residential parcels, a joint park and detention basin, and a landscape lot in the Single Unit or Duplex Dwelling (R-1A) and Agriculture-Open Space (A-OS) zones for future residential development. The project site is located along Jessie Avenue, west of Dry Creek Road and north of Interstate 80. Staff is recommending approval of the project because it: 1) develops a large, vacant lot in the North Sacramento Area and makes necessary improvements to the infrastructure; 2) contributes to sustainability goals by offering a higher density, single-unit dwelling development; 3) provides additional residential dwellings in the Robla area; 4) provides home-ownership opportunities; 5) provides a neighborhood park for existing and future residents; and 6) is consistent with the General Plan Designations of Suburban Neighborhood Low and Medium Density and the Single-Unit and Duplex Dwelling (R-1A) zone.

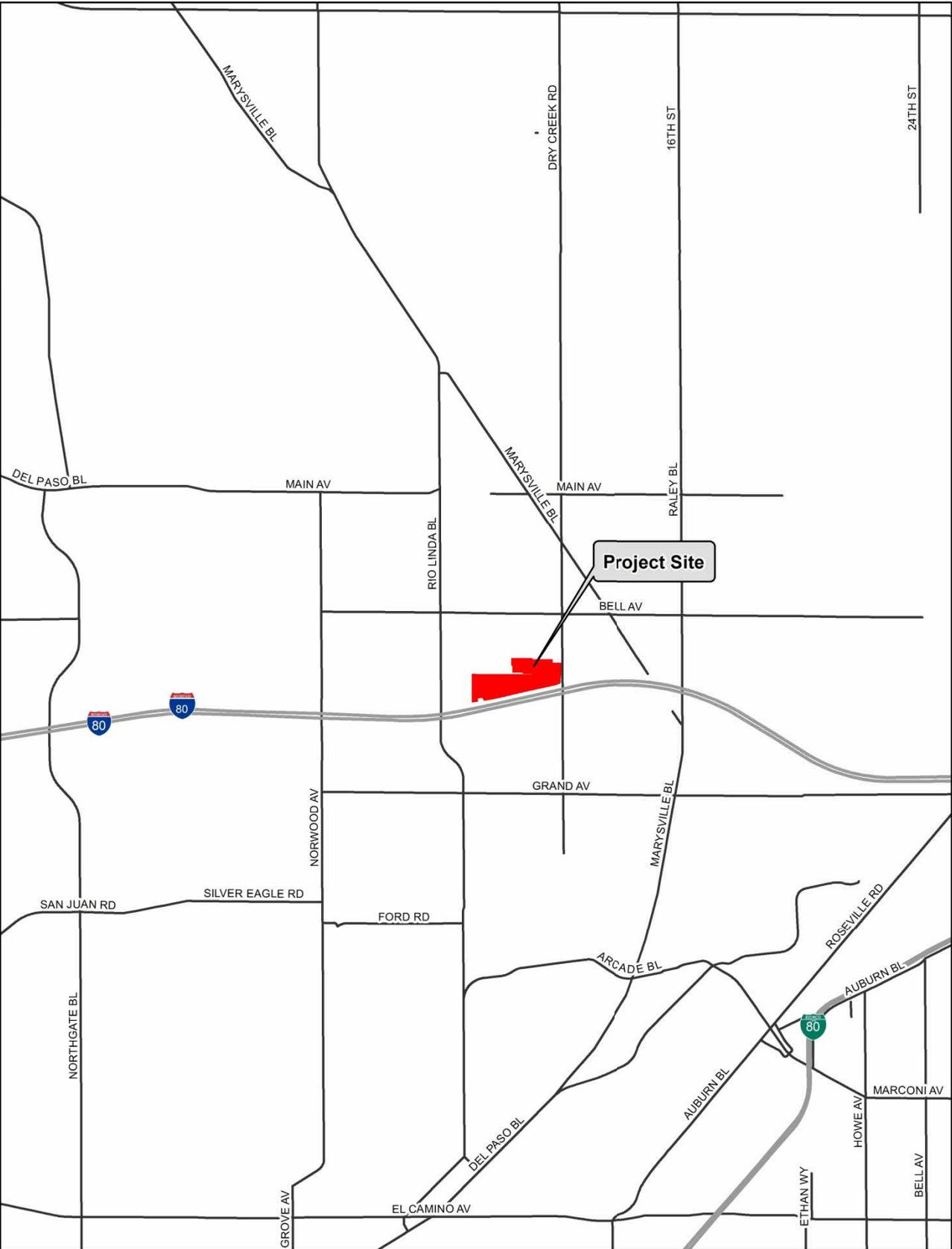
General Plan designation:	Suburban Neighborhood Low Density & Suburban Neighborhood Medium Density
PUD designation (if applicable):	None
Existing zoning of site:	Single Unit or Duplex Dwelling (R-1A) & Agriculture-Open Space (A-OS) zones
Existing use of site:	Vacant
Property area:	27.29± gross/16.64± net
Proposed Density:	8.7 du/na

Detailed Information

In June 2006, the Planning Commission approved a tentative map for a project known as Dunmore-Jesse Avenue (P04-079) for the subdivision of 188 lots, including 184 single-unit dwellings and a joint park and detention basin. The Dunmore-Jesse Avenue project also included a general plan amendment, community plan amendment, rezone, and inclusionary housing plan that were approved by Council in October 2006. The 2006 tentative map (See Attachment 8) is still valid but has not yet been recorded. The applicant is now proposing a revised map that has a similar street pattern, but reduces the number of lots to 146 lots, including 144 lots for single-unit dwellings. The project also offers a joint park and detention basin. The chart below provides a summary of the key differences between the approved map and the proposed map.

	Approved TM	Proposed TM
Number of Lots for Single Unit Dwellings	184	144
Density	12 du/na	8.7 du/na
Jessie Ave./Dry Creek Road Connection	Yes	No
Layout	77 traditional lots & 107 cluster lots	All lots have street frontage in a traditional layout

Figure 3: Vicinity Map



Outreach and Comments

The applicant has met with the Robla Park Community Association on April 29, 2015, for initial feedback on the project. City staff attended this meeting to provide an overview of the entitlement process. The applicant then returned to meet with the community on May 27, 2015, to continue discussions.

The Robla Park Community Association provided a letter that captured the concerns of the community members who participated in the outreach discussions (See Attachment 8). The Association's concerns include the following:

- The proposed project is inconsistent with the existing neighborhood, because the project's density is higher and the lots are smaller than what currently exists;
- Jessie Avenue is not wide enough to allow cars to pass;
- The additional residential units would result in traffic issues; and
- The parcel to the west of the project (south of Jessie Avenue) has livestock (e.g. horses) that would be incompatible with the proposed use.

At the October 8th, 2015 Planning and Design Commission meeting, the public reiterated these concerns. They also had additional concerns, including the following:

- Adequacy of street lighting;
- Functionality of garbage collection; and
- Concern about identifying the legal property lines.

The key points the Planning and Design Commission discussed were the following:

- The adequacy of using the 2006 traffic study for the project currently being proposed;
- The overall impact of traffic on the existing neighborhood;
- The Jessie Avenue connection to Dry Creek Road that is not included in the proposed tentative map, but is in the approved tentative map; and
- Community outreach.

In addition to these discussions, one of the commissioners who supported the project stated the project will be beneficial to the neighborhood, because it provides home-ownership opportunities and the new residents will support local businesses, schools, and other neighborhood amenities. The key issues identified by the community and at the Planning and Design Commission hearing are discussed below.

Key Issues

Traffic Study

The traffic study was initially conducted for the Dunmore-Jesse Avenue project (P04-079) that was approved in 2006. The overall road configuration for both the proposed project (P14-069) and the approved project are similar. The primary difference in road configuration is that the prior tentative map had Jessie Avenue connect to Dry Creek Road. The proposed tentative map also differs from the approved map in that it proposes fewer dwelling units.

Public Works Department reviewed the proposed project. A Traffic Assessment, dated 4-9-2015, that discusses the proposed project related to the approved 2006 project was included in the Mitigated Negative Declaration prepared for the project and posted on the City of Sacramento website. The Traffic Assessment provided information about the changes in project trip generation and distribution. In addition there was an evaluation about access changes related to not extending Jesse Ave to Dry Creek Road and how traffic would distribute to the nearby roadway system.

In summary, Department of Public Works determined that traffic impacts of the project is expected to be less than the defined impacts from the approved 2006 project and the traffic study prepared for the 2006 project is adequate for the currently proposed project for the following reasons below:

- The traffic study for the 2006 project analyzed impacts of 191 proposed units (the project's unit count was later reduce to 184 units); the current project proposes 47 fewer units; The proposed project would generate 417 less daily trips than the approved project (32 less trips in the AM peak hour and 46 less trips than the approved 2006 project);
- There has not been any substantial growth in the area since 2006 that would alter the results of the analysis; Traffic counts found on the City of Sacramento website (<http://portal.cityofsacramento.org/Public-Works/Transportation/Traffic-Data-Maps/Traffic-Counts>) show that average daily traffic along Dry Creek Road and Norwood Blvd in 2005, 2010 and 2013 at several locations in close proximity to the project site went down from the counts used in the traffic study used for the 2006 project. This is a substantial evidence that the background traffic (baseline) used in the 2006 traffic analysis is considered adequate;
- Jessie Avenue, as a local street, has a capacity for 4,500 trips per day, but the traffic count conducted for the analysis indicated that there were only approximately 200 daily trips per day; and
- Most of the traffic to the proposed project would come from the west of the project where the on/off ramps to the freeway are located. According to the traffic study, only 30% of project trips (32 AM trips and 42 PM trips) would access the site from Dry Creek Road. This amount of project traffic will access the project site from Liama Creek Road into Clay Creek Way and/ or Cold Creek Way which are designed to connect to the project site, therefore, eliminating the Jessie Avenue connection to Dry Creek Road, which is to the east of the project, would not significantly impact the study analysis. As a matter of fact, it will

eliminate the cut thru traffic between Dry Creek Road, May Street and Norwood Street causing fewer impacts to the local roadway system from the approved 2006 project.

Traffic Impacts

Nearby residents of the proposed Jessie Avenue Tentative Map project expressed concerns about the impacts that an additional 144 residential units would have on local streets. Of particular concern is that Jessie Avenue is not wide enough to allow cars to pass, and that increased traffic on Jessie Avenue, May Street and Clay Creek Way would cause traffic congestion.

Public Works has evaluated the local street system near the project and found that the streets impacted by the proposed development will have the capacity to accommodate the proposed subdivision.

Jessie Avenue currently has a road width of approximately 20 feet with unpaved shoulders. Jessie Avenue is classified as a local street and will be improved adjacent to the project site to have a 53 foot right-of-way width that would allow for separated sidewalks on the project site, street parking on both sides, and two-way traffic to pass unimpeded.

Additionally, as a local street, Jessie Avenue has the capacity of 4,500 cars per day. The traffic counts provided for the traffic analysis reports that Jessie Avenue currently carry approximately 200 cars a day, and with project trips, it will remain far below capacity.

In addition to roadway improvements, the applicant is required, by conditions of approval (Condition B9), to provide All-way stop control at the intersections of Jessie Avenue and May Street and at the intersection of Jessie Avenue and Clay Creek Way. A stop sign on "A" Street approaching Jessie Avenue (north and south legs of the intersection) and on "A" Street/"C" Street approaching Clay Creek Way (east and west legs of the intersection) will also be provided in addition to several cross walks throughout the project site.

Jessie Avenue/Dry Creek Road Connection

Several community members expressed a preference for a Jessie Avenue connection to Dry Creek Road to avoid traffic impacts on local streets such as May Street, Clay Creek Way and Cold Creek Way. Several others, however, did not want the connection due to concerns traffic would increase when drivers take Jessie Avenue to access Norwood Avenue which has freeway access instead of taking Bell Avenue to the north of the project.

Public Works Department evaluated the option of eliminating the Jessie Avenue connection to Dry Creek Road and raised concerns about the location of Jessie Avenue and Dry Creek Road intersection being located at a short distance from where Dry Creek Road bridges over Interstate 80. A left turn pocket onto Jessie Avenue shall be required but it could present safety issues due to blocked sight lines created by the overpass. Furthermore, the distance between the Jessie Avenue and Dry Creek Road

intersection would be too close to the proposed intersection of Jessie Avenue and B/C Circle and potentially create a safety issue.

Community Outreach

The applicant has met with the Robla Park Community Association on April 29, 2015, for initial feedback on the project. City staff attended this meeting to provide an overview of the entitlement process. The applicant then returned to meet with the community on May 27, 2015.

Density

There is a variety of residential density in the surrounding area. The parcel to the west of the project site has one residential unit on 1.83 acres, while the subdivision directly to the north of the proposed site, with 57 units, has a density of 7.1 dwelling units per net acre (du/na).

The 2035 General Plan encourages infill and higher density development to meet sustainability goals and to accommodate anticipated growth within the city. The proposed Jessie Avenue project, at 8.7 du/na, balances the city's infill and smart growth policies with policies that address sensitivity to existing neighborhoods by providing for single-unit dwellings and proposing a unit count that is below what is allowed in the General Plan and Planning and Development Code density.

Additionally, the project is reduced by 40 residential lots from the previously approved tentative map, resulting in a lower density that is still consistent with the surrounding area.

Adjacent Parcel with Livestock

The property owner adjacent (west) to the proposed site has horses, and has expressed concern that the future residents in the proposed subdivision will be impacted by the odor from the horses.

The applicant agreed to notify the future home owners about the horses and to plant a tree in the back yard of the houses backing up to the property with horses to minimize the visual effects for existing and future property owners.

Figure 4: Project Site



Property Lines

The property owner to the west of the project voiced concerns that the proposed development would not adhere to property lines. All development must comply with legal boundaries of the property, and the applicant will take necessary precautions to ensure their development falls within their property.

Garbage Collection and Street Lighting

While not a prevalent concern, the issues of garbage collection and street lighting were mentioned. The Solid Waste Division of the Public Works Department reviewed the project and provided advisory notes to ensure adherence to the city code standards on garbage collection. Also, the City's subdivision code provides for street lighting which is required for all tentative maps and project is conditioned to construct all frontage improvements, including street lighting (Condition B8) to City of Sacramento Standards.

Policy Considerations

The 2035 General Plan Update was adopted by City Council on March 3, 2015. The 2035 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The General Plan designation for the subject site is Suburban Neighborhood Low Density (3-8 du/na), which provides for low-intensity single-family detached dwellings and Suburban Neighborhood Medium Density (7-17 du/na), which provides for medium-intensity single-family detached and attached dwellings. The General Plan includes the following policy which addresses multi-parcel development where more than one general plan density allowance applies:

LU 2.1.4. General Plan Density Regulations for Mixed-Density Development Projects. Where a developer proposes a multi-parcel development project with more than one residential density or FAR, the City shall, at the discretion of the Community Development Director, apply the applicable density or FAR range of the General Plan Land Use Designation to the net developable area of the entire project site rather than individual parcels within the site. Some parcels may be zoned for densities/intensities that exceed the maximum allowed density/intensity of the project site's Land Use Designation, provided that the net density of the project as a whole is within the allowed range.

Based on the above policy, the maximum number of units allowed by the respective 2035 General Plan designations can be applied to the entire project. Staff calculated the maximum number of units allowed by the General Plan to be approximately 220 units for the project area, well above the proposed 144 units. Also, single family housing is allowed in both designations. Therefore, it is staff's determination that the density for the Jessie Avenue Tentative Map does not exceed overall maximum allowed density and, therefore, is consistent with this general plan policy.

The General Plan defines the suburban residential designations as continuing the residential development pattern in existing neighborhoods, while enhancing existing

areas with pedestrian safety infrastructure, connectivity, and housing choices. Key urban form characteristics envisioned for the suburban neighborhood designations include the following:

- Predominantly single-family residential scale
- Higher-density uses near centers or major transit routes
- Lot coverage generally not exceeding 60 percent
- Building heights generally ranging from one to three stories
- A street system providing distribution of traffic and route flexibility
- Neighborhood parks within walking distance of local residents
- A range of housing types and designs consistent with existing forms and patterns
- Street design balancing pedestrian and bicycle use with vehicular circulation by incorporating traffic-calming measures and more attractive and functional pedestrian/bicycle facilities
- Consistent patterns of street trees providing shade and enhancing character and identity

The 2035 General Plan has identified goals and policies under the Land Use and Urban Design Element that related to this project, including the following:

GOAL LU 2.1. City of Neighborhoods. Maintain a city of diverse, distinct, and well-structured neighborhoods that meet the community's needs for complete, sustainable, and high-quality living environments, from the historic downtown core to well-integrated new growth areas.

- **Policy LU 2.1.2: Protect Established Neighborhoods.** The City shall preserve, protect, and enhance established neighborhoods by providing sensitive transitions between these neighborhoods and adjoining areas, and requiring new development, both private and public, to respect and respond to those existing physical characteristics, buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood.

Goal LU 4.1. Neighborhoods. Promote the development and preservation of neighborhoods that provide a variety of housing types, densities, and designs and a mix of uses and services that address the diverse needs of Sacramento residents of all ages, socio-economic groups, and abilities.

- **LU 4.1.8. Connections to Open Space.** The City shall ensure that new and existing neighborhoods contain a diverse mix of parks and open spaces that are connected by trails, bikeways, and other open space networks and are within easy walking distance of residents.
- **LU 4.1.10 Family-Friendly Neighborhoods.** The City shall promote the development of family-friendly neighborhoods throughout the city that provide housing that accommodates families of all sizes and provides safe and convenient access to schools, parks, and other family-oriented amenities and services.

GOAL LU 4.5 New Neighborhoods. Ensure that complete new neighborhoods embody the city's principles of Smart Growth and Sustainability.

- **LU 4.5.2 Compact Neighborhoods.** The City shall require developers to create new residential neighborhoods that are pedestrian and bicycle friendly, are accessible by transit, and make efficient use of land and infrastructure by being compact with higher average densities.

The Jessie Avenue Tentative Map project is consistent with the goals and policies of the General Plan because it continues the pattern of single-family development of the existing neighborhood, while providing a density that is consistent with the General Plan's sustainable practices of developing at a higher density to reduce the impacts on resources and utilizing existing infrastructure. Also, this project contributes to the diversity of housing types provided in the area, and will provide access to a new neighborhood park.

ENTITLEMENT REVIEW

Tentative Map

The proposed tentative map will create a total of 146 lots including: 144 lots for single-unit dwellings; a joint park and detention basin; and a landscaped lot. On June 3, 2015, the Subdivision Review Committee, with all ayes, voted to recommend approval of the tentative map subject to conditions of approval.

Circulation. In addition to creating lots for new residential units and a neighborhood park, the tentative map provides a street network that connects the existing neighborhood to the north with the proposed project. Jessie Avenue will be extended eastward, allowing connections to May Street and Clay Creek Way which will be extended southward. Cold Creek Way will connect to "C" Street, which is internal to the project. Additionally, several new streets within the proposed project will enhance this connectivity.

Access out of the project will primarily occur via Jessie Avenue which intersects with Rio Linda Boulevard to the west and May Street which will provide direct access to Bell Avenue to the north.

The project will include curb, gutters, and sidewalks along the street frontage that connects to the project site. Additionally, a 5'-10" planter will be installed on Jessie Avenue at the project site. These amenities will enhance the pedestrian's experience and safety.

Site Plan and Design Review

All tentative maps require Site Plan and Design Review for review of the lots and to determine if the lots meet the development standards for future development. The applicant has not submitted house plans at this time, but all the future single-unit dwellings will require additional design review approval prior to obtaining building permits.

In reviewing the Jessie Avenue Tentative Map project for consistency with the Planning and Development Code, staff compares the lot size, width and depth standards of the Single-Unit or Duplex Dwelling (R-1A) zone with those of the proposed project.

The purpose of the R-1A zone is to permit single-unit or duplex dwellings, whether attached or detached, at a higher density than is permitted in the R-1 zone. The R-1A zone, therefore, allows for smaller parcels to accommodate a higher density. According to the Planning and Development Code, the lot size standards for an R-1A lot include the following:

- Lot Area: Minimum of 2,900 square feet.
- Lot Width for Interior Lots: Minimum of 20 feet, unless abutting a lot in an R-1 zone, in which case the minimum lot width is 25 feet.
- Lot Width for Corner Lots: 38 feet.
- Lot Depth: Minimum of 80 feet and a maximum of 160 feet.

Site Plan Analysis

In reviewing the tentative map, staff has determined that all of the lots meet the area requirement of 2,900 square feet. In fact, the smallest parcel on the map is 3,455 square feet, exceeding the minimum parcel area requirement by 555 square feet.

Only two lots, Lots 87 and 96, do not meet the minimum width standard and require a deviation for lot width. These two lots have narrow frontages on a corner, but open up into a more spacious lot once the initial portion of the lot is traversed (Figure 5). In fact, Lot 87 (6,281 square feet) and Lot 96 (8,304 square feet) are among the largest parcels on the site. The overall lot area for the two lots exceeds the minimum area for a typical residence with adequate open space. Staff believes that the size of the lots and the proposed lot width would not impede single-unit dwelling development and, therefore, supports the deviations.

There are a total of 24 lots that do not meet the minimum depth standard. Many of these lots are located on corners and, as a result, have side lot lines that differ and which average less than the 80-foot depth standard and require a deviation. Table 3 provides a list of these parcels as well as their lot area.

Although the lots do not meet the lot depth standards, they all exceed the minimum lot area of 2,900 square feet. Of those lots requiring a deviation for lot depth, the smallest parcel is 3,612 square feet, which is large enough to build a single-unit dwelling. Because the lots that require a deviation for lot depth still meet the R-1A area standard and would not preclude the construction of single-unit dwellings, staff supports the deviations for lot depth.

Figure 5: Minimum Width Deviation



Table 3: Lot Depth Deviations		
Lot #	Area (square feet)	Lot Depth (feet)
Interior Lots		
34	3,781	75.5
89	3,612	77
90	3,974	77.5
93	3,933	76.5
94	3,613	73
95	4,693	76.5
Corner Lots		
18	4,541	69.5
25	5,009	77.5
32	4,887	72
35	5,831	66
36	5,017	79.5
44	4,626	71.5
50	4,466	71
64	5,096	71.5
75	4,735	79.5
97	4,633	65
100	4,760	67
111	4,897	72
112	5,035	79.5
116	5,321	79.5
117	4,541	69.5
122	4,774	70.5
139	5,117	74.5
144	4,521	67.5

Inclusionary Housing Plan

An Inclusionary Housing Plan was previously adopted in 2006 with the Dunmore-Jesse Avenue project (P04-079). The Inclusionary Housing Plan has recently been revised for the proposed tentative map, and has been reviewed by Sacramento Housing and Redevelopment Agency (SHRA) staff. On September 1, 2015, the City Council adopted a revised Mixed Income Housing Ordinance. This ordinance took effect on November 1, 2015. Under this new ordinance, the developers for the Jessie Avenue subdivision would have the option of using the 2006 Inclusionary Housing Plan or paying the Mixed Income Housing Ordinance fee, which is \$1.11 per square foot in the area where the project is located. The applicant is opting to pay the ordinance fee, so the applicant is no longer requesting an entitlement to revise the Inclusionary Housing Plan.

RESOLUTION NO. 2015-

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION ADDENDUM AND
THE MITIGATION MONITORING PLAN FOR THE JESSIE AVENUE
TENTATIVE MAP (P14-069)**

BACKGROUND

A. On October 8, 2015, the City Planning and Design Commission conducted a public hearing and forwarded to the City Council a recommendation to deny the Jessie Avenue Tentative Map (P14-069).

B. On November 17, 2015, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030(B), and received and considered evidence concerning the Jessie Avenue Tentative Map (P14-069).

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

Section 1. The City Council finds as follows:

A. On October 17, 2006, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, the City Council adopted a mitigated negative declaration (MND) and a Mitigation Monitoring Plan and approved the Dunmore-Jessie Avenue (P04-079) (Project).

B. The Jessie Avenue Tentative Map Modification (P14-069) (Project Modification) proposes to modify the previously approved Project as follows: The proposed project would subdivide approximately 27.29 ± acres into 144 residential parcels, a joint park and detention basin, and a landscape lot in the Single Unit or Duplex Dwelling (R-1A) and Agriculture-Open Space (A-OS) zones for future residential development. The project site is located along Jessie Avenue, west of Dry Creek Road and north of Interstate 80. The required entitlements for the proposed project include the following: Addendum to a previously approved Mitigated Negative Declaration; Mitigation Monitoring Plan; Tentative Subdivision Map approval to subdivide 27.29 acres into 146 single units, one landscaped lot, and an open-space/detention basin lot; Inclusionary Housing Plan; and Site Plan and Design Review with deviations.

C. Staff determined that the proposed changes to the original Project did not require the preparation of a subsequent mitigated negative declaration or environmental impact report. An addendum to the previously adopted MND was then prepared to address the modification to the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously adopted MND for the Project (which is attached to the addendum), the addendum, and all oral and documentary evidence received during the hearing on the Project Modification. The City Council has determined that the previously adopted MND and the addendum constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:

A. No substantial changes are proposed by the Project Modification that will require major revisions of the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

B. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously adopted MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

C. No new information of substantial importance has been found that shows any of the following:

1. The Project Modification will have one or more significant effects not discussed in the previously adopted MND;

2. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND;

3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project Modification; or

4. Mitigation measures that are considerably different from those analyzed in the previously adopted MND would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously adopted MND for the Project, the addendum, and all oral and documentary evidence received during the hearing on the Project Modification, the City Council finds that the MND and

addendum reflect the City Council's independent judgment and analysis and adopts the addendum and authorizes the use of the MND.

Section 4. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project Modification, the City Council adopts the revised Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented by means of Project Modification conditions, agreements, or other measures, as set forth in the revised Mitigation Monitoring Plan.

Section 5. Upon approval of the Project Modification, the City Manager shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

Section 6. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Table of Contents:

Exhibit A: Mitigation Monitoring Plan

Exhibit B: Addendum to the Approved Mitigated Negative Declaration

MITIGATION MONITORING PLAN

FOR:

JESSIE AVENUE SUBDIVISION (P14-069)

PREPARED BY:

CITY OF SACRAMENTO
COMMUNITY DEVELOPMENT DEPARTMENT
ENVIRONMENTAL PLANNING SERVICES
DANA MAHAFFEY
808-2762

TYPE OF ENVIRONMENTAL DOCUMENT:

ADDENDUM TO AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

JESSIE AVEUNUE SUBDIVISION MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Community Development Department, Environmental Planning Services, 300 Richards Blvd, 3rd floor, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name/File Number: Jessie Avenue Subdivision (P14-069)

Owner 7.5 Acres (North): John Griffin
 APN 237-140-026 Del Paso Homes, Inc.
 237-140-032 4120 Douglas Blvd., Ste. 306-375
 237-140-033 Granite Bay, A 95746
 237-140-056 (916) 223-8451

Owner 19.2 Acres (South): Steve Howell
 APN 237-200-056 First Capital Communities
 237-200-074 3031 Stanford Ranch Rd., #2122
 237-200-086 Rocklin, CA 95765
 (916) 346-5061

City of Sacramento Contact: Dana Mahaffey, Associate Planner
 Environmental Planning Services
 Community Development Dept.
 300 Richards Blvd., 3rd Floor
 Sacramento, CA 95811
 (916) 808-27462

Project Location: The 27.29 acre project site is located directly north of Interstate 80 (I-80) west of Dry Creek Road and east of May Street. Del Paso Homes Inc., a California corporation, owns the 7.5 acre portion of the project located on the north side of the future extension of Jessie Avenue, comprised of Assessor's Parcel Numbers (APNs): 237-0140-026, 032, -033, and -056. First Capital Communities owns the 19.2 acre portion of the project located on the south side of the future extension of Jessie Avenue, comprised of APNs 237-0200-056, -074, and -086.

Project Description: The proposed project would subdivide 27.29 acres for the development of 144 single-family residential lots, one landscaped lot, and a park space/detention basin. In addition, construction for the project is proposed to occur in three phases. Phase one would start north of Jessie Avenue, the second phase would continue east of the planned extension of May Street (south of Jessie Avenue) and phase three of construction would include the remainder of the site.

The required entitlements for the proposed project include the following:

- Addendum to a previously approved Mitigated Negative Declaration;
- Tentative Subdivision Map approval to subdivide 27.29 acres into 144 single units, one landscaped lot, and an open-space/detention basin lot; and
- Site Plan and Design Review approval, with deviations.

SECTION 2: GENERAL INFORMATION

The Mitigation Monitoring Plan (MMP) includes mitigation for Transportation/Circulation, Biological Resources, Noise, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, will be responsible for ensuring compliance.

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
TRANSPORTATION/CIRCULATION					
<p>T-1 At the Dry Creek Road / Bell Avenue intersection, the applicant shall pay a fair share for construction of a traffic signal with protected left turn phasing (green arrows) for the east and west approaches and permitted left turn phasing (green ball displays) for the north and south approaches.</p> <p>At the Dry Creek Road / Bell Avenue intersection, the applicant shall pay a fair share <u>payment</u> for construction of a traffic signal with protected left-turn phasing (green arrows) for the east and west approaches and permitted left-turn phasing (green ball displays) for the north and south approaches. <u>Said fair share payment shall be made prior to the issuance of building permits.</u></p>	Applicant	City of Sacramento – Development Engineering Division, Community Development Department	Payment of fair share contribution to the City of Sacramento via the Development Engineering Division, Development Services Department	Fair Share Payment shall be paid prior to issuance of building permits	
BIOLOGICAL RESOURCES					
<p>BR-1 Prior to issuance of grading permit, the applicant shall submit a copy of a Botanical Survey Report to the City of Sacramento. The Botanical Surveys shall be conducted by a qualified botanist in April or May to determine presence or absence of the following plants: Big-scale balsamroot (<i>Balsamorhiza macrolepis</i> var. <i>macrolepis</i>), Dwarf</p>	Applicant	City of Sacramento – Community Development Department (CDD)	Submittal of a Botanical Survey Report	Measure shall be implemented prior to issuance of grading permit.	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>compensatory mitigation has been implemented in accordance with an Incidental Take Permit issued by DFG.</p> <ul style="list-style-type: none"> • Implement BR-7. <p><i>Burrowing Owl</i></p> <p>BR-2a. Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable burrowing owl habitat within the project site within 30 days prior to construction to ensure that no burrowing owls have become established at the site. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be re-surveyed. If no burrowing owls are located, then no further mitigation is required.</p> <p>2b If located, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by California Department of Fish and Game (CDFG) verifies through noninvasive methods that either the birds have not begun egg-laying and incubation; or that juveniles from the occupied burrows are foraging</p>	<p>Applicant</p>	<p>DFW</p> <p>City of Sacramento – CDD</p>	<p>identified, mitigation has been implemented in accordance with a Take Permit issued by DFG</p> <p>Mitigation Measures shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/ building plans.</p>	<p>permits</p> <p>Prior to issuance of any grading, and/or construction permit, measures identified on plans shall be verified for compliance. The Development Services Dept. shall assure that measures are identified on construction plans and confirm compliance prior to issuance of any grading permit. Measures shall be implemented prior to and concurrent with construction activities.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>independently and are capable of independent survival.</p> <p>2c If destruction of occupied burrows is unavoidable, the applicant shall coordinate with CDFG to identify existing suitable burrows located on protected land to be enhanced or new burrows will be created by installing artificial burrows at a ratio of 2:1.</p> <p>2d If owls must be relocated away from the site the applicant shall coordinate with CDFG to relocate the owls using passive relocation techniques (as described in the CDFG's October 17, 1995, Staff Report on burrowing owl mitigation, or latest version).</p> <p>2e If avoidance is the preferred method of mitigating potential project impacts, then no disturbance shall occur within 160 feet of occupied burrows during the non-breeding season (September 1 through January 31) or within 250 feet during the breeding season (February 1 through August 31).</p>					
<p><i>Swainson's Hawk</i></p> <p>BR-3a. Prior to issuance of a grading permit, a pre-construction survey shall be completed by a qualified</p>	<p>Applicant</p>	<p>City of Sacramento – CDD</p> <p>DFW</p>	<p>Mitigation Measures, including</p>	<p>Prior to issuance of any grading or building permit,</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>biologist, within 30 days prior to construction, to determine whether any Swainson’s hawk nest trees will be removed on-site, or active Swainson’s hawk nest sites occur within ½ mile of the development site. These surveys shall be conducted according to the Swainson’s Hawk Technical Advisory Committee’s (May 31, 2000) methodology or updated methodologies, as approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG), using experienced Swainson’s hawk surveyors.</p> <p>3b. If breeding Swainson’s hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g. heavy equipment operation associated with construction) shall occur within ½ mile of an active nest between March 15 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within ¼ mile of existing urban development, the no new disturbance zone can be limited to the ¼ mile versus the ½ mile.</p> <p>3c. If construction or other project related activities which may cause</p>			<p>construction-timing restrictions, shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/ building plans.</p>	<p>measures identified on plans shall be verified for compliance. CDD shall ensure that measures are identified on construction plans and confirm compliance prior to issuance of any grading or building permit. Measures shall also be implemented concurrent with construction activities.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>nest abandonment or forced fledgling are proposed within the ¼ mile buffer zone, intensive monitoring (funded by the project sponsor) by a Department of Fish and Game approved raptor biologist will be required. Exact implementation of this measure will be based on specific site conditions.</p> <p>BR-4. Prior to issuance of grading permits, the project applicant shall be required to purchase compensatory Swainson's hawk foraging habitat credits for each developed acre, at a ratio of 0.5:1, from an approved mitigation bank, or develop other arrangements acceptable to and approved by the CDFG.</p>	<p>Applicant</p>	<p>City of Sacramento – CDD DFW</p>	<p>Proof of purchase of credits provided to the Development Services Department</p>	<p>Measure shall be implemented prior to issuance of grading permits</p>	
<p><i>Other Raptors</i></p> <p>BR-5a Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable raptor nesting habitat within the project site within 30 days prior to construction. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be re-surveyed. If no raptor nests are located, then no further mitigation is required.</p>	<p>Applicant</p>	<p>City of Sacramento – CDD DFW</p>	<p>Mitigation Measures shall be included on the Construction Specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/ building plans.</p>	<p>Prior to issuance of any grading or building permit, measures identified on plans shall be verified for compliance. CDD shall ensure that measures are identified on construction plans and confirm</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>5b If nests are found, then a qualified biologist will establish an avoidance area around each raptor nest site a minimum of 500 feet from the nearest construction activity. If the establishment of an avoidance area for a nest is not possible, then DFG shall be consulted. If DFG determines that avoidance is still infeasible, the applicant shall not initiate construction until a qualified biologist has determined that the young have fledged. In addition, the applicant shall implement any additional measures indicated during consultation with DFG.</p> <p><i>Vernal Pool Branchiopods</i></p> <p>BR-6 Prior to issuance of grading permit, the applicant shall provide proof that either fee payment has been made to the US Fish and Wildlife Service's vernal pool species fund, or that vernal pool credits have been purchased from a Sacramento County mitigation bank , as follows:</p> <ul style="list-style-type: none"> • One creation credit shall be purchased for every acre of vernal pool habitat (1:1 ratio) that is determined by the USFWS to be habitat for the listed branchiopods; and • Two preservation credits shall be purchased for every acre of 	<p>Applicant</p>	<p>City of Sacramento – CDD</p> <p>US Fish and Wildlife Service (USFWS)</p>	<p>Proof of fee payment to USFWS or proof of purchase of vernal pool credits provided to the Development Services Department</p>	<p>compliance prior to issuance of any grading or building permit. Measures shall also be implemented concurrent with construction activities.</p> <p>Measure shall be implemented prior to issuance of grading permits.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>vernal pool habitat disturbed (2:1 ratio), as determined by the USFWS.</p> <p>The credits shall be purchased only after the US Army Corps of Engineers has provided verification of the wetland delineation, and the US Fish and Wildlife Service has provided a biological opinion.</p> <p>BR-7 Prior to issuance of a grading permit, the Building Department shall verify that all grading and improvement plans state: "It is the Contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal Endangered Species Act and Clean Water Act. The City Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and federal laws in areas subject to State and federal jurisdiction."</p>	<p>Applicant</p>	<p>City of Sacramento – CDD</p>	<p>Indicated on all grading and improvement plans</p>	<p>Measure shall be implemented prior to issuance of grading permits.</p>	
<p>BR-8 Prior to issuance of a grading permit, the project applicant shall submit a wetland mitigation and monitoring plan to the City. The mitigation and monitoring plan shall meet the following requirements:</p> <ul style="list-style-type: none"> The mitigation plan shall be prepared in accordance with the requirements of the Corps of Engineers 	<p>Applicant</p>	<p>City of Sacramento – CDD US Army Corps of Engineers</p>	<p>Wetland Mitigation and Monitoring Plan approved by City of Sacramento Development Services Department, including a copy of bill of sale for purchase of</p>	<p>Measures shall be implemented prior to issuance of grading permits.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>BR-9</p> <ul style="list-style-type: none"> The mitigation plan shall indicate that the applicant shall either purchase one seasonal wetland credit at a Corps-approved mitigation bank for each acre of seasonal wetland habitat disturbed (1:1 ratio), as indicated on the wetland delineation verified by the US Army Corps of Engineers, or the applicant shall construct a minimum of 1 acre of seasonal wetland habitat for each acre of seasonal wetland habitat disturbed (minimum 1:1 ratio). The specific acreage of habitat to be constructed must be determined by the US Army Corps of Engineers. A copy of the bill of sale for the purchase of wetland mitigation credits shall be submitted to the City. <p>Prior to issuance of a grading permit the Building Department shall ensure that the grading plan indicates that no construction activities shall occur within 50 feet of any swale, seasonal wetland, or vernal pool (indicated on the wetland delineation verified by the US Army Corps of Engineers) until the applicant provides the City of Sacramento with documentation that the applicant has satisfied the mitigation plan through the construction of wetlands or a bill of</p>	<p>Applicant</p>	<p>City of Sacramento – CDD</p> <p>US Army Corps of Engineers</p>	<p>wetland mitigation credits, or proof of construction of seasonal wetland habitat, as approved by the US Army Corps of Engineers</p> <p>Grading Plan indicates 50-foot buffer around any jurisdictional wetland until proof of Section 404 compliance is provided to the City of Sacramento Development Services Department</p>	<p>Measure shall be implemented prior to issuance of grading permits and during construction activities.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>sale for the purchase of mitigation credits. In addition, the grading plan shall require temporary fencing to be installed around the 50-foot buffer to exclude construction equipment until the applicant provides the City of Sacramento with documentation that the applicant has satisfied the mitigation plan through the construction of wetlands, or a bill of sale for the purchase of mitigation credits.</p> <p>BR-10 Prior to issuance of grading permits, the Building Department shall verify that the Stormwater Pollution Prevention Plan (SWPPP) for the project indicates the location of the wetlands (consistent with the wetland delineation verified by the US Army Corps of Engineers), including the 50-foot buffer, and includes water quality control measures to prevent any discharge of construction-related pollutants or sediment into the identified wetlands.</p>	Applicant	City of Sacramento – CDD	Verify location of wetlands and water quality control measures in SWPPP	Measure shall be implemented prior to issuance of grading permits and during construction activities.	
<p>NOISE</p> <p>N-1 Prior to issuance of occupancy permits, a traffic noise barrier shall be constructed along the full length of the south property line. The barrier height shall be 9 feet above pad elevation from the east end of the project site to a point aligned</p>	Applicant	City of Sacramento – CDD	Construction of wall	Prior to issuance of occupancy permits	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>with the west end of lot 23. Moving to the west from that point, the barrier height shall step down at equal intervals to a height of 8 feet above the adjoining pad elevation. The barrier shall enclose the north side of the Sump 144 lot.</p> <p>Prior to the issuance of occupancy permits <u>for units on lots 14-17, 51-61, 96, 97, or 131-144</u>, a traffic noise barrier shall be constructed along the full length of the south property line. The barrier height shall be 9 feet above pad elevation from the east end of the project site to a point aligned with the west end of lot 49 <u>61</u>. Moving to the west from that point, the barrier height shall step down at equal intervals to a height of 8 feet above the adjoining pad elevation. The barrier shall enclose the north side of the Sump 144. <u>The traffic noise barrier shall be constructed along the south side of the park/drainage basin parcel (Lot B) prior to the issuance of the occupancy permit for the 73rd unit.</u></p> <p>N-2 The Building Department shall verify that the building plans for units on lots 1-8, 12, 23, 24, 27, 28, 97, 98, 99, 100, 111, 112, 125, 126, 127, 128, 141, 142, and 170 contain the following measures:</p>	<p>Applicant</p>	<p>City of Sacramento – CDD</p>	<p>Inclusion of measures on building plans</p>	<p>Prior issuance of building permits</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<ul style="list-style-type: none"> • Exterior walls facing I-80 must be finished with stucco or brick siding. • Windows on the facades of the homes on lots 5-8, 12, 23, 24, 27, 28, 97, 98, 99, 100, 111, 112, 125, 126, 127, 128, 141, 142, and 170 that have a line of sight to I-80 must have an STC rating of at least 40. Windows on the facades of the homes on Lots 1-4 that have a line of sight to I-80 must have an STC rating of at least 35. • Air conditioning or other suitable mechanical ventilation must be provided to allow residents to close windows for the desired acoustical isolation. <p>The Community Development Department shall verify that the building plans for units on lots 4-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 122, 125, and 142 <u>14-17, 51-61, 96, 97, and 131-144</u> contain the following measures:</p> <ul style="list-style-type: none"> • Exterior walls facing I-80 must be finished with stucco or brick siding. • Windows on the facades of the homes on lots 5-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 					

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p><u>122, 125, and 142 51-61, 96, 97, and 131-144</u> that have a line of sight to I-80 must have an STC rating of at least 40. Windows on the facades of the homes on Lots 4-4 <u>14-17</u> that have a line of sight to I-80 must have an STC rating of at least 35.</p> <p>Air conditioning or other suitable mechanical ventilation must be provided to allow residents to close windows for the desired acoustical isolation.</p>					
<p>CULTURAL RESOURCES</p> <p>CR-1 The applicant shall hire a qualified archaeologist to conduct a records search for the project site, including a search of the North Central Information System at CSU Sacramento. The qualified archaeologist shall provide recommendations for mitigation should any resource be identified on the project site by the records search. Prior to issuance of grading permits, the applicant shall provide proof that the records search has been performed and that any cultural resources identified on the project site have been mitigated according to the recommendations of the qualified archaeologist.</p> <p>CR-2a In the event that any prehistoric</p>	<p>Applicant</p>	<p>City of Sacramento-- CDD</p>	<p>Statement from a qualified archeologist indicating that either no record of cultural resources was identified on the site, or that any previously recorded cultural resource existing on the site has been appropriately mitigated</p>	<p>Prior to issuance of grading permits</p>	
<p>CR-2a In the event that any prehistoric</p>	<p>Applicant</p>	<p>City of</p>	<p>Measures shall</p>	<p>Measures shall</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>subsurface archeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p> <p>CR-2b If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources</p>		<p>Sacramento--CDD</p> <p>Native American Heritage Commission</p>	<p>be included on all grading plans</p>	<p>be implemented during construction activities, as specified.</p>	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p> <p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p>CR-3 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant.</p>	Applicant	City of Sacramento-- CDD Native American Heritage Commission	Measures shall be included on all grading plans	Measures shall be implemented during construction activities, as specified.	

**MITIGATION MONITORING PLAN
JESSIE AVENUE SUBDIVISION (P14-069)**

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.</p>					

City of
SACRAMENTO
Community Development

ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, make declare, and publish the Addendum to an adopted Mitigated Negative Declaration for the following described project:

Project Name and Number: **Jessie Avenue Subdivision (P14-069)**

Original Project: Dunmore-Jessie Project (P04-079)

The City of Sacramento, Community Development Department, has reviewed the proposed project and on the basis of the whole record before it, has determined that there is no substantial evidence that the project, as identified in this Addendum, would have a significant effect on the environment beyond that which was evaluated in the attached Mitigated Negative Declaration (MND). A Subsequent MND is not required pursuant to the California Environmental Quality Act of 1970 (Sections 21000, et. Seq., Public Resources Code of the State of California).

This Addendum to an adopted MND has been prepared pursuant to Title 14, Section 15164 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Community Development Department, Planning Division, 300 Richards Boulevard, Sacramento, California 95811.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By:  _____

Date: June 29, 2015

Jessie Avenue Subdivision (P14-069)
Addendum to Mitigated Negative Declaration

File Number/Project Name: Jessie Avenue Subdivision (P14-069)

Project Location: The 27.29 acre project site is located directly north of Interstate 80 (I-80). The site is located on Jessie Avenue and Dry Creek Road to the east and May Street to the west. The project site consists of the following Assessor's Parcel Numbers (APNs): 237-0200-056, -074, -086, 237-0140-026, -032, and -033, 2370140-056. (see Attachment A, Vicinity Map and Attachment B, Site Plan).

Existing Plan Designations and Zoning: The 2035 General Plan land use designations for the project site are Suburban Neighborhood Low Density and Suburban Neighborhood Medium Density. The current zoning designation for the site is Single Family Alternative (R1-A) and Agriculture-Open Space (A-OS).

Project Background: The original Dunmore-Jessie Project (P04-079) consisted of 184 single-family, detached homes, one park, two landscape lots, and one detention basin lot on 27.29 vacant acres. The Dunmore-Jessie Project entitlements were approved on October 17, 2006 by the following resolutions:

Resolution 2006-761

- Mitigated Negative Declaration; and
- Mitigation Monitoring Plan.

Resolution 2006-762

- General Plan Amendment to re-designate 26.7 acres from Medium Density Residential and Low Density Residential to Low Density Residential and Parks-Recreation-Open Space.

Resolution 2006-763

- North Sacramento Community Plan Amendment to re-designate 26.7 acres of Residential (4-8 du/na) and 19.2 acres of Residential (11-29 du/na) to 21.5 acres of Residential (7-15 du/na) and 5.2 acres of Parks/Open Space; and
- Rezone 26.7 acres of Multi-Family (R-2A zone) and 7.5 acres of Standard Single-Family (R-1A) zone and 5.2 acres of Agriculture-Open Space (A-OS) zone.

Resolution 2006-764

- Inclusionary Housing Plan.

Project Description: The proposed project would subdivide 27.29 acres for the development of 144 single-family residential lots, one landscaped lot, and a park space/detention basin. In addition, construction for the project is proposed to occur in three phases. Phase one would start north of Jessie Avenue, the second phase would continue east of the planned extension of May

Street (south of Jessie Avenue) and phase three of construction would include the remainder of the site.

The required entitlements for the proposed project include the following:

- Addendum to a previously approved Mitigated Negative Declaration;
- Tentative Subdivision Map approval to subdivide 27.29 acres into 144 single units, one landscaped lot, and an open-space/detention basin lot; and
- Site Plan and Design Review approval, with deviations.

An Addendum to an approved Mitigated Negative Declaration may be prepared if only minor technical changes or additions are required, and none of the conditions identified in CEQA Guidelines Section 15162 are present. The following identifies the standards set forth in section 15162 as they relate to the project.

1. **Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;**
2. **Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or**
3. **New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:**
 - a) **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
 - b) **Significant effects previously examined will be substantially more severe than shown in the previous EIR [or negative declaration];**
 - c) **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative, or;**

- d) **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.**

Discussion

The Dunmore-Jessie Project’s Initial Study/Mitigated Negative Declaration (IS/MND) analyzed 184 single-family residential units, as initially proposed and approved. The project would now include 144 residential units and includes a tentative subdivision map and site plan and design review. The previously identified Dry Creek Road and Jessie Avenue connection would not occur. Final maps and grading permits proposed for the project are anticipated to be approved in three phases. Any potential impacts beyond those previously identified and addressed in the 2006 IS/MND are discussed below.

Transportation and Circulation

The original project was approved for 184 residential units; however the Traffic Impact Analysis for the original project analyzed impacts based on 191 residential units. The study area included nine intersections, five roadway segments, and four freeway ramps analyzed baseline and cumulative conditions. The trip generation anticipated for the original project was 143 trips during the AM hour and 192 trips during the PM hour. The Dunmore-Jessie IS/MND concluded that traffic impacts would be less than significant with mitigation measures.

The proposed project would consist of 144 single-family residential units without the connection of Jessie Avenue to Dry Creek Road. The proposed project is expected to reduce AM and PM peak hour trips by 32 and 46, respectively, as seen in Table 1.

Table 1 Trip Generation Comparison Between The Approved P04-079 Project And Proposed P14-069 Project								
	Land Use	AM Peak Hour Trips			PM Peak Hour Trips			Daily Trips
		In	Out	Total	In	Out	Total	
P04-079 - Approved Project Trip Generation	191 Residential Units	29	114	143	125	67	192	1,886
P14-069 - Proposed Project Trip Generation	144 Residential Units	28	83	111	92	54	146	1,469
Net Trip Difference		-1	-31	-32	-33	-13	-46	-417
Notes: Trip rates for the revised 2014 project based on data published in Trip Generation 9 th Edition (ITE, 2012).								
Source: City of Sacramento. Jessie Avenue Subdivision (P14-069)-Traffic Assessment, Memo. April 4 2015.								

Because the Jessie Avenue and Dry Creek Road connection is not included in the proposed project, trips originally intended for that roadway would be dispersed to Clay Creek Way, Cold Creek Way, and Liama Creek Way. The increase in traffic volumes along Clay Creek, Cold Creek, and Liama Creek Way, due to the omission of the Jessie Avenue to Dry Creek Road connection, is not expected to result in any new impacts related to transportation and circulation according to the Traffic Report Memo prepared by the City of Sacramento Department of Public Works (Attachment C). Because fewer residential units are associated with the proposed project, impacts related to transportation and circulation would be less than what has been identified for

the original project. The proposed project would not have substantial changes that would create new circumstances or an increase in impacts related to transportation and circulation beyond what was identified in the Dunmore-Jessie IS/MND. In addition, the mitigation measure required in the Dunmore-Jessie IS/MND has been revised for clarification. New text is shown as double underlined and removed text is shown as ~~struck through~~, as follows:

- T-1 At the Dry Creek Road / Bell Avenue intersection, the applicant shall pay a fair share payment for construction of a traffic signal with protected left-turn phasing (green arrows) for the east and west approaches and permitted left-turn phasing (green ball displays) for the north and south approaches. Said fair share payment shall be made prior to the issuance of building permits.

Noise

The proposed project would involve fewer residential units than the original project. As such, the number of units that could be affected by noise and the amount of traffic noise associated with project operation would be less than that of the original project. As noted in the discussion of traffic, above, the reduction in residential units would reduce the amount of vehicle trips generated by the project. Therefore, traffic noise associated with the project presented in the 2006 Brown Butin Associates Environmental Noise Report would be less than that of the original project. The surrounding uses and noise sources have not changed since the previous analysis. Therefore, the proposed project would not result in any additional impacts beyond those identified in the Dunmore-Jessie IS/MND. Because the proposed project changes include phasing and revised lot numbers, the noise mitigation measures are hereby revised as follows with new text shown as double underlined and removed text shown as ~~struck through~~.

- N-1 Prior to the issuance of occupancy permits for units on lots 14-17, 51-61, 96, 97, or 131-144, a traffic noise barrier shall be constructed along the full length of the south property line. The barrier height shall be 9 feet above pad elevation from the east end of the project site to a point aligned with the west end of lot ~~49~~ 61. Moving to the west from that point, the barrier height shall step down at equal intervals to a height of 8 feet above the adjoining pad elevation. The barrier shall enclose the north side of the Sump 144.
- N-2 The Community Development Department shall verify that the building plans for units on lots ~~1-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 122, 125, and 142~~ 14-17, 51-61, 96, 97, and 131-144 contain the following measures:
- Exterior walls facing I-80 must be finished with stucco or brick siding.
 - Widows on the facades of the homes on lots ~~5-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 122, 125, and 142~~ 51-61, 96, 97, and 131-144 that have a line of sight to I-80 must have an STC rating of at least 40. Windows on the facades of the homes on Lots ~~1-4~~ 14-17 that have a line of sight to I-80 must have an STC rating of at least 35.

- Air conditioning or other suitable mechanical ventilation must be provided to allow residents to close windows for the desired acoustical isolation.

Greenhouse Gas Emissions

Greenhouse gas (GHG) emissions were not addressed in the Dunmore-Jessie IS/MND. Potential impacts related to GHG emissions do not constitute “new information” as defined by CEQA, as GHG emissions were known as potential environmental issues before 1994.¹ Since the time the Dunmore-Jessie IS/MND was approved, the City has taken numerous actions towards promoting sustainability within the City, including efforts aimed at reducing GHG emissions. On February 14, 2012, the City adopted the City of Sacramento Climate Action Plan (CAP), which identified how the City and the broader community could reduce Sacramento’s GHG emissions and included reduction targets, strategies, and specific actions.

The City has recently adopted the 2035 General Plan Update. The update incorporated measures and actions from the CAP into Appendix B, General Plan CAP Policies and Programs, of the General Plan Update. Appendix B includes all City-Wide policies and programs that are supportive of reducing GHG emissions. The General Plan CAP Policies and Programs per the General Plan Update supersede the City’s CAP. Rather than compliance and consistency with the CAP, all proposed projects must now be compliant and consistent with the General Plan CAP Policies and Programs outlined in Appendix B of the General Plan Update. As such, the proposed project would be required to comply with the General Plan CAP Policies and Programs set forth in Appendix B of the General Plan Update.

In addition to the City’s General Plan CAP Policies and Programs outlined in Appendix B of the General Plan Update, a number of regulations have been enacted since the Dunmore-Jessie IS/MND was approved for the purpose of, or with an underlying goal for, reducing GHG emissions, such as the California Green Building Standards Code (CALGreen Code) and the California Building Energy Efficiency Standards Code. It should be noted that according to the California Energy Commission, the 2013 Building Energy Efficiency Standards are anticipated to result in 25 percent less energy consumption for residential buildings and 30 percent savings for nonresidential buildings over the previous energy standards. (California Energy Commission. News Release: “*New Title 24 Standards Will Cut Residential Energy Use by 25 Percent, Save Water, and Reduce Greenhouse Gas Emissions.*” July 1, 2014). Such regulations have become increasingly stringent since the Dunmore-Jessie IS/MND was adopted. The proposed project would be required to comply with all applicable regulations associated with GHG emissions, including the CALGreen Code and California Building Energy Efficiency Standards Code.

The Dunmore-Jessie project could result in the buildout of 184 single-family residences. The proposed project would modify the project by reducing the number of single-family residences to 144. New land use or zoning designations are not proposed as part of the project, and the overall area of disturbance anticipated for buildout of the project site would not be modified. The proposed reduction of 40 residences from what is currently allowed and approved to be built on

¹ As explained in a series of cases, most recently in *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal. App. 4th 1301. Also see, *Citizens of Responsible Equitable Development v. City of San Diego* (2011) 196 Cal.App.4th 515.

the site would result in a smaller population at the site. Due to the reduction in people at the site, fewer vehicle trips would be associated with the site, less wastewater and solid waste would be generated, and the demand for energy and water supplies would be less. Because the primary GHG emission sources are area sources such as landscape maintenance equipment exhaust and consumer products (e.g., deodorants, cleaning products, spray paint, etc.), vehicle trips, energy consumption, water conveyance and treatment, wastewater treatment, and solid waste disposal, the GHG emissions associated with such as a result of the proposed project would be expected to be less than what would occur under the approved project.

Because the proposed project would reduce the number of units associated with the site, which would result in fewer GHG emissions than what could occur from buildout per the approved project, and would be required to comply with all applicable standards and regulations related to GHG, including the City's General Plan CAP Policies and Programs, CALGreen Code, and California Building Energy Efficiency Standards Code, the proposed project would not result in any new or increased impacts related to GHG emissions and global climate change.

Energy

Since the approval of the original project, the City has adopted the 2035 General Plan. One of the key goals of the General Plan is to continue the City's policy of encouraging new development within the City limits, avoiding sprawl, and reducing vehicle miles traveled. The proposed project would be consistent with the General Plan's intentions. In addition, as discussed above, the proposed project would be required to comply with the CALGreen Code and California Building Energy Efficiency Standards Code, which include numerous requirements regarding energy efficiency in buildings. Because the proposed project would comply with the City's General Plan CAP Policies and Programs, CALGreen Code, and California Building Energy Efficiency Standards Code, the proposed project would not be expected to result in wasteful or inefficient energy usage.

Biological Resources

The Dunmore-Jessie IS/MND's Biological Resources evaluation relied upon a *Jurisdictional Delineation and Special Status Species Evaluation* for the project site that was prepared by Gibson and Skordal (2004). Based on the results of the report, the 2006 IS/MND concluded that the project would result in a less than significant impact related to endangered, threatened, rare, and locally designated species, and wetland habitats with the incorporation of mitigation measures. Because the currently proposed project would be developed on the same site that was previously analyzed, impacts would be expected to be similar.

A field review was conducted on April 30, 2015 by Gibson and Skordal (see Attachment D), which concluded that the conditions of the wetlands on site are currently the same as they were previously. Previously identified mitigation measures provided that prior to the issuance of grading permits, the Community Development Department would require documentation that the project complies with all applicable state and federal laws related to wetlands (e.g., Section 404 Permit, U.S. Army Corps of Engineers). The applicant has a current 404 permit necessary for the proposed project. Given that the proposed project would be located at the same site, previously

required mitigation measures would be incorporated into the project and impacts to wetlands would remain less than significant.

The previous Special Status Species Evaluation (2004) concluded that the special-status species were not found on the project site; however the potential for special status plants to occur on the site does exist, as well as for some special status wildlife species to be located within a five-to-ten mile radius of the project site. Previously identified mitigation measures involve pre-construction surveys by qualified biologists that would identify special-status species utilizing the site. An updated California Natural Diversity Database (CNDDB) search was conducted for the project site as part of this review. The results of the search did not identify any additional special status species that could occur on the project site.

In order to mitigate the potentially significant impacts, the Dunmore-Jessie IS/MND identified appropriate mitigation measures that would apply to the proposed project given that site conditions have remained the same. Therefore, the proposed project would not have substantial changes that would create new circumstances or an increase in impacts related to biological resources beyond what was identified in the Dunmore-Jessie IS/MND.

Land Use and Planning

The project site's 2035 General Plan land use designations are Suburban Neighborhood Low Density and Suburban Neighborhood Medium Density. The 2035 General Plan has a policy that addresses multi-parcel development where more than one general plan density applies (Policy LU 4.3.3). This policy allows the maximum number of units allowed by the 2035 General Plan designations to be applied to the entire project. Therefore, the proposed density is well within the density range allowed by the General Plan. Additionally, the zoning designation for the site is Single Family and Single Family Alternative (R-1A). The proposed project would be consistent with land use and zoning designations because the nature of development proposed are single-family residential units. Overall, the proposed project would be consistent with the 2035 General Plan. The proposed project would not include any substantial new information, changes or impacts that would require major revisions to the previous IS/MND.

Additional Environmental Resource Areas

In addition to the impacts analyzed in the previous discussions, the Dunmore-Jessie IS/MND also included analysis of Population and Housing; Seismicity, Soils, and Geology; Water; Air Quality; Energy; Hazards; Public Services; Utilities; Aesthetics; Cultural Resources; and Recreation. The original project resulted in less than significant impacts for all of the above categories, with Cultural Resources being the exception. The Dunmore-Jessie IS/MND identified a less-than-significant impact to Cultural Resources with incorporation of the recommended mitigation measures. The proposed project would have similar impacts and would be required to apply the mitigation measures in the IS/MND. The proposed project would have less impacts than the conclusions made in the previous IS/MND with regards to Population and Housing; Seismicity, Soils, and Geology; Water; Energy; Hazards; Public Services; Utilities; and Recreation because the proposed number of residential units is less than what was approved in the original project, therefore the impacts of substantial population growth, construction activities to soils, the use of

water and energy, risk of exposure to hazardous sources, altered services related to public services, and use of utilities and recreational facilities are reduced even further below the thresholds of significance. Aesthetics would be less impacted by the proposed project because the reduction in residential units would decrease the amount of obstruction to the surrounding area than the original 184 units proposed. Conclusions made in regards to Air Quality would be reduced because the reduction in residential units would reduce overall traffic and pollutants associated with traffic. Therefore, the project would not result in any new significant information of substantial importance, new impacts or an increase the severity of previously identified impacts that would require major revisions to the original IS/MND.

Conclusion

As established in the discussions above regarding the potential effects of the proposed project, substantial changes are not proposed to the project nor have any substantial changes occurred that would require major revisions to the original IS/MND. Due to the proposed reduction in residential units in comparison to the originally approved project, impacts beyond those identified and analyzed in the Dunmore-Jessie IS/MND would not result. Overall, the proposed modifications to the project would not result in any new information of substantial importance that would have new, more severe impacts, new mitigation measures, or new or revised alternatives from what was identified for the original project in the IS/MND. As such, the proposed project would not result in any conditions identified in CEQA guidelines section 15162, and a subsequent MND is not required.

Based on the above analysis, this Addendum to the previously-Adopted Mitigated Negative Declaration for the project has been prepared.

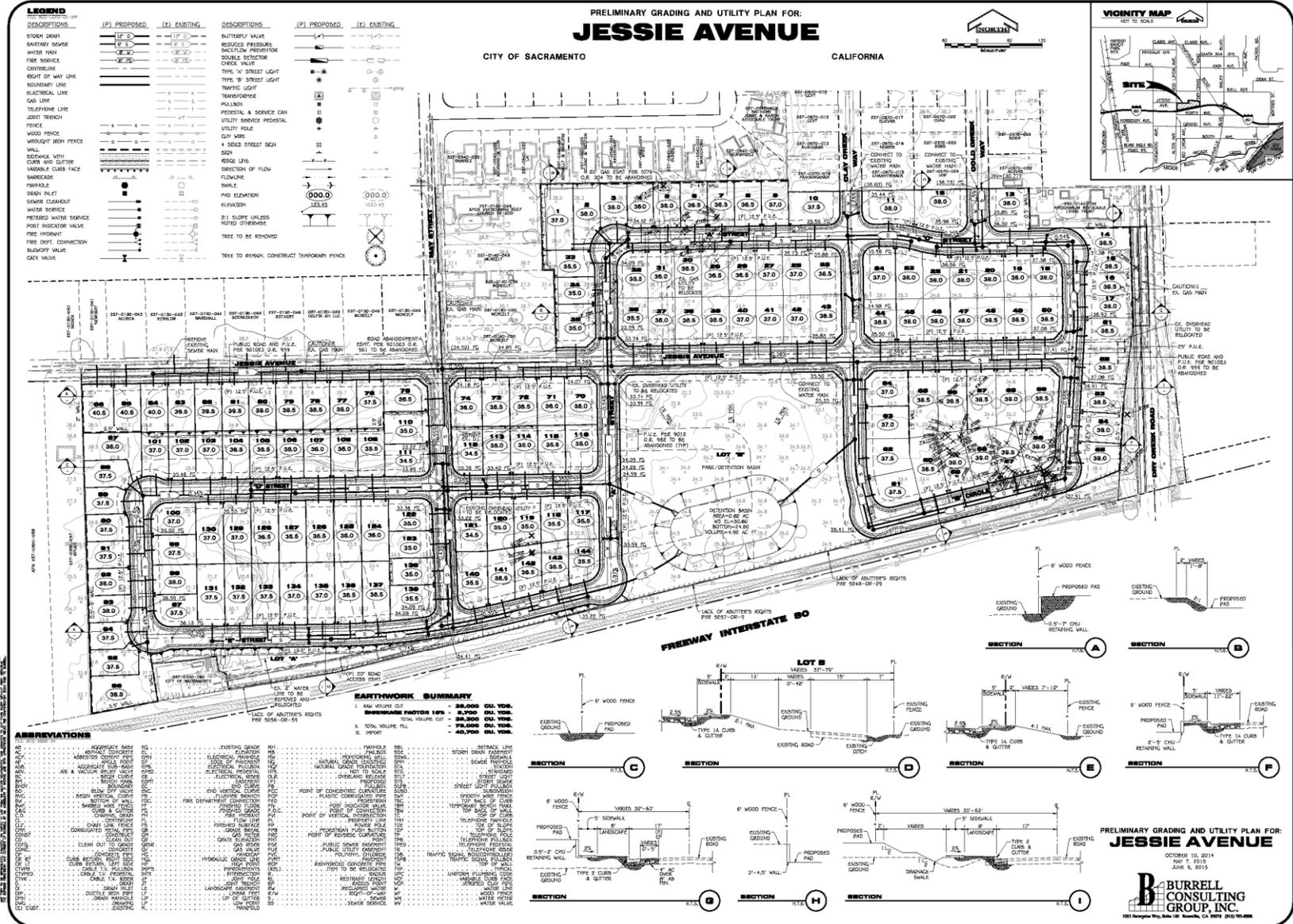
Attachments:

- A) Vicinity Map
- B) Site Plan
- C) Traffic Report Memo
- D) Biological Resources Memo
- E) Section 404 Permit, U.S. Army Corps of Engineers
- F) 2006 Initial Study/ Mitigated Negative Declaration

**ATTACHMENT A
VICINITY MAP**



ATTACHMENT B
NEW SITE PLAN



ATTACHMENT C
TRAFFIC REPORT MEMO



To: Samar Hajeer, Senior Engineer
From: Aelita Milatzo, Assistant Engineer
Subject: Jesse Avenue Subdivision (P14-069) – Traffic Assessment
Date: 04-09-2015

The project site is located north of I-80 and west of Dry Creek Road. The proposed project includes development of 144 single family residential units. The access to the development is proposed from Jessie Avenue in the west and May Street, Clay Creek Way, and Cold Creek Way from the north. Both Clay Creek Way and Cold Creek Way connect to Dry Creek Road via Liama Creek Way in the east. No direct access is proposed from the south.

Project Background

In June 2006 the City of Sacramento approved the Dunmore-Jessie Avenue project (P04-079) located on the same development site. During the process of the project approval, City of Sacramento prepared a traffic impact study (Dunmore-Jessie Avenue Project Traffic Impact Analysis, Dowling Associates, November 15, 2005) and analyzed the impact of the project to include 191 single family residential units. The project had proposed the same vehicular access points and additionally proposed to extend Jessie Avenue to the Dry Creek Road in the east. The study area included nine intersections, five roadway segments, and four freeway ramps. Analysis was done for baseline and cumulative conditions. The Planning Commission adopted a Mitigation Monitoring Program to require all mitigation measures to be implemented.

The following mitigation measure was included in the traffic impact study for the approved Dunmore-Jesse Avenue project (P04-079):

T1: At the Dry Creek Road/ Bell Avenue intersection, the applicant shall pay a fair share for construction of a traffic signal with protected left-turn phasing (green arrows) for the east and west approaches and permitted left-turn phasing (green ball displays) for the north and south approaches.

Trip Generation

Table 1 below shows the trip generation comparison between the approved project (P04-079) and proposed project (P14-069).

TABLE 1
TRIP GENERATION COMPARISON BETWEEN THE APPROVED P04-079 PROJECT AND
PROPOSED P14-069 PROJECT

	Land Use	AM Peak Hour Trips			PM Peak Hour Trips			Daily Trips
		In	Out	Total	In	Out	Total	
P04-079 - Approved Project Trip Generation	191 Residential Units	29	114	143	125	67	192	1,886
P14-069 – Proposed Project Trip Generation	144 Residential Units	28	83	111	92	54	146	1,469
Net Trip Difference		-1	-31	-32	-33	-13	-46	-417

Notes: ¹ Trip rates for the revised 2014 project based on data published in *Trip Generation 9th Edition* (ITE, 2012).

According to Table 1, the proposed project will generate fewer trips than the approved project (32 less trips in AM peak hour, 46 less trips in the PM peak hour, and 417 less daily trips).

Project Access Evaluation

No significant changes have occurred to the roadway system in the proximity of the project site since the approval of the project. In Dunmore-Jessie Avenue Project Traffic Impact Analysis (Dowling Associates, 2005), the access to the project was analyzed similar to the currently proposed Jessie Avenue Subdivision project (P14-069), except it included an additional access by extending Jessie Avenue to Dry Creek Road east of the project site. According to the traffic study prepared for the project, about 30 percent of project generated traffic was assumed to be using the additional access from Dry Creek Road in the east. Sixty one percent of project trips were analyzed to be accessing the site from the west via Jessie Avenue, 10 percent of trips would use May Street.

With the new tentative subdivision map application, the connection of Jessie Avenue to Dry Creek Road is not proposed. Therefore, the amount of traffic anticipated to access the site from the east (about 30%) would continue on Clay Creek Way and Cold Creek Way and access Dry Creek Road via Liama Creek Way about 600 feet north of the site. During peak hours, it anticipated that about 32 AM peak hour trips and 42 PM peak hour trips will be accessing the site from Liama Creek Way. These local residential streets are designed to connect to the new subdivision by providing a temporary hammer head and currently carry only local traffic. The addition of Jessie Avenue Subdivision trips to the existing traffic volumes at those roads is not expected to create any new impacts.

Conclusions and Recommendations

- 1) Compared to the approved Dunmore-Jessie Avenue project (P04-079), the proposed project will generate 32 less trips in AM peak hour, 46 less trips in the PM peak hour, and 417 less daily trips. The traffic analysis prepared for the approved project defined the anticipated impacts of this project; therefore, the impact of the proposed project is expected to be less than the defined impacts from the approved project on the same site. A new traffic analysis for the project is not required.
- 2) The project is required to implement all transportation mitigation measures approved with the approved Dunmore-Jessie Avenue project (P04-079).
- 3) The proposed project site plan is subject to entitlements review by the Department of Public Works.

ATTACHMENT D
BIOLOGICAL RESOURCES MEMO



Gibson & Skordal, LLC

WETLAND CONSULTANTS

April 30, 2015

John Griffin
Del Paso Homes, Inc.
4120 Douglas Blvd. #306-375
Granite Bay, CA 95746

Subject: Field Review of the Jessie Avenue Property, Sacramento County, California

Dear Mr. Griffin:

At your request, I field reviewed the Jessie Avenue property to determine if conditions are the same as they were in 2006, when the jurisdictional delineation was verified by the Corps of Engineers.

I field reviewed the site on April 30, 2015. Conditions were basically the same as they were in 2007. A few areas of mapped wetlands do not currently display wetland characteristics; however, we are in the fourth year of a drought, which is not considered normal circumstances by the Corps of Engineers.

I also reviewed Google Earth aerial photography between 2006 and 2014, and did not observe any changes in land use practices on the site.

If you have any questions or need additional information, please contact me at (916)822-3230.

Sincerely,

A handwritten signature in blue ink, appearing to read "James C. Gibson". The signature is fluid and cursive, with a prominent initial "J" and "G".

James C Gibson
Principal

ATTACHMENT E
SECTION 404 PERMIT, U.S. ARMY CORPS OF ENGINEERS



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY PERMIT

Permittee: Hanzlick Family Partnership

Permit Number: SPK-2004-00090

Issuing Office: U.S. Army Engineer District, Sacramento
 Corps of Engineers
 1325 "J" Street
 Sacramento, California 95814-2922

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below. A notice of appeal options is enclosed.

Project Description:

To discharge approximately 5,600 cubic yards of clean soil graded on-site into 1.16 acres of waters of the U.S., including 0.93 acre of seasonal wetlands and 0.23 acre of seasonal wetland swale for the construction of 185 single-family residential lots, a 2.6 acre park site, a 1.76 acre detention basin and associated infrastructure.

All work is to be completed in accordance with the attached plan(s).

Project Location:

The project site is located east of Rio Linda Boulevard, west of Dry Creek Road, and north of Interstate 80 at the eastern terminus of Jessie Avenue in the City of Sacramento, in Section 11, Township 9 North, Range 5 East, Sacramento County, California; Latitude 38.6436° North, Longitude 121.4403° West; and can be seen on the Rio Linda USGS Topographic Quadrangle.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **June 5, 2014**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. To mitigate for the loss of 1.16 acres of waters of the United States, including wetlands, you shall purchase 0.85 seasonal wetland creation and 0.31 vernal pool creation credits at a Corps approved wetland mitigation bank. The selected mitigation bank shall include the area of the permitted project within its service area. Evidence of this purchase shall be provided to this office prior to proceeding with any activity otherwise authorized by this permit.
2. This Corps permit does not authorize you to take an endangered species, in particular vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), or designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (e.g., an Endangered Species Act Section 10 permit, or a Biological Opinion under Endangered Species Act Section 7, with "incidental take" provisions with which you must comply). The enclosed Fish and Wildlife Service Biological Opinion (Number 81420-2008-F-1854-1, dated October 6, 2008), contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the Biological Opinion. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with "incidental take" of the attached Biological Opinion, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the Biological Opinion, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its Biological Opinion, and with the Endangered Species Act. The permittee must comply with all conditions of this Biological Opinion, including those ascribed to the Corps.
3. To document pre and post-project construction conditions, you shall submit pre-construction photos of the project site prior to project implementation and post-construction photos of the project site within 30 days after completion of authorized activities.
4. You must allow representatives from the Corps of Engineers to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
5. You shall employ construction best management practices (BMP's) onsite to prevent degradation to the adjacent off-site waters of the U.S. Methods should include: the use of filter fencing or other barrier methods to intercept and capture sediment prior to entering on-site drainages or other waters of the U.S. You shall submit photodocumentation of your BMPs to our office within 30 days of commencement of construction. Photos may be submitted electronically to regulatory-info@usace.army.mil.
6. Any unstable fills in or adjacent to waters of the U.S. shall be stabilized and protected against erosion by using appropriate erosion controls such as the use of matting, seeding, or other effective methods. The erosion controls shall remain in place until all exposed areas are permanently stabilized.

7. The project limits shall be clearly identified in the field (e.g. survey markers, fencing, etc.) prior to any construction work, to ensure avoidance of impacts beyond project footprints. The identification shall be maintained until construction is complete. No heavy equipment or work (e.g. filling, clearing, etc.) is permitted in waters of the U.S. outside of the project area.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.

Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

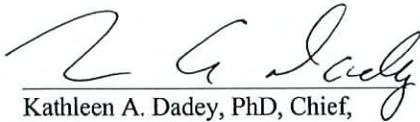
6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.


Permittee

6-16-09
Date

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


Kathleen A. Dadey, PhD, Chief,
California Delta Branch
(For the District Engineer)

6/23/09
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee

Date

JESSIE AVENUE VICINITY MAP

May 24, 2006



Figure 1

DWG : WETLAND EXHIBIT

DRAWN BY: _____ CHECKED BY: _____ DATE: 24 MAY 2006 W.O. NO. : 333337

Carter Burgess



Karl E. Longley, ScD, P.E., Chair

Linda S. Adams
Secretary for
Environmental
Protection

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Arnold
Schwarzenegger
Governor

26 January 2009

Cliff Stokes
Hanzlick Family Partnership
4312 Anthony Court
Rocklin, CA 95667

**CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE
JESSIE AVENUE PROJECT, (WDID# 5A34CR00362) SACRAMENTO COUNTY**

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and §3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action shall be conditioned upon total payment of the full fee required under 23 CCR §3833, unless otherwise stated in writing by the certifying agency.
4. Certification is valid for the duration of the described project. Discharger shall notify the Regional Board in writing within 7 days of project completion.

ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:

In addition to the four standard conditions, the applicant shall satisfy the following:

1. Hanzlick Family Partnership shall notify the Board in writing of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps under §404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. The discharge of petroleum products or other excavated materials to surface water is prohibited.

California Environmental Protection Agency



4. Activities shall not cause turbidity increases in surface water to exceed:
- (a) where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU;
 - (b) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - (c) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
 - (d) where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected.

- 5. Activities shall not cause settleable matter to exceed 0.1ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
- 6. Activities shall not cause visible oil, grease, or foam in the work area or downstream.
- 7. All areas disturbed by project activities shall be protected from washout or erosion.
- 8. In the event that project activities result in the deposition of soil materials or creation of a visible plume in surface waters, the following monitoring shall be conducted immediately upstream and 300 feet downstream of the work site and the results reported to this office within two weeks:

Parameter	Unit	Type of Sample	Frequency of Sample
Turbidity	NTU	Grab	Every 4 hours during in water work
Settleable Material	ml/l	Grab	Same as above.

- 9. Hanzlick Family Partnership shall notify the Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
- 10. Hanzlick Family Partnership shall notify the Board immediately of any spill of petroleum products or other organic or earthen materials.
- 11. Hanzlick Family Partnership shall comply with all Department of Fish and Game 1600 requirements for the project.
- 12. Hanzlick Family Partnership must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activities issued by the State Water Resources Control Board.

ADDITIONAL STORM WATER QUALITY CONDITIONS:

The applicant shall also satisfy the following additional storm water quality conditions:

1. During the construction phase, Hanzlick Family Partnership must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
 - (a) the Storm Water Pollution Prevention Plan (SWPPP) must be prepared during the project planning and design phases and before construction.
 - (b) an effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working prior to the rainy season and during all phases of construction.
2. Hanzlick Family Partnership must minimize the short and long-term impacts on receiving water quality from the Jessie Avenue project, by implementing the following post-construction storm water management practices:
 - (a) minimize the amount of impervious surface;
 - (b) reduce peak runoff flows;
 - (c) provide treatment BMPs to reduce pollutants in runoff;
 - (d) ensure existing waters of the State (e.g. wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - (e) preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - (f) limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
 - (g) use existing drainage master plans or studies to estimate increases in pollutant loads and flows resulting from projected future development and require incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;
 - (h) identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/sediment loss;
 - (i) control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
3. Hanzlick Family Partnership must ensure that all development within the project provides verification of maintenance provisions for post-construction structural and treatment control BMPs. Verification shall include one or more of the following, as applicable:
 - (a) the developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or
 - (b) written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or
 - (c) written text in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or
 - (d) any other legally enforceable agreement that assigns responsibility for storm water BMP maintenance.

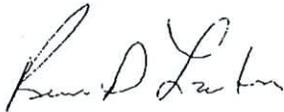
REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

Patrick G. Gillum, Environmental Scientist
11020 Sun Center Drive #200
Rancho Cordova, California 95670-6114
(916) 464-4709
pgillum@waterboards.ca.gov

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that any discharge from Hanzlick Family Partnership, Jessie Avenue project (WDID#5A34CR00362) will comply with the applicable provisions of §301 ("Effluent Limitations"), §302 ("Water Quality Related Effluent Limitations"), §303 ("Water Quality Standards and Implementation Plans"), §306 ("National Standards of Performance"), and §307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).



for PAMELA C. CREEDON
Executive Officer

Enclosure: Project Information

cc: U.S. Army Corps of Engineers, Sacramento
Dave Smith, Wetlands Section Chief (WTR-8), U.S. Environmental Protection Agency,
Region 9, San Francisco
U.S. Fish & Wildlife Service, Sacramento
Bill Orme, 401 Certification and Wetlands Unit Chief, State Water Resources Control Board,
Sacramento
Jeff Drongesen, Department of Fish and Game, Sacramento
Richard McHenry, CA Sportfishing Protection Alliance, Stockton
Ginger Fodge, Gibson & Skordal, LLC, Sacramento

PROJECT INFORMATION

Application Date: 29 June 2007

Applicant: Cliff Stokes
Hanzlick Family Partnership
4312 Anthony Court
Rocklin, CA 95667

Applicant Representatives: Ginger Fodge
Gibson & Skordal, LLC
2277 Fair Oaks Blvd., Suite 105
Sacramento, CA 95825

Project Name: Jessie Avenue Project

Application Number: WDID#5A34CR00362

U.S. Army Corps File Number: Nationwide Permit #39

Type of Project: The purpose of the project is to construct an in-fill project providing high-density single-family residential housing for the City of Sacramento.

Project Location: Section 11, Township 9 North, Range 5 East, MDB&M. Latitude: _____
38°38'00" and Longitude: 121°26'00".

County: Sacramento County

Receiving Water(s) (hydrologic unit): Unnamed tributary of Dry Creek, Sacramento Hydrologic Basin, Valley-American Hydrologic Unit #519.21, Lower American HSA

Water Body Type: Wetlands

Designated Beneficial Uses: The Basin Plan for the Central Valley Regional Board has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge, Water Contact Recreation (REC-1); Non-contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); and Wildlife Habitat (WILD).

Project Description (purpose/goal): The Jessie Avenue Project consists of the construction of 185 single-family residential lots, 2.6 acre park site and a storm water detention basin. Road and infrastructure access will be from May Street and Dry Creek Road to the north and from Jessie Avenue to the west.

Preliminary Water Quality Concerns: The construction activities may impact surface waters with increased turbidity and settleable matter.

Proposed Mitigation to Address Concerns: Hanzlick Family Partnership will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. Hanzlick Family Partnership will conduct turbidity and settleable matter testing during in water work, stopping work if Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: 5,600 cubic yards of clean soil will be placed into 1.16 acres of jurisdictional wetland.

Dredge Volume: None

U.S. Army Corps of Engineers Permit Number: Nationwide Permit #39

Department of Fish and Game Streambed Alteration Agreement: No wetlands regulated by the Department of Fish and Game will be disturbed. Therefore, the Hanzlick Family Partnership did not apply for a Streambed Alteration Agreement.

Possible Listed Species: Vernal pool fairy shrimp, Vernal pool tadpole shrimp

Status of CEQA Compliance: The City of Sacramento approved a Negative Declaration and filed a Notice of Determination for this project on 28 June 2006.

Compensatory Mitigation: The project applicants will pay fees totaling \$185,600 to purchase in-kind credits from the U.S. Fish and Wildlife Service's Vernal Pool Species Fund to mitigate for the impacts of the federally-listed vernal pool crustaceans. A total of 1.16 acres of seasonal wetland credits will be purchased. The acreage of vernal pool habitat to be mitigated will be determined in coordination with the U.S. Fish and Wildlife Service through the Section 7 consultation process.

Application Fee Provided: Total fees of \$2,994.00 have been submitted as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e).

DISTRIBUTION LIST

U.S. Army Corp of Engineers
Sacramento District Office
Regulatory Section, Room 1480
1325 J Street
Sacramento, CA 95814-2922

Dave Smith
Wetlands Section Chief (W-3)
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

United States Fish & Wildlife Service
Sacramento Fish & Wildlife Office
2800 Cottage Way
Sacramento, CA 95825

Jeff Drongesen
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Bill Orme
State Water Resources Control Board
401 Certification and Wetlands Unit Chief
P.O. Box 100
Sacramento, CA 95814

Richard McHenry
CA Sportfishing Protection Alliance
3536 Rainier Avenue
Stockton, CA 95204

Ginger Fodge
Gibson & Skordal, LLC
2277 Fair Oaks Blvd., Suite 105
Sacramento, CA 95825



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Sacramento Fish and Wildlife Office
 2800 Cottage Way, Room W-2605
 Sacramento, California 95825-1846



In reply refer to:
 81420-2008-F-1854-1

OCT 6 2008

Ms. Nancy Haley
 U.S. Army Corps of Engineers
 1325 J Street
 Sacramento, California 95814

Subject: Review of the Proposed Jessie Avenue Property Project, Sacramento County, California (Corps File No. 200400090), for Inclusion with the Vernal Pool Crustaceans Programmatic Consultation (Service file no. 1-1-96-F-001).

Dear Ms. Haley:

This letter is in response to your August 23, 2006, letter and supporting documentation requesting section 7 consultation for the proposed Jessie Avenue Property Project (project), in Sacramento County, California. Your request was received by the U.S. Fish and Wildlife Service (Service) on August 24, 2006, and additional information required for this consultation was received August 17, 2007. At issue are potential adverse effects to the federally-listed as threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the endangered vernal pool tadpole shrimp (*Lepidurus packardii*) (vernal pool crustaceans). The proposed project is not located in proposed or designated critical habitat for any federally-listed species. Therefore, no critical habitat would be affected. This document represents the Service's biological opinion on the effects of the proposed project on vernal pool crustaceans in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

Based on the available information, the Service has determined that the proposed project is likely to adversely affect the vernal pool crustaceans. The Service has determined that this proposed project can be appended to the Service's February 28, 1996, *Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California* (Programmatic Consultation).

This consultation is based on the following: (1) the Corps' August 23, 2006, consultation initiation letter and permit application; (2) the *Jurisdictional Delineation and Special Status*

Species Evaluation for the Jessie Avenue Property Project, prepared by Gibson and Skordal, LLC; (3) email and phone correspondence between the Service and representatives of the Dunmore Communities (project proponent) between August 2006 through September 2008; (4) a site visit by the Service and project representatives on May 22, 2008; and (5) other information available to the Service.

BIOLOGICAL OPINION

Description of the Proposed Action

The proposed project site is approximately 16.1 acres and is located east of Rio Linda Boulevard, west of Dry Creek Road, and north of Interstate 80 (I-18) in Sacramento County, California. The site is bordered mainly by residential subdivisions and I-80. The site has recently been degraded by disking and plowing. The project applicant proposes to develop the entire site with 185 single-family residential lots, a 2.6 acre park, and a detention basin. The proposed project would result in direct effects to 0.31 acres of habitat for the vernal pool crustaceans.

Proposed Conservation Measures

The proposed project will result in direct effects to 0.31 acres of habitat for vernal pool crustaceans. Direct effects will be compensated at a 2:1 preservation ratio and a 1:1 creation ratio. Dunmore Communities has proposed to purchase 0.62 acres of vernal pool preservation credits and 0.31 acres of vernal pool creation credits at a Service-approved conservation bank.

Evaluation under Programmatic Consultation

This letter is an agreement by the Service to append the proposed project to the *February 28, 1996, Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California (1-1-96-F-001)*, and represents the Service's biological opinion on the effects of the proposed action. Conservation measures for projects appended to the Programmatic Consultation involve the use of creation and preservation banks in combination with on-site conservation options where such options are appropriate.

The conservation measures identified in the Programmatic Consultation includes the following:

1. **Preservation component.** For every acre of habitat directly or indirectly affected, at least two vernal pool credits will be dedicated within a Service-approved ecosystem preservation bank; or, based on Service evaluation of site-specific conservation values, three acres of vernal pool habitat may be preserved on the project site or another non-bank site as approved by the Service.
2. **Creation component.** For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a Service-approved habitat creation bank, or, based on Service evaluation of site-specific conservation values, two acres of vernal pool

Ms. Nancy Haley

3

habitat will be created and monitored on the project site or another non-bank site as approved by the Service.

The proposed project will result in direct effects to 0.31 acre and of habitat for vernal pool crustaceans. The agreed upon conservation responsibilities of the applicant are as follows:

1. Prior to the start of construction, the project applicant will purchase vernal pool preservation credits sufficient to preserve 0.62 acre at a Service-approved vernal pool conservation bank with a service area covering the project.
2. Prior to the start of construction, the project applicant will purchase vernal pool creation credits sufficient to restore/create 0.31 acre a Service-approved vernal pool conservation bank with a service area covering the project.

This concludes formal consultation on the proposed Jessie Avenue Property Project. As provided for in 50 CFR Section 402.1, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained (or is authorized by law), and if: (1) the amount or extent of incidental take is exceeded, as previously described, or the requirements under the incidental take section are not implemented; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent that was not considered in this opinion; (3) the proposed action is subsequently modified in a manner that causes an effect to listed species that was not considered in this opinion; and/or (4) a new species is listed or critical habitat is designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions regarding this biological opinion for Jessie Avenue Property Project, please contact Lisa Ellis or Jana Milliken, Sacramento Valley Branch Chief, at (916) 414-6645.

Sincerely,



Peter A. Cross
Deputy Assistant Field Supervisor

cc:
Ginger Fodge, Gibson & Skordal, LLC
Ted Kozak, Dunmore Communities



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY PERMIT

Permittee: Hanzlick Family Partnership

Permit Number: SPK-2004-00090

Issuing Office: U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 "J" Street
Sacramento, California 95814-2922

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below. A notice of appeal options is enclosed.

Project Description:

To discharge approximately 5,600 cubic yards of clean soil graded on-site into 1.16 acres of waters of the U.S., including 0.93 acre of seasonal wetlands and 0.23 acre of seasonal wetland swale for the construction of 185 single-family residential lots, a 2.6 acre park site, a 1.76 acre detention basin and associated infrastructure.

All work is to be completed in accordance with the attached plan(s).

Project Location:

The project site is located east of Rio Linda Boulevard, west of Dry Creek Road, and north of Interstate 80 at the eastern terminus of Jessie Avenue in the City of Sacramento, in Section 11, Township 9 North, Range 5 East, Sacramento County, California; Latitude 38.6436° North, Longitude 121.4403° West; and can be seen on the Rio Linda USGS Topographic Quadrangle.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **June 5, 2014**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

-2-

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. To mitigate for the loss of 1.16 acres of waters of the United States, including wetlands, you shall purchase 0.85 seasonal wetland creation and 0.31 vernal pool creation credits at a Corps approved wetland mitigation bank. The selected mitigation bank shall include the area of the permitted project within its service area. Evidence of this purchase shall be provided to this office prior to proceeding with any activity otherwise authorized by this permit.
2. This Corps permit does not authorize you to take an endangered species, in particular vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), or designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (e.g., an Endangered Species Act Section 10 permit, or a Biological Opinion under Endangered Species Act Section 7, with "incidental take" provisions with which you must comply). The enclosed Fish and Wildlife Service Biological Opinion (Number 81420-2008-F-1854-1, dated October 6, 2008), contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the Biological Opinion. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with "incidental take" of the attached Biological Opinion, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the Biological Opinion, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The Fish and Wildlife Service is the appropriate authority to determine compliance with the terms and conditions of its Biological Opinion, and with the Endangered Species Act. The permittee must comply with all conditions of this Biological Opinion, including those ascribed to the Corps.
3. To document pre and post-project construction conditions, you shall submit pre-construction photos of the project site prior to project implementation and post-construction photos of the project site within 30 days after completion of authorized activities.
4. You must allow representatives from the Corps of Engineers to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
5. You shall employ construction best management practices (BMP's) onsite to prevent degradation to the adjacent off-site waters of the U.S. Methods should include: the use of filter fencing or other barrier methods to intercept and capture sediment prior to entering on-site drainages or other waters of the U.S. You shall submit photodocumentation of your BMPs to our office within 30 days of commencement of construction. Photos may be submitted electronically to regulatory-info@usace.army.mil.
6. Any unstable fills in or adjacent to waters of the U.S. shall be stabilized and protected against erosion by using appropriate erosion controls such as the use of matting, seeding, or other effective methods. The erosion controls shall remain in place until all exposed areas are permanently stabilized.

-3-

7. The project limits shall be clearly identified in the field (e.g. survey markers, fencing, etc.) prior to any construction work, to ensure avoidance of impacts beyond project footprints. The identification shall be maintained until construction is complete. No heavy equipment or work (e.g. filling, clearing, etc.) is permitted in waters of the U.S. outside of the project area.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.

Circumstances that could require a reevaluation include, but are not limited to, the following:

-4-

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

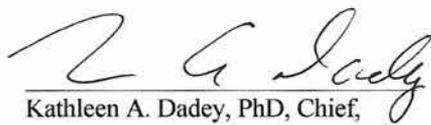
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



Permittee

6-16-09
Date

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


Kathleen A. Dadey, PhD, Chief,
California Delta Branch
(For the District Engineer)

6/23/09
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee

Date

ATTACHMENT F
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION



DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

2101 ARENA BLVD., SUITE 200
SACRAMENTO, CA 95834

PLANNING DIVISION

ENVIRONMENTAL PLANNING
SERVICES
916-808-7483
FAX 916-566-3968

**DRAFT MITIGATED NEGATIVE DECLARATION FOR
THE DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
NOTICE OF AVAILABILITY/INTENT TO APPROVE**

The City of Sacramento, Development Services Department, Environmental Planning Services, has completed preparation of a Draft Mitigated Negative Declaration for the Dunmore Sacramento, Jessie Avenue Project (P04-079). Mitigation measures were identified for Transportation/Circulation, Biological Resources, Noise, and Cultural Resources. The document is now available for a 30-day public review and comment period. The comment period is from **May 15, 2006 through June 13, 2006**. A copy of the document and all supporting documentation may be reviewed or obtained at the City of Sacramento, Development Services Department, Environmental Planning Services Division, 2101 Arena Blvd., Suite 200 Sacramento, CA 95834, open from 7:30 am to 3:30 pm. A copy is also available for "review only" on the 3rd floor of the City Hall Admin Building located at 915 "I" Street, Sacramento from 8 am to 5 pm.

Project Location

The proposed project site is irregularly shaped and is located directly north of Interstate 80. The site is bounded on the east by Dry Creek Road, and Jesse Avenue borders the site to the north. May Street is located adjacent to the western border of the northeastern portion of the site. The project site is comprised of the following Assessor's Parcel Numbers (APNs): 237-0200-056, -074, -082, -086; 237-0140-026, -032, -033, -056; and 237-0200-082.

Project Description

The proposed project consists of entitlements to construct 184 single-family detached homes and a Neighborhood Park on approximately 26.7 vacant acres in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones. Specific entitlements include:

- A. Inclusionary Housing Plan;**
- B. General Plan Map Amendment** to re-designate 26.7 acres from Medium Density Residential and Low Density Residential to Low Density Residential and Parks-Recreation-Open Space;
- C. North Sacramento Community Plan Map Amendment** to re-designate 26.7 acres from Residential (11-29 du/ac) and Residential (4-8 du/ac) to Residential (7-15 du/ac) and Parks/Open Space;
- D. Rezone** of 26.7 acres from the Multi-Family (R-2A) and Standard Single Family (R-1) zones to the Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones;
- E. Tentative Subdivision Map** to subdivide 26.7 acres into single-family lots, park lot, landscape lot, and detention basin lot in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones;
- F. Subdivision Modifications;** and
- G. Special Permit** to develop detached single-family residences in the proposed Single Family Alternative (R-1A) zone.

Written comments regarding the Draft Negative Declaration should be received by the Development Services Department, **NO LATER THAN 5:00 p.m., June 13, 2006**. Written comments should be submitted to:

Michael Parker, Assistant Planner
City of Sacramento, Development Services Department
2101 Arena Boulevard, Suite 200
Sacramento, CA 95834

If you have any questions concerning the environmental review process, please call Michael Parker at (916) 808-7483. If you have questions regarding the project, please contact Michael York at (916) 808-8239.

Thank you.



DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

2101 ARENA BLVD
SUITE 200
SACRAMENTO, CA
95834
ENVIRONMENTAL PLANNING
SERVICES
916-808-7483
FAX 916-566-3968

PLANNING DIVISION

MITIGATED NEGATIVE DECLARATION

The City of Sacramento, California, a municipal corporation, does hereby prepare, declare, and publish this Negative Declaration for the following described project:

P04-079 – Dunmore Sacramento, Jessie Avenue The proposed project consists of entitlements to construct 184 single-family detached homes and a Neighborhood Park on approximately 26.7 vacant acres in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones. Specific entitlements include:

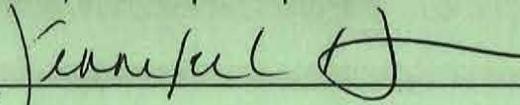
- A. Inclusionary Housing Plan;**
- B. General Plan Map Amendment** to re-designate 26.7 acres from 19.2 acres of Medium Density Residential and 7.5 acres of Low Density Residential to 20.6 acres of Low Density Residential and 6.1 acres of Parks-Recreation-Open Space;
- C. North Sacramento Community Plan Map Amendment** to re-designate 26.7 acres from 19.2 acres of Residential (11-29 du/ac) and 7.5 acres of Residential (4-8 du/ac) to 20.6 acres of Residential (7-15 du/ac) and 6.1 acres of Parks/Open Space;
- D. Rezone** of 26.7 acres from 19.2 acres of Multi-Family (R-2A) zone and 7.5 acres Standard Single Family (R-1) zone to 20.6 acres of Single Family Alternative (R-1A) zone and 6.1 acres of Agriculture-Open Space (A-OS) zone;
- E. Tentative Subdivision Map** to subdivide 26.7 acres into 184 single-family lots, 1 park lot, 1 landscape lot, and 1 detention basin lot in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones;
- F. Subdivision Modifications;** and
- G. Special Permit** to develop 184 detached single-family residences on 15.3 acres in the proposed Single Family Alternative (R-1A) zone.

The City of Sacramento, Development Services Department, has reviewed the proposed project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

This Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Sacramento Local Environmental Regulations (Resolution 91-892) adopted by the City of Sacramento; and the Sacramento City Code.

A copy of this document and all supportive documentation may be reviewed or obtained at the City of Sacramento, Development Services Department, Environmental Planning Division, 2101 Arena Blvd, Suite 200, Sacramento, California 95834. The public counter is open from 7:30 am to 3:30 pm; however, with prior arrangements, the documents are available until 5:00 pm.

Environmental Services Manager, City of Sacramento,
California, a municipal corporation

By: 

STATE OF CALIFORNIA
COUNTY OF [illegible]

MINUTE ORDER

On this [illegible] day of [illegible] 20[illegible], the Court held a hearing on the matter of [illegible].

The Court heard the testimony of [illegible] and [illegible].

The Court finds that [illegible] is the [illegible] of [illegible].

It is the Court's order that [illegible] be [illegible].

Costs of this proceeding are awarded to [illegible].

The Court's order is subject to the provisions of the Family Code.

IT IS SO ORDERED.

Given under the seal of the Court and in the presence of the Court's clerk on this [illegible] day of [illegible] 20[illegible].

[illegible]

[Handwritten signature]

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION I. BACKGROUND

File Number, Project Name:

P04-079, Dunmore Sacramento, Jessie Avenue

Project Location:

The proposed project site is irregularly shaped and is located directly north of Interstate 80. The site is bounded on the east by Dry Creek Road, and Jesse Avenue borders the project site to the north (although the roadway partially transects the eastern portion of the site). May Street is located adjacent to the western border of the northeastern portion of the site. The project site is comprised of the following Assessor's Parcel Numbers (APNs): 237-0200-056, -074, -082, -086; 237-0140-026, -032, -033, -056; and 237-0200-082.

Project Applicant, Project Planner, and Environmental Planner Contact Information:

Project Applicant

Ted Kozak
Dunmore Communities, Inc.
1115 Orlando Avenue
Roseville, CA 95661
(916) 676-1115

Project Planner

Arwen Wacht, Associate Planner
City of Sacramento, Development Services Department
915 I Street, 3rd Floor
Admin Building
Sacramento, CA 95814
(916) 808-1964

Environmental Planner

Mike Parker, Assistant Planner
City of Sacramento, Development Services Department
2101 Arena Blvd, Suite 200
Sacramento, CA 95834
(916) 808-7483

Initial Study Completed:

May 12, 2006

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Introduction

The proposed project consists of entitlements to construct 184 single-family detached homes, 1 park, 1 landscape lot, and 1 detention basin lot on approximately 26.7 vacant acres in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones.

The City of Sacramento, as lead agency, has determined that the appropriate environmental document for the proposed project is a Mitigated Negative Declaration. This environmental document examines project effects which are identified as potentially significant effects on the environment or which may be substantially reduced or avoided by the adoption of revisions or conditions to the design of project specific features. It is believed at this time that the project will not result in potentially significant impacts that cannot be mitigated to a less-than-significant level. Therefore, a Mitigated Negative Declaration is the proposed environmental document for this project.

The City is soliciting views of interested persons and agencies on the content of the environmental information presented in this document. Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but no later than the 30-day review period ending Tuesday, June 13, 2005.

Please send written responses to:

Mike Parker, Assistant Planner
City of Sacramento, Development Services Department
2101 Arena Blvd, Suite 200
Sacramento, CA 95834
(916) 808-7483
FAX: 566-3968

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION II. PROJECT DESCRIPTION

Environmental Setting

The project site is comprised of 26.7 acres of previously disced grassland. The project site topography consists of nearly level to gently undulating terrain that slopes and drains to the south and southwest. Several trees exist on the site, although none of the trees are considered to be Heritage trees. No structures exist on the project site. Substantial illicit garbage dumping has occurred on the project site. Historically, the site may have been used for a variety of agricultural purposes including orchards, winter oats and hay production, and cattle grazing.

Surrounding land uses include single-family residences located to the north, east, and west of the project site, as well as a church also located to the west of the site. The approved Dry Creek Pointe residential subdivision (P02-047) is located to the north of the site along Dry Creek Road. An historic portion of Verano Creek transects the project site, and the North I-80 Drainage Canal (concrete-lined) exists to the south between the project site and I-80. Sump 144 exists along the north side of the canal.

Utilities in the project site vicinity include a 6" water main within May Street, an 8" water main within Jessie Avenue, a 12" water main within Dry Creek Road, a 30" underground drainage line within May Street, and a 72" drainage line within Dry Creek Road. The two drainage lines both connect to an existing 84" line at a junction structure, located at the intersection of Jessie Avenue and May Street. The 84" line travels south, transecting the site, and then turns to the west and travels along the southern property boundary. The 84" line then connects to Sump 144.

An 8" sanitary sewer line exists within the May Street right-of-way and terminates at the street's intersection with Blaine Avenue, which is over 300 feet north of the project site. An additional 8" sewer line exists within the Dry Creek Road right-of-way and terminates approximately 100 feet north of the project site.

The project site is currently zoned R-1 (Standard Single Family) and R-2A (Multi-Family). The General Plan land use designations for the site include both Medium Density Residential (MDR) and Low Density Residential (LDR). The North Sacramento Community Plan land use designations for the site include Residential (4-8 du/na) and Residential (11-21 du/na).

Project Background

In 2004, an application was submitted to the City requesting approval of a Tentative Subdivision Map and Special Permit to construct 205 single-family residential units on the proposed project site. In addition, the applicant was requesting a rezone of the project site from Standard Single Family (R-1) and Multi-Family (R-2) to Single Family Alternative (R-1A).

In August 2005, the applicant revised the application for the project. The application was again revised in January 2006 and again in May 2006, as currently proposed and analyzed in this Initial Study.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Project Purpose

The purpose of the proposed project is to allow for the development of single-family homes within the proposed Zoning, as well as the proposed General Plan and Community Plan designations. The proposed entitlements would provide consistency between the proposed land uses and the proposed project and would allow for a transition between the low and medium density land use designations surrounding the project site, but would remain consistent with the surrounding existing uses in the areas (mainly single-family development).

Project Components

The proposed project consists of entitlements to construct 184 single-family detached homes and a Neighborhood Park on approximately 26.7 vacant acres in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones. Specific entitlements include:

- A. Inclusionary Housing Plan;**
- B. General Plan Map Amendment** to re-designate 26.7 acres from 19.2 acres of Medium Density Residential and 7.5 acres of Low Density Residential to 20.6 acres of Low Density Residential and 6.1 acres of Parks-Recreation-Open Space;
- C. North Sacramento Community Plan Map Amendment** to re-designate 26.7 acres from 19.2 acres of Residential (11-29 du/ac) and 7.5 acres of Residential (4-8 du/ac) to 20.6 acres of Residential (7-15 du/ac) and 6.1 acres of Parks/Open Space;
- D. Rezone** of 26.7 acres from 19.2 acres of Multi-Family (R-2A) zone and 7.5 acres Standard Single Family (R-1) zone to 20.6 acres of Single Family Alternative (R-1A) zone and 6.1 acres of Agriculture-Open Space (A-OS) zone;
- E. Tentative Subdivision Map** to subdivide 26.7 acres into 184 single-family lots, 1 park lot, 1 landscape lot, and 1 detention basin lot in the proposed Single Family Alternative (R-1A) and Agriculture-Open Space (A-OS) zones;
- F. Subdivision Modifications;** and
- G. Special Permit** to develop 184 detached single-family residences on 15.3 acres in the proposed Single Family Alternative (R-1A) zone.

The proposed project would connect to existing water and drainage lines currently located within paved rights-of-way adjacent to the site, as well as to future lines to be installed as part of the approved Dry Creek Pointe residential subdivision to the north (P02-047). The proposed project includes the extension of a 8" sewer line within the May Street right-of-way to connect to the 8" sewer line currently located at the intersection of May Street and Blaine Avenue, which is over 300 feet north of the project site.

A detention facility is also included as part of the proposed project. The detention facility is located south of the proposed park.

Access to the project site would be provided at 4 locations. One point of access would be at the intersection of Jessie Avenue and May Street; two other points of access would occur at the two future streets included as part of the approved Dry Creek Pointe residential subdivision. The final point of connection would be located on Dry Creek Road.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The proposed project would extend Jessie Avenue to the east to connect with Dry Creek Road. The project also includes several other on-site roadways. The project also includes frontage improvements along Dry Creek Road and Jessie Avenue. Along with curb, sidewalk, and gutter, these improvements include the installation of street lighting, as typically required by the Department of Transportation as a condition of approval. Lighting would be installed and shielded consistent with City standards. Bike lanes would not be included as part of the frontage improvements and are not proposed for the internal roadways.

The proposed residential lots include lots that front the public roadways, as well as cluster lots, which include four lots that are accessed from a common drive.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

REFERENCES (available at 2101 Arena Blvd., Suite 200 -- public counter hours are 7:30 a.m. to 3:30 p.m. Monday through Friday, and until 5:00 p.m. with prior arrangements).

City of Sacramento. 1988. *General Plan Update*.

City of Sacramento. 1988. *Sacramento General Plan Update Draft Environmental Impact Report (SGPU DEIR)*.

City of Sacramento. 1984. *North Sacramento Community Plan*.

City of Sacramento Department of Utilities and County of Sacramento Water Resources Division, 2000. *January 2000 Guidance Manual for On-Site Stormwater Quality Control Measures*.

Brown Buntin Associates, 2006. *Environmental Noise Analysis Jessie Avenue Subdivision*.

Dowling Associates, Inc., 2005. *Dunmore–Jessie Avenue Project Traffic Impact Analysis*.

Foothill Associates, 2003. *Arborist Report for Jessie Avenue Property*.

Foothill Associates, 2003. *Results of a Biological Assessment for the Jessie Avenue Property, Sacramento County*.

Gibson & Skordal, LLC, 2004. *Jurisdictional Delineation and Special Status Species Evaluation (Revised from 2003 version)*.

Gibson & Skordal, LLC, 2004. *Listed Vernal Pool Branchiopods Wet Season Survey*.

Helm Biological Consulting, 2004. *Dry-Season Sampling for Federally Listed Large Branchiopods at the Jessie Avenue Property, Sacramento County, California*.

Miriam Green Associates, 2004. *Results of Special-Status Plant Surveys on the Jessie Avenue Property Sacramento County, California*.

Sacramento Metropolitan Air Quality Management District (SMAQMD) 2004. *Guide to Air Quality Assessment in Sacramento County*.

Soil Search Engineering, 2004. *Phase I Environmental Site Assessment Dunmore Sacramento Subdivision Jessie Avenue, Sacramento, CA*.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION III. ENVIRONMENTAL CHECKLIST AND DISCUSSION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
1. LAND USE <i>Would the proposal:</i>			
A) Result in a substantial alteration of the present or planned use of an area?			✓
B) Affect agricultural resources or operation (e.g., impacts to soils or farmlands, or impact from incompatible land uses?)			✓

Environmental Setting

The existing General Plan land use designations for the site include both Medium Density Residential (MDR) and Low Density Residential (LDR). The North Sacramento Community Plan (NSCP) land use designations for the site include Residential (4-8 du/na) and Residential (11-21 du/na).

The project site is presently vacant. The area surrounding the site consists of vacant land and land currently developed with single-family residences and a church. The property surrounding the site is zoned Single Family (R-1) and Single Family Alternative (R-1A) and designated for residential development in both the SGPU and NSCP.

Standards of Significance

For the purposes of this analysis, an impact is considered significant if the project would:

- Substantially change land use of the site;
- Be incompatible with long-term uses on adjacent properties;
- Conflict with applicable land use plans; or
- Result in affects to agricultural resource operations.

Answers to Checklist Questions

Question A

The current land use designations allow development of the proposed project site with a maximum of approximately 60 single-family residences and 403 multi-family residences. The project proposes the development of 184 single-family homes on 15.3 acres, with the remaining 11.4 acres proposed for use as a park, landscaping, detention basin, and interior roads. The project proposes development of the site at a density that is less than allowed by the current land use designations.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The area surrounding the proposed project site is either currently developed with residential uses or is designated for residential development.

The proposed project includes an Inclusionary Housing Plan in compliance with the City's Inclusionary Housing Ordinance.

Because the project proposes a land use type that is currently allowed on the site and is similar with the surrounding area, the project would not result in a substantial alteration of the present or planned use of an area. The impact is ***less than significant***.

Question B

Although the project site has been disced and has likely been used for agricultural purposes, the project site is not currently in agricultural use. In addition, the SGPU DEIR indicates (Exhibit T-17) that the project site is not located on Prime Agricultural land. Furthermore, commercial agricultural operations, which could result in land use conflicts with single-family residential, do not exist in the project vicinity. Therefore, a ***less-than-significant*** impact related to agricultural resources would occur.

Mitigation Measures

No mitigation is required.

Findings

The proposed project would not result in impacts due to the proposed change in the current land use of the site.

**DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
2. POPULATION AND HOUSING			
<i>Would the proposal:</i>			
A) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?			✓
B) Displace existing housing, especially affordable housing?			✓

Environmental Setting

According to the Sacramento Area Council of Government’s (SACOG) Population and Housing for Sacramento County, by Jurisdiction, the estimated population of Sacramento in 2001 was 418,700. SACOG estimates the total number of housing units to be 160,309. Using these two figures, the average number of occupants per household is calculated to be 2.61.

The project site is currently zoned R-1 (Standard Single Family) and R-2A (Multi-Family). The General Plan land use designations for the site include both Medium Density Residential (MDR) and Low Density Residential (LDR). The North Sacramento Community Plan land use designations for the site include Residential (4-8 du/na) and Residential (11-21 du/na).

The project site is presently vacant and disced. Structures do not exist on the project site. The area surrounding the site consists of vacant land and land currently developed with single-family residences.

Standards of Significance

Section 15131 of the California Environmental Quality Act (CEQA) Guidelines states that the economic or social effects of a project shall not be treated as a significant effect on the environment. However, CEQA indicates that social and economic effects be considered in an EIR only to the extent that they would result in secondary or indirect adverse impacts on the physical environment.

This environmental document does not treat population/housing as an environmental impact, but rather as a social-economic impact. If there are clear secondary impacts created by a population/housing increase generated by the project, those secondary impacts will be addressed in each affected area (e.g., transportation, air quality, etc).

For the purposes of this analysis, an impact is considered significant if the project would induce

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

substantial growth that is inconsistent with the approved land use plan for the area or displace existing affordable housing.

Answers to Checklist Questions

Questions A & B

Among the requested entitlements, the project includes a General Plan Amendment and Community Plan Amendment, which would result in an overall reduction in the density of residences allowed on the site. Because the proposed density is less than the density anticipated for the site in the SGPU and North Sacramento Community Plan, the project would not result in growth beyond what was anticipated by these plans.

The road improvements to Dry Creek Road and Jessie Avenue, which are required of the proposed project, are necessary only to provide improved access to the site. The improvements would not result in an increase in the capacity of the roadways.

Because the site area is almost fully developed, the necessary utilities are, for the most part, adjacent to the site. However, the proposed project includes the extension of a 6" sewer line to connect to the 8" sewer line currently located at the intersection of May Street and Blaine Avenue, which is over 300 feet north of the project site. This extension would only serve the proposed project and would occur entirely within existing paved right-of-way. The project would not result in the extension of major infrastructure that would induce substantial population growth because the project would not extend the line beyond the project site.

There are no residences on the site; therefore, development of the proposed project would not displace existing housing.

Because the proposed project would not induce substantial growth that is greater than that anticipated within the area's approved land use plans and would not displace housing, the impacts to population and housing would be ***less than significant***.

Mitigation Measures

No mitigation is required.

Finding

The proposed project would result in less-than-significant impacts to population and housing.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
3. SEISMICITY, SOILS, AND GEOLOGY			
<i>Would the proposal result in or expose people to potential impacts involving:</i>			
A) Seismic hazards?			✓
B) Erosion, changes in topography or unstable soil conditions?			✓
C) Subsidence of land (groundwater pumping or dewatering)?			✓
D) Unique geologic or physical features?			✓

Seismicity. The Sacramento General Plan Update (SGPU) Draft Environmental Impact Report (DEIR) identifies all of the City of Sacramento as being subject to potential damage from earthquake groundshaking at a maximum intensity of VIII of the Modified Mercalli scale (SGPU DEIR, 1987, T-16). No active or potentially active faults are known to cross within close proximity to the project site.

Topography. Terrain of the proposed project site is relatively flat. Therefore, the potential for slope instability on the site is minor.

Geology. The surface geology of the project site consists of Pleistocene Alluvium (Victor Formation). The Victor Formation forms a broad plain between the Sacramento River and the foothills of the Sierra Nevada mountains (SGPU DEIR, T-1). It is a complex mixture of consolidated, ancient river-borne sediments of all textures (SGPU DEIR, T-1). Weathering subsequent to formation during the Ice Ages has typically caused a hardpan layer to develop near the surface, generally allowing only a moderate-to-low rate of rainwater infiltration (SGPU DEIR, T-1).

Soils. According to the Soils Survey of Sacramento County prepared by the US Department of Agriculture Soil Conservation Service, the project site is primarily underlain by Madera-Galt complex (50 percent Madera soil and 35 percent Galt soil), with 0- to 2-percent slopes. The Madera soil is moderately deep and moderately well-drained, although permeability is very slow, and shrink-swell potential is high. The hazard from water erosion is slight for Madera soil. The Galt soil is moderately deep and moderately well-drained, although permeability is also slow for this soil, and shrink-swell potential is high. Galt soil is not susceptible to soil erosion.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Standards of Significance

For the purposes of this analysis, an impact is considered significant if it allows a project to be built that will either introduce geologic or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

Answers to Checklist Questions

Question A

Because no active or potentially active faults are known in the project area; the proposed project would not be subject to the rupture of a known earthquake fault.

However, the SGPU determined that an earthquake of Intensity VII on the Modified Mercalli Scale is a potential event due to the seismicity of the region. Such an event would cause alarm and moderate structural damage could be expected. People and property on the site could be subject to seismic hazards, such as groundshaking, liquefaction, and settlement, which could result in damage or failure of components of the proposed project. This seismic activity could disrupt utility service due to damage or destruction of infrastructure, resulting in unsanitary or unhealthful conditions or possible fires or explosion from damaged natural gas lines.

The City is located in Zone 3 of the Uniform Building Code (UBC) Seismic Risk Map; and therefore, the City requires that all new structures be designed and constructed consistent with the UBC's Zone 3 requirements. In addition, compliance with the California Uniform Building Code (CUBC) (Title 24) would minimize the potential for adverse effects on people and property due to seismic activity by requiring the use of earthquake protection standards in construction.

Prior to approval of the project, the project applicant must submit to the City a geotechnical report of the site. Based on the site-specific conditions, the report could recommend further measures to ensure that the region's seismic activity does not affect the proposed project. Prior to construction, the project applicant must demonstrate to the City that the site, infrastructure, and building designs for the proposed project comply with all required regulations and standards pertaining to seismic hazards, including the inclusion of the recommendations from the geotechnical study.

Implementation of applicable regulations, codes, and standard engineering practices would mitigate significant constraints on development of the proposed project site related to groundshaking or secondary seismic hazards. Therefore, the impacts due to seismic activity would be ***less than significant*** and no mitigation is required.

Question B

Topography of the project site is generally level; consequently, changes in topography would not be substantial.

The project site's soils (Madera-Gait complex) possess a high potential for shrink-swell. However, during plan check, the City would review the required geotechnical report, prepared specifically for

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

development on the site. The geotechnical report would include recommendations for constructing the residences on the project soils. The City would verify that all recommendations made in the report are incorporated into the grading plan and construction drawings, and, therefore, impacts associated with expansive soils would be reduced to a level of insignificance.

As mentioned above under the soils description, the project site's soils (Madera-Galt complex) are not susceptible to erosion. The potential for erosion due to surface water flow would be limited to areas disturbed by grading during construction. Soils are especially prone to erosion from storm water runoff that occurs during or immediately after construction. All grading and erosion control would be conducted in compliance with the requirements of the Sacramento City Code to prevent erosion of soils during construction (Ordinance 15.88.250). This Ordinance requires the project applicant to include erosion and sediment control measures on the improvement plans. These plans must also show the methods that would be used to control urban runoff pollution from the project site during construction. Therefore, the proposed project would result in a **less-than-significant** impact associated with changes to site topography, expansive soils, and soil erosion.

Question C

According to the SGPU DEIR, no significant subsidence of land had occurred within the City of Sacramento (T-13). State regulations and standards related to geotechnical considerations are reflected in the Sacramento City Code. Construction and design would be required to comply with the latest City-adopted code at the time of construction, including the Uniform Building Code. The code would require construction and design of buildings to meet standards that would reduce risks associated with subsidence or liquefaction. In addition, the proposed residential subdivision does not include below-grade features, such as basements, which would require extensive excavation; consequently, construction of the proposed project is not anticipated to require groundwater pumping or dewatering. However, in the event that dewatering activities are required, a short-term change could occur in the quantity of groundwater and/or direction of rate of flow, as well as the quality of the groundwater. Any dewatering activities associated with the proposed project must comply with application requirements established by the Central Valley Regional Water Quality Control Board (RWQCB) to ensure that such activities would not result in substantial changes in groundwater flow or quality. Therefore, compliance with the RWQCB requirements would ensure a **less-than-significant** impact and no mitigation is required.

Question D

The project site consists of vacant, disturbed land, which is relatively flat. No recognized unique geologic features or physical features that would be impacted by the construction of the proposed project exist on the project site. Therefore, related impacts to such features would be **less-than-significant**.

Findings

The proposed project would not have a significant impact due to seismicity, soils, or geology.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>4. WATER <i>Would the proposal result in or expose people to potential impacts involving:</i></p> <p>A) Changes in absorption rates, drainage patterns, or the rate and amount of surface/stormwater runoff (e.g. during or after construction; or from material storage areas, vehicle fueling/maintenance areas, waste handling, hazardous materials handling or storage, delivery areas, etc.)?</p>			✓
<p>B) Exposure of people or property to water related hazards such as flooding?</p>			✓
<p>C) Discharge into surface waters or other alterations to surface water quality that substantially impact the temperature, dissolved oxygen, turbidity, beneficial uses of receiving waters or areas that provide water quality benefits, or cause harm to the biological integrity of the waters?</p>			✓
<p>D) Changes in flow velocity or volume of stormwater runoff that cause environmental harm or significant increases in erosion of the project site or surrounding areas?</p>			✓
<p>E) Changes in currents, or the course or direction of water movements?</p>			✓
<p>F) Change in the quantity of ground waters, either through direct additions or withdrawal, or through interception of an aquifer by cuts or excavations or through substantial loss of recharge capability?</p>			✓
<p>G) Altered direction or rate of flow of groundwater?</p>			✓
<p>H) Impacts to groundwater quality?</p>			✓

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Environmental Setting

Drainage/Surface Water. The project site is within Drainage Shed 144, which flows to Sump 144, located directly south of the project site, just north of I-80 at the extension of May Street. Currently, a 30" drainage line is located within the May Street right-of-way north of Jessie Avenue, and a 72" drainage line also exists within the Dry Creek Road right-of-way, east of the site, which turns to the west in the Jessie Avenue right-of-way, through the project site. These drainage lines both connect to an existing 84" line at the junction structure, located at the intersection of Jessie Avenue and May Street. The 84" line travels south, transecting the site, and then turns to the west and travels along the southern property boundary. The 84" line then connects to Sump 144, located at the southern property boundary.

Currently, drainage on the project site generally occurs via surface flows into existing natural drainage swales and ditches on the site (including historic Verano Creek). These drainage swales and ditches generally flow southwest across the site to Sump 144 and into the North I-80 Drainage Canal, which is concrete-lined and located directly south of the project site within the Interstate 80 right-of-way.

Water Quality. The City's municipal water is received from the American River and Sacramento River. The water quality of the American River is considered very good. The Sacramento River water is considered to be of good quality, although higher sediment loads and extensive irrigated agriculture upstream of Sacramento tends to degrade the water quality. During the spring and fall, irrigation tailwaters are discharged into drainage canals that flow to the river. In the winter, runoff flows over these same areas. In both instances, flows are highly turbid and introduce large amounts of herbicides and pesticides into the drainage canals, particularly rice field herbicides in May and June. The aesthetic quality of the river is changed from relatively clear to turbid from irrigation discharges.

The Central Valley Regional Water Quality Control Board (RWQCB) has primary responsibility for protecting the quality of surface and groundwaters within the City. The RWQCB's efforts are generally focused on preventing either the introduction of new pollutants or an increase in the discharge of existing pollutants into bodies of water that fall under its jurisdiction.

The RWQCB is concerned with all potential sources of contamination that may reach both these subsurface water supplies and the rivers through direct surface runoff or infiltration. Storm water runoff is collected in City drainage facilities and is sent directly to the Sacramento River. RWQCB implements water quality standards and objectives that are in keeping with the State of California Standards.

The City of Sacramento has obtained a National Pollution Discharge Elimination System (NPDES) permit from the State Water Resources Control Board under the requirements of the Environmental Protection Agency and Section 402 of the Clean Water Act. The goal of the permit is to reduce pollutants found in storm runoff. The general permit requires the permittee to employ BMPs before, during, and after construction. The primary objective of the BMPs is to reduce non-point source pollution into waterways. These practices include structural and source control measures for residential areas, and BMPs for construction sites. BMP mechanisms minimize erosion and sedimentation, and prevent pollutants such as oil and grease from entering the storm water drains.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

BMPs are approved by Department of Utilities before beginning construction (the BMP document is available from the Department of Utilities, Engineering Services Division, 1395 35th Avenue, Sacramento, CA). Components of BMPs include:

- Maintenance of structures and roads;
- Flood control management;
- Comprehensive development plans;
- Grading, erosion and sediment control measures;
- Inspection and enforcement procedures;
- Reduction of pesticide use; and
- Site-specific structural and non-structural control measures.

Flooding. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map revised as of February 18, 2005 indicates that the project site is within the Flood Zone X. Zone X is outside the 100-year flood plain. Within the X zone, there are no requirements to elevate or flood proof structures.

Standards of Significance

Surface/Ground Water. For purposes of this environmental document, an impact is considered significant if the proposed project would substantially degrade water quality and violate any water quality objectives set by the State Water Resources Control Board, due to increased sediments and other contaminants generated by consumption and/or operation activities.

Flooding. Substantially increase exposure of people and/or property to the risk of injury and damage in the event of a 100-year flood.

Answers to Checklist Questions

Questions A, C, and D

The proposed project consists of entitlements to develop 184 single-family residences and a Neighborhood Park. Adjacent to the park is a water quality detention basin. This basin would accommodate the project site runoff, which, after detention, would flow to Sump 144. Development of the proposed project would alter absorption rates and surface runoff through the addition of paved surfaces and buildings (impervious surfaces). The proposed project would be required to connect to the City's storm drain system, to the satisfaction of the Department of Utilities

The applicant/developer would be required to comply with the City's Grading, Erosion and Sediment Control Ordinance (Title 15). This ordinance requires the applicant to prepare erosion and sediment control plans for both during and post construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction. This ordinance also requires that a Post Construction Erosion and Sediment Control Plan be prepared to minimize the increase of urban runoff pollution caused by development of the area. Storm drain maintenance is required at all drain inlets. In addition, the project would include on-site source and treatment controls as required by the updated Table 2-1 Stormwater Quality Standards for Development Projects (which will become effective May 18, 2006) in the *Guidance Manual for On-Site Stormwater Quality Control Measures (January 2000)*.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

During construction, runoff into the existing stormdrain facilities could contain sedimentation, due to exposed soils. However, the proposed project is required to comply with the City's Grading, Erosion and Sediment Control Ordinance (Title 15) as described above. Because the project is required to comply with the City's ordinances, the project impacts to water quality are not anticipated to be substantial. Please see the discussion of proposed on-site drainage facilities, the installation of which ensure that the proposed project would not result in changes in flow velocity or volume of runoff that would cause environmental harm.

General Stormwater Construction Permit

Additionally, development of the site would be required to comply with regulations involving the control of pollution in stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program (Section 402(p), Clean Water Act). The City has obtained a NPDES permit from the State Water Resources Control Board (SWRCB) under the requirements of the U.S. Environmental Protection Agency (USEPA) and Section 402 of the Clean Water Act. The regulations, which apply to a new construction projects affecting more than one acre that would not involve dredging and filling of wetlands, are administered by the SWRCB on behalf of the USEPA. Under the program, the developer would file a Notice of Intent with the SWRCB to obtain a General Construction Activity Storm Water Permit prior to construction of the proposed project.

Since the development work area is greater than one acre, the developer would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), which would include information on runoff, erosion control measures to be employed, and any toxic substances to be used during construction activities. Surface runoff and drainage would be handled on site. Potential for erosion due to surface water flow would be primarily limited to areas disturbed by grading during construction. Short-term, construction-related, erosion control would be readily available by means of Best Management Practices (BMPs) (e.g., use of erosion control barriers, hydroseeding, etc.). Long-term erosion control would be accomplished by establishing vegetation and controlling surface water flow.

The SWRCB requires that the best available technology that is economically achievable, and best conventional pollutant control technology be used to reduce pollutants. These features would be discussed in the SWPPP. A monitoring program would be implemented to evaluate the effectiveness of the measures included in the SWPPP. The RWQCB may review the final drainage plans for the project components.

Compliance with all applicable regulatory requirements, designed to maintain and improve water quality from development activities, would ensure that the proposed project would have a ***less-than-significant*** impact on drainage and water quality.

Question B

The project site is located within Flood Zone X. The Flood Zone X is defined as: Areas of 500-year flood - areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood. Therefore, impacts from flooding are anticipated to be ***less-than-significant***.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Question E

The North I-80 Drainage Canal is the nearest surface water body and is located immediately south of the project site. Stormwater runoff from the project site could affect the capacity of local rivers to receive drainage from Shed 144. However, it was assumed for Shed 144 that the project site would be developed consistent with the existing Zoning and General Plan designation, which allows single-family residential uses. Although the proposed project includes a General Plan Amendment, a Community Plan Amendment, and a Rezone, the proposed project, similar to the existing General Plan land use designation, would result in residential development. In addition, the proposed project would result in a decreased density, as compared to the General Plan designation. Consequently, the amount of runoff anticipated for the project site would not be greater than the amount assumed in the SGPU. Therefore, impacts to the currents, course, or direction of water movements are anticipated to be *less-than-significant*.

Questions F-H

Water for the proposed project would be provided by the City of Sacramento, which receives most of its water from surface water sources (for more detail, see the Utilities section). The project would not include large subsurface features or wells, and would consequently not likely affect the direction or rate of flow of ground water. If dewatering is necessary during construction, it is not anticipated to result in amounts or depths that would significantly affect the direction or rate of flow of ground water. Therefore, compliance with the RWQCB requirements would ensure a *less-than-significant* impact on groundwater.

Mitigation Measures

No mitigation required

Findings

This project would result in less-than-significant impacts to water resources.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
5. AIR QUALITY			
<i>Would the proposal:</i>			
A) Violate any air quality standard or contribute to an existing or projected air quality violation?			✓
B) Exposure of sensitive receptors to pollutants?			✓
C) Alter air movement, moisture, or temperature, or cause any change in climate?			✓
D) Create objectionable odors?			✓

Environmental Setting

The project area is located in the Sacramento Valley Air Basin, which is bounded by the Sierra Nevada on the east and the Coast Range on the west. Prevailing winds in the project area originate primarily from the southwest. These winds are the result of marine breezes coming through the Carquinez Straits. These marine breezes diminish during the winter months, and winds from the north occur more frequently at this time. Air quality within the project area and surrounding region is largely influenced by urban emission sources.

Regulatory Setting

Air quality management responsibilities exist at local, state, and federal levels of government. Air quality management planning programs were developed during the past decade generally in response to requirements established by the federal Clean Air Act (CAA) and the California Clean Air Act of 1988 (CCAA).

The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for control of stationary- and indirect-source emissions, air monitoring, and preparation of air quality attainment plans in the Sacramento County portion of the Sacramento Valley Air Basin (SVAB).

Both the State of California and the federal government have established ambient air quality standards for several different pollutants. For some pollutants, separate standards have been set for different periods of the year. Most standards have been set to protect public health, although some standards have been based on other values, such as protection of crops, protection of materials, or

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

avoidance of nuisance conditions.

The pollutants of greatest concern in the project area are carbon monoxide (CO), ozone, and inhalable particulate matter smaller than or equal to 10 microns in diameter (PM 10).

Based on ozone levels recorded between 1988 and 1991, the Sacramento County portion of the SVAB was classified by the CAA as a severe nonattainment area, with attainment required by 1999. However, no feasible controls could be identified that would provide the needed reductions by 1999. Sacramento County is still classified as non-attainment for ozone.

Sacramento County is federally designated as a moderate nonattainment area for PM10. Monitoring data have verified that no violation of the federal PM10 standards has occurred in the four most recent years for which data are available, allowing the SMAQMD to request a redesignation from nonattainment to attainment of the federal standards. SMAQMD is currently working with the EPA in preparing a report for the redesignation from nonattainment to attainment, and it is expected to be completed within the next few years.

For CO, the region is designated as unclassified/attainment by the EPA, and is also designated as being in attainment by the State.

The State of California has designated the region as being a serious nonattainment area for ozone, and a nonattainment area for PM10.

Standards of Significance

The SMAQMD adopted the following thresholds of significance in 2002:

Ozone. An increase of nitrogen oxides (NOx) above 85 pounds per day for short-term effects (construction) would result in a significant impact. An increase of either ozone precursor, nitrogen oxides (NOx) or reactive organic gases (ROG), above 65 pounds per day for long-term effects (operation) would result in a significant impact.

Particulate Matter

The threshold of significance for PM10 is a concentration based threshold equivalent to the California Ambient Air Quality Standard (CAAQS). For PM10, a project would have a significant impact if it would emit pollutants at a level equal to or greater than five percent of the CAAQS (50 micrograms/cubic meter for 24 hours) if there were an existing or projected violation; however, if a project is below the ROG and NOx thresholds, it can be assumed that the project is below the PM10 threshold as well (SMAQMD, 2004).

Carbon Monoxide. The pollutant of concern for sensitive receptors is carbon monoxide (CO). Motor vehicle emissions are the dominant source of CO in Sacramento County (SMAQMD, 2004). For purposes of this environmental analysis, sensitive receptor locations generally include sidewalks and residences. Carbon monoxide concentrations are considered significant if they exceed the 1-hour state ambient air quality standard of 20.0 parts per million (ppm) or the 8-hour state ambient standard of 9.0 ppm.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table AIR-1, below, presents the allowable contaminant generation rates at which emissions are considered to have a significant effect on air quality throughout the SMAQMD. Project-related air emissions would have a significant effect if they result in concentrations that create either a violation of an ambient air quality standard or contribute to an existing air quality violation.

Table AIR-1. SMAQMD Significance Thresholds				
	Ozone Precursor Emissions		CO (parts per million)	PM10 (µg/m³)
	ROG (lbs./day)	NO_x (lbs./day)		
Construction (short-term)	None	85	1 Hour = 20	24 Hour = 50
			8 Hour = 9.0	Annual Arithmetic Mean = 20
Operational (long-term)	65	65	1 Hour = 20	24 Hour = 50
			8 Hour = 9.0	Annual Arithmetic Mean = 20

Answers to Checklist Questions

Question A

Operational Impacts: In order to assess whether mobile source emissions for ozone precursor pollutants (NO_x and ROG), PM₁₀ and CO are likely to exceed the standards of significance due to operation of the project, an initial project screening was performed using Table 4.2 Project Sizes with Potentially Significant Emissions, which is included within the SMAQMD *Guide to Air Quality Assessment* (July 2004). The function of the table is to provide project sizes for land use types which, based conservatively on default assumptions for modeling inputs using the URBEMIS2002 model, are likely to result in mobile source emissions exceeding the SMAQMD thresholds of significance for ROG and NO_x (SMAQMD 2004, p. 4-2).

SMAQMD considers development projects of the type and size that fall below the significance cut-points in Table 4.2 for ROG and NO_x also to be insignificant for CO emissions (SMAQMD 2004, p. 5-2). SMAQMD has indicated that PM10 emissions from development projects, if they are of the type and size below the cut-points in Table 4.2 for ROG and NO_x, may likewise be considered not significant. However, this assumption applies only to projects that do not generate trips by heavy-duty diesel vehicles in greater proportion than such trips occur generally on public roadways (SMAQMD 2004, p. 5-2). Operation of the proposed single-family residential subdivision would not generate trips by heavy-duty diesel vehicles.

Projects categorized as “Single Family Residential” land use development types are considered potentially significant at the NO_x Screening Level for operational impacts at 656 units or greater. The number of units to be developed under the proposed project would be 184, which is well below the Table 4.2 threshold for single family residential. Therefore, no potentially significant operational impacts are expected to air quality due to mobile source emissions for these criteria pollutants.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The *URBEMIS 2002 8.7* model was also performed to calculate estimated emissions for the operation of the proposed project. Based on the estimated emissions from the URBEMIS model, the proposed project is not likely to exceed the operational emissions threshold of 65 lbs/day for ROG and NO_x. Estimated ROG and NO_x emissions using the URBEMIS 2002 model were calculated to be as high as approximately 28.82 lbs/day and 15.27 lbs/day, respectively, which is below the 65 lbs/day threshold.

Project-Related Construction Impacts: The *URBEMIS 2002 8.7* model was also used to calculate estimated emissions for the construction of the proposed project. Based on the estimated emissions from the URBEMIS model, the proposed project is not likely to exceed the short-term emissions threshold of 85 lbs/day for NO_x. Estimated NO_x emissions using the URBEMIS 2002 model were calculated to be as high as approximately 57.85 lbs/day, which is below the 85 lbs/day threshold.

The SMAQMD Guide to Air Quality Assessment states (p. 3-2) that if the project's NO_x mass emissions from heavy-duty, mobile sources is determined not potentially significant using the recommended methodologies for estimating emissions (Manual Calculation, URBEMIS, and Roadway Construction Model), then the Lead Agency may assume that exhaust emissions of other pollutants from operation of equipment and worker commute vehicles are also not significant. Consequently, because the URBEMIS 2002 model indicated that the project would not exceed the NO_x threshold, the analysis of other criteria pollutant emissions is not included in this discussion.

Additionally, construction activities would be required to comply with SMAQMD's Rule 403 on Fugitive Dust, which states that a person shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation. Reasonable precautions include, but are not limited to:

- the use of water or chemicals for control of dust, where possible, during construction operations (including roadways), or during the clearing of land;
- the application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces, which can give rise to airborne dusts;
- other means approved by the Air Pollution Control Officer.

Compliance with this rule will further reduce impacts associated with the proposed project.

Conclusion: Because neither construction nor operation of the proposed project are anticipated to exceed thresholds of criteria pollutants, and because construction of the proposed project is anticipated to comply with SMAQMD Guidelines, the proposed project would result in a **less-than-significant** impact related to short and long term emissions.

Question B

Because the proposed project consists of residential uses, it is highly unlikely that it would create

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

either stationary or mobile Toxic Air Contaminant (TAC) sources, once the proposed project is operational. Significant stationary TAC sources usually take the form of factories, research and development facilities, or hospitals with specialized equipment. Mobile TAC is generated by heavy-duty on-road vehicles that run on diesel fuel, such as heavy duty trucks or diesel buses. Due to the zoning of the proposed project for residential and park use, no stationary sources that might contribute TAC would be allowed to develop. Also, because no commercial or industrial uses would be part of the proposed project, no diesel trucks would be attracted, and mobile TAC sources generated by the proposed project would consequently be minimal. Even though the proposed project itself would not generate stationary or mobile TAC, it would place sensitive receptors in proximity to existing mobile TAC by building homes adjacent to Interstate 80 (I-80). I-80 experiences consistent diesel truck traffic.

Traffic on freeways can contribute to an increased cancer risk in individuals living near freeways, due to the toxic air contaminants that are produced by vehicle traffic. Passenger vehicles can produce benzene and 1,3-butadiene, both of which are toxic. Diesel particulate matter, which has been identified by the California Air Resources Board (CARB) as a TAC, is produced mostly by heavy-duty diesel trucks and accounts for the majority of TAC risk from freeway traffic.

When conducting an air quality analysis, thresholds of significance approved by the local air quality management district or air pollution control district are normally relied upon to determine significance. While the SMAQMD does set a threshold of significance of ten excess cancer cases per one million for TAC from stationary sources, it does not set a threshold of significance for mobile source TAC.

The CARB has published a document entitled *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005), which provides information to local jurisdictions on the potential health effects of locating sensitive uses adjacent to certain sources of air pollution, including freeways. According to the CARB document, numerous studies have indicated that there is a correlation between proximity to a freeway and an increase in health impacts, such as reduced lung function, asthma, and bronchitis.

The CARB document references several studies that concluded that particulate pollution levels show about a 70 percent drop-off at 500 feet from a freeway. While CARB recommends that local agencies avoid approving new sensitive uses within 500 feet of a freeway in order to reduce potential health impacts, CARB did not establish a standard of significance for mobile TAC against which a development project could be evaluated.

While the Handbook provides guidance to local agencies and the public on planning issues, neither the CARB nor the SMAQMD have developed a threshold of significance for TAC from mobile sources. The Air Quality and Land Use Handbook identifies various steps in the land use approval process in which such concerns can be addressed. These include General Plan policies, zoning standards, as well as the environmental review process. The issue of siting residential land uses in the proximity of a freeway is recognized by the CARB as being a planning policy issue as well as an issue that may be evaluated in the CEQA process.

The proposed project would not exceed the established air quality thresholds of the ARB and SMAQMD, and concerns regarding the proximity of residential uses to the freeway can be addressed during the land use planning process as policy issues. Consequently, this would be a

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

less-than-significant impact.

Question C

The area around the proposed project site is relatively flat, with the changes in topography caused primarily by water features. The existing built environment consists of single-family residences and a church. Significant changes in air movement can result from the construction of tall or large-mass structures. Construction of buildings that result in the shading of adjoining buildings or parcels for a significant part of the day can result in temperature changes in the project vicinity. Temperature and moisture changes can also result from the construction of structures that emit large quantities of air that is significantly different in temperature and/or humidity than the surrounding environment. There are no structures tall enough to significantly affect air movement and temperature in the vicinity of the proposed project site.

Because (1) the existing and proposed structures are not tall enough, or of a mass, to significantly affect air movement and/or temperature changes through shading by buildings and (2) there are no proposed land uses that emit large quantities of humidity or heated/cooled air; the proposed project would result in a *less-than-significant* impact related to changes in climate.

Question D

Emissions from construction vehicles could create some short-term objectionable odors; however, any construction-related odors would be temporary and limited to the duration of construction. Residential uses do not typically generate objectionable odors. Therefore, the proposed project is anticipated to have a *less-than-significant* impact due to odors.

Findings

With compliance with the regulatory requirements, the proposed project will have a less-than-significant impact on air quality.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
6. TRANSPORTATION/CIRCULATION			
<i>Would the proposal result in:</i>			
A) Increased vehicle trips or traffic congestion?		✓	
B) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓
C) Inadequate emergency access or access to nearby uses?			✓
D) Insufficient parking capacity on-site or off-site?			✓
E) Hazards or barriers for pedestrians or bicyclists?			✓
F) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓
G) Rail, waterborne or air traffic impacts?			✓

The following discussion is based on the Dunmore–Jessie Avenue Project Traffic Impact Analysis, prepared specifically for the proposed project by Dowling Associates, Inc. on November 23, 2005. It should be noted that the Traffic Impact Analysis analyzed the effects associated with the project trip generation of 191 units. Since the completion of the Traffic Impact Analysis, the number of units proposed has decreased to 184. The City’s Development Engineering and Finance Division (DEF) has indicated that this decrease in units would not change the conclusions in the Traffic Impact Analysis and no change to mitigation, or additional mitigation would be required.

Environmental Setting

The existing roadway, transit, bicycle and pedestrian components of the transportation system within the study area are described below.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Existing Roadways

Regional automobile access to the site is provided primarily by Interstate 80 (I-80). Access to and from I-80 is provided at Norwood Avenue (about 0.75 miles west of the site) and Raley Boulevard (approximately 0.5 miles east of the site).

Local automobile access is provided by a system of arterial and collector roadways in the project vicinity. Arterial roadways include Norwood Avenue, Rio Linda Boulevard and Raley Boulevard. Norwood Avenue is a north-south, four-lane arterial that provides access to I-80 west of the project site and provides access to points within the City of Sacramento.

Rio Linda Boulevard is a two-lane arterial, located approximately one-quarter mile west of the project that provides north-south access between Del Paso Boulevard on the south to unincorporated Rio Linda, Elverta, and points north. Rio Linda Boulevard does not connect directly to I-80.

Raley Boulevard is a divided four-lane arterial south of Bell Avenue where it connects the north and south portions of Marysville Boulevard to I-80 east of the project site. North of Bell Avenue, Raley Boulevard becomes a two-lane roadway that extends north into Sacramento County.

Bell Avenue, located north of the project site, is primarily a two-lane collector roadway with a short four-lane section just east of Norwood Avenue.

Other roadways serving the project area include the following two-lane streets:

- *Jessie Avenue*, which currently extends east-west from one-half mile west of Norwood Avenue to May Street, at the west side of the proposed project site.
- *North Avenue*, located just south of I-80, is an east-west roadway connecting Rio Linda Boulevard to Marysville Boulevard and points east.

Taylor Street is a north-south street located halfway between Norwood Avenue and Rio Linda Boulevard. Taylor Street extends from Bell Avenue on the north to the north side of I-80, where it terminates on its south end. A traffic signal was recently installed at the Taylor Street intersection with Bell Avenue, and new curb, gutter, and sidewalk improvements were installed along its entire length.

May Street is a north-south street that extends from the project site on the south to just north of Bell Avenue. It is located halfway between Rio Linda Boulevard and Dry Creek Road.

Dry Creek Road passes along the east edge of the proposed project and extends from South Avenue on the south into Sacramento County on the north.

Study Intersections, Street Segments, and Freeway Ramps

A set of intersections, street segments, freeway ramps, and freeway merge/diverge areas were selected for study based upon the anticipated volume and distributional patterns of project traffic

**DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

and known locations of operational difficulty. This selection was made in collaboration with the City of Sacramento Development Services Department staff.

Intersections

- Norwood Avenue / I-80 Eastbound Ramps
- Norwood Avenue / I-80 Westbound Ramps
- Norwood Avenue / Jessie Avenue
- Taylor Street / Jessie Avenue
- Rio Linda Blvd / Jessie Avenue
- May Street / Jessie Avenue¹
- Dry Creek Road / Bell Avenue
- Dry Creek Road / North Avenue
- Dry Creek Road / Jessie Avenue²

Street Segments

- Dry Creek Road north of Jessie Avenue
- Dry Creek Road south of Jessie Avenue
- Jessie Avenue east of Rio Linda Boulevard
- May Street north of Jessie Avenue
- Jessie Avenue west of Dry Creek Road (proposed with project)

Freeway Ramps

- I-80 Eastbound Norwood Avenue Off-Ramp
- I-80 Westbound Norwood Avenue On-Ramp
- I-80 Eastbound Raley Boulevard On-Ramp
- I-80 Westbound Raley Boulevard Off-Ramp

Existing Transit Service

Sacramento Regional Transit (RT) provides two local bus lines near the project site. Route 18 provides service from Jessie Avenue and Newcastle Street to the Marconi/Arcade Light Rail Station. Service is provided on an hourly basis from 7:00 a.m. to 7:00 p.m., weekdays, and from 9:00 a.m. to 5:00 p.m., Saturdays. Route 18 passes along Bell Avenue, approximately one-quarter mile north of the project site.

Route 19 provides service between the Arden/Del Paso Light Rail Station to the Watt/I-80 Light Rail Station along Rio Linda Boulevard, less than a quarter mile west of the project site. Service is provided on an hourly basis from 5:00 a.m. to 8:00 p.m., weekdays, and from 8:00 a.m. to 7:00 p.m., Saturdays, Sundays, and holidays.

Existing and Planned Bicycle and Pedestrian System

¹ Intersection does not currently exist but would be created by the Project.

² This intersection currently has gates at the south and east legs of the intersection.

**DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

Bicycle facilities are addressed in the 2010 Bikeway Master Plan developed by the Sacramento City/County Bicycle Task Force. The Master Plan is a policy document that was prepared to coordinate and develop a bikeway system that will benefit and serve the recreational and transportation needs of the public. Officially designated bicycle facilities are classified as follows:

- Class I: Off-street bike trails or paths that are physically separated from streets or roads used by motorized traffic.
- Class II: On-street bike lanes with signs, striped lane markings and pavement legends.
- Class III: On-street bike routes marked by signs and shared with motor vehicles and pedestrians.

A Class I bike trail currently extends along Rio Linda Boulevard from downtown Sacramento to the northern city limits. The bike trail provides connections to bike trails along the American River. Existing Class II bike lanes are located along Grand Avenue between Norwood Avenue and Raley Boulevard, and bike lanes are provided along Norwood Avenue south of Morrison Avenue and along Raley Boulevard north of Bell Avenue. A short section of Bell Avenue has bike lanes between Taylor Street and Rio Linda Boulevard.

Sidewalks in the study area are provided only where new developments have recently been constructed. Sidewalks are not available along existing sections of Jessie Avenue.

Standards of Significance

In accordance with CEQA, the effects of a project are evaluated to determine if they will result in a significant adverse impact on the environment. For the purposes of this document, an impact is considered significant if the proposed project would have the effects described below.

The standards of significance in this analysis are based upon the current practice of the appropriate regulatory agencies. For most areas related to transportation and circulation, the standards of the City of Sacramento have been used. For traffic flow on the I-80 freeway system and associated interchanges, the standards of Caltrans have been used.

Intersections

In the City of Sacramento, a significant traffic impact occurs at a signalized or unsignalized intersection (except for freeway ramp/arterial intersections within North Natomas) when:

- The traffic generated by the project degrades peak period level of service (LOS) from A, B, or C (without the project) to D, E, or F (with the project); or,
- The level of service (without the project) is D, E, or F and project generated traffic increases the average vehicle delay by 5 seconds or more.

These standards have been developed consistent with a goal set forth in the City of Sacramento, General Plan Update (1988). Specifically, Section 5-11 - Goal D, states to "Work towards achieving a Level of Service C on the City's local and major street system."

Roadway Segments

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

In the City of Sacramento, a significant traffic impact occurs at a roadway segment when:

- The traffic generated by the project degrades peak period level of service (LOS) from A, B, or C (without the project) to D, E, or F (with the project); or,
- The level of service (without the project) is D, E, or F and project generated traffic increases the volume/capacity ratio by 0.02 or more.

Freeway Ramps and Mainline

Caltrans considers the following to be significant impacts:

- Off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway.
- Project traffic increases that cause any ramp's merge / diverge level of service to be worse than the freeway's level of service.
- Project traffic increases that cause the freeway level of service to deteriorate beyond level of service "E."

Bikeways

For the purposes of this document, impacts to bikeways are considered significant if the proposed project would:

- Hinder or eliminate an existing designated bikeway, or interfered with implementation of a proposed bikeway; or
- Result in unsafe conditions for bicyclists, including unsafe bicycle/pedestrian or bicycle/motor vehicle conflicts.

Pedestrian Circulation

For the purposes of this document, impacts to pedestrian circulation are considered significant if the proposed project would:

- Result in unsafe conditions or create a hindrance for pedestrians, including unsafe pedestrian/bicycle or pedestrian/motor vehicle access.

Transit System

For the purposes of this document, impacts to the transit system are considered significant if the proposed project would:

- Increase ridership, when added to the existing or future ridership, would exceed available or planned system capacity. Capacity is defined as the total number of passengers the system of buses and light rail vehicles can carry during the peak hours of operations.

Answers to Checklist Questions

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Question A

In November 2005, a Traffic Impact Analysis was completed by Dowling Associates, Inc. for the proposed project. The results are summarized below.

Existing Levels of Service

The existing a.m. and p.m. peak hour operating conditions at the study area intersections are shown in Table T-1. All the intersections meet the City’s level of service “C” goal currently.

Table T-2 shows the existing a.m. and p.m. peak hour operating conditions at the study area street segments. All the street segments meet the City’s level of service “C” goal currently.

The existing a.m. and p.m. peak hour operating conditions at the I-80 interchange ramp merge and diverge areas are shown in Table T-3. All ramps would meet Caltrans’ level of service “E” goal currently.

Intersection	Traffic Control	Peak Hour	Existing	
			LOS ¹	Delay ²
1. Norwood Avenue / I-80 EB Ramps	Signal	AM	B	17.4
		PM	B	16.9
2. Norwood Avenue / I-80 WB Ramps	Signal	AM	B	15.8
		PM	B	18.9
3. Norwood Avenue / Jessie Avenue	Signal	AM	B	10.7
		PM	A	9.9
4. Taylor Street / Jessie Avenue	4-Way Stop	AM	A	7.9
		PM	A	8.3
5. Rio Linda Blvd / Jessie Avenue	2-Way Stop	AM	A	2.7
		PM	A	3.6
6. May Street / Jessie Avenue ³	2-Way Stop	AM	na	na
		PM	na	na
7. Dry Creek Road / Bell Avenue	4-Way Stop	AM	B	12.7
		PM	B	10.6
8. Dry Creek Road / North Avenue	4-Way Stop	AM	A	8.5
		PM	A	8.0

Source: Dowling Associates, Inc., November 2005.
¹ LOS = Level of Service
² Weighted average control delay in seconds
³ Existing intersection is uncontrolled.
 na = Not applicable

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table T-2 Roadway Levels of Service - Existing Conditions				
Roadway Segment	Lanes	Weekday		
		ADT	LOS	V/C
Weekday				
Dry Creek Road north of Jessie Avenue	2	2,330	A	0.27
Dry Creek Road south of Jessie Avenue	2	2,330	A	0.27
Jessie Avenue east of Rio Linda Boulevard	2	680	A	0.14
May Street north of Jessie Avenue	2	680	A	0.14
Source: Dowling Associates, Inc., November 2005. ADT = Average daily traffic LOS = Level of service V/C = Volume/Capacity				

Table T-3 Existing I-80 Interchange Operations				
Ramp	Peak Period	Existing		
		LOS ¹	d(f) ²	Vol ³
Eastbound I-80				
Norwood Avenue Off-Ramp	AM	D	30.3	5,605
	PM	E	35.5	6,947
Raley Boulevard On-Ramp	AM	C	26.0	5,301
	PM	D	30.5	6,369
Westbound I-80				
Raley Boulevard Off-Ramp	AM	D	33.0	6,601
	PM	D	29.7	5,686
Norwood Avenue On-Ramp	AM	D	34.3	6,002
	PM	D	29.1	5,173
Source: Dowling Associates, Inc., November 2005. ¹ LOS = Level of Service ² Density of passenger vehicles per mile per lane in the merge or diverge area. ³ Vol = Traffic Volume				

Project Trip Generation

Trip generation of the proposed project is based upon information compiled by the Institute of Transportation Engineers (Trip Generation, 7th Edition, 2003) and (Trip Generation Handbook, 2004). In summary, the project has the potential to generate about 1,886 trips on an average day. Approximately 143 trips would occur during the weekday morning peak hour, and 192 trips during the weekday evening peak hour. It should be noted that these trip generation figures are based on 191 units, rather than the proposed 184 units.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Baseline Conditions

An analysis of baseline plus project conditions was performed to determine the potential traffic impacts of the Proposed Project in combination with other projects that have already been approved. Two projects have been approved that would affect traffic conditions near-term. Alta Vista Meadows is a residential development located at the southwest corner of the Main Avenue / Rio Linda Boulevard intersection. Alta Vista Meadows will have 34 single-family residential housing units and 18 residential condominiums, which will generate a total of 38 AM peak hour trips and 56 PM peak hour trips. The 450 Jessie Avenue project will contain 60 apartments at a location on Jessie Avenue between Norwood Avenue and Taylor Street, which will generate a total of 33 AM peak hour trips and 51 PM peak hour trips.

Intersections (Baseline)

Although the Proposed Project would increase traffic volumes at study area intersections, all intersection LOS would remain above LOS C for baseline conditions (Table 12 on page 27 of the Traffic Study). Consequently, the proposed project would not result in substantial adverse effects related to study area intersections under baseline conditions.

Roadway Segments (Baseline)

Although the Proposed Project would increase traffic volumes on study area roadway segments, all roadway segment LOS would remain at LOS A for baseline conditions (Table 13 on page 28 of the Traffic Study). Consequently, the proposed project would not result in substantial adverse effects related to study area roadway segments under baseline conditions.

Freeways (Baseline)

The Proposed Project would increase traffic volumes on study area freeways. Although the Proposed Project would increase traffic volumes on freeway ramps in the study area, the project would not result in significant freeway impacts. Vehicle queues at freeway off-ramp intersections would not be measurably affected as a result of the project. The project would not change any ramp's merge or diverge level of service nor would it result in excessive vehicle queues at off-ramps (pages 28 and 29 of the Traffic Study).

Cumulative Conditions

The analysis of transportation and circulation under cumulative conditions focuses on year 2027 conditions. The discussion below addresses project impacts that differ from the impacts previously addressed for baseline conditions with regard to intersection operations and freeway operations.

Cumulative conditions were analyzed to determine the effect of the project in combination with the effects of buildout of the surrounding community. Cumulative traffic volumes were taken from the SACMET 2027 model. This model reflects approved land use changes in the project area. The traffic volume forecasts for cumulative conditions assume full build-out of the community, which is likely to be a conservative assumption.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Intersections (Cumulative)

Intersection operating conditions for cumulative conditions are summarized in Table T-4. The proposed project would add traffic to study intersections and cause significant impacts for cumulative conditions at the Dry Creek Road / Bell Avenue intersection, where the level of service without project would be LOS F and project generated traffic would increase the average vehicle delay by 5.4 seconds during the p.m. peak hour, which is 0.4 seconds over the City's standard.

Table T-4 Intersection Levels of Service - Cumulative Conditions						
Intersection	Traffic Control	Peak Hour	No Project		Project	
			LOS ¹	Delay ²	LOS ¹	Delay ²
1. Norwood Avenue / I-80 EB Ramps	Signal	AM	B	18.9	B	18.9
		PM	C	20.7	C	21.0
2. Norwood Avenue / I-80 WB Ramps	Signal	AM	D	36.7	D	38.8
		PM	D	36.3	D	37.1
3. Norwood Avenue / Jessie Avenue	Signal	AM	B	14.8	B	15.8
		PM	B	13.2	B	14.3
4. Taylor Street / Jessie Avenue	4-Way Stop	AM	A	8.4	A	8.7
		PM	A	8.9	A	9.4
5. Rio Linda Blvd / Jessie Avenue	2-Way Stop	AM	A	6.2	B	12.8
		PM	B	11.5	E	45.8
6. May Street / Jessie Avenue ³	2-Way Stop	AM	na	na	A	6.9
		PM	na	na	A	6.3
7. Dry Creek Road / Bell Avenue	4-Way Stop	AM	F	79.9	F	84.2
		PM	F	52.6	F	58.0
8. Dry Creek Road / North Avenue	4-Way Stop	AM	B	12.6	B	13.4
		PM	B	10.9	B	11.2
9. Dry Creek Road / Jessie Avenue ⁴	2-Way Stop	AM	na	na	A	0.6
		PM	na	na	A	0.5

Source: Dowling Associates, Inc., November 2005.

¹ LOS = Level of Service

² Weighted average control delay in seconds

³ Existing intersection is uncontrolled; stop signs controlling the N/S approaches are assumed for Project conditions.

⁴ Existing intersection does not exist the Project would provide a stop sign for the eastbound Jessie Avenue approach.

Notes: **Bold** values indicate a potential significant impact.

na = Not applicable

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Roadway Segments (Cumulative)

The proposed project would increase traffic volumes on study area roadway segments; however, no roadway segments would drop below LOS C. The impact of the project on roadway segments would not be considered significant (page 32 of the Traffic Study).

Freeways (Cumulative)

The Proposed Project would increase traffic volumes on study area freeways. Vehicle queues at freeway off-ramp intersections would not be measurably affected as a result of the project. Although the Proposed Project would increase traffic volumes on freeway ramps in the study area, the project would not result in significant freeway impacts. The project would not change any ramp's merge or diverge level of service nor would it result in excessive vehicle queues at off-ramps. Therefore, the impact of the project on study area freeways would not be considered significant (page 32 of the Traffic Study).

Conclusion

The project would not exceed thresholds for intersections, roadway segments, or freeways for baseline conditions. In addition, under cumulative conditions, the project would not exceed thresholds for roadway segments and freeways. However, the proposed project would result in a delay of greater than 5 seconds (5.4 seconds) for cumulative conditions at the Dry Creek Road / Bell Avenue intersection, where the level of service without the project would be LOS F. Therefore, the proposed project would result in a *potentially significant* impact related to increased vehicle trips or traffic congestion. The following mitigation measure would reduce the cumulative impact to a **less-than-significant** level because it would reduce the average control delay to 33.1 seconds (LOS C) during the a.m. peak hour and to 31.4 seconds (LOS C) during the p.m. peak hour.

Mitigation Measure

T-1 At the Dry Creek Road / Bell Avenue intersection, the applicant shall pay a fair-share for construction of a traffic signal with protected left-turn phasing (green arrows) for the east and west approaches and permitted left-turn phasing (green ball displays) for the north and south approaches.

Questions B & E

The Traffic Study states (p. 29) that the proposed project would result in the addition of residents, students, and visitors to the site, some of whom would travel by bicycle. Access between the project site and the regional bicycle trail along Rio Linda Boulevard would be provided along a short section of Jessie Avenue. Existing and proposed roadways in the project area would have adequate provision for bicycle access (wide lanes on a low-volume street) between the project site and the regional bicycle system.

The proposed project is not anticipated to hinder or eliminate an existing designated bikeway or interfere with implementation of the bikeway system proposed for the project area. Public

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

improvements required for the proposed project are or will be designed to appropriate, applicable standards.

Sidewalks would be required along all new roadway construction in the project vicinity in conformance with City design standards.

The proposed project is not anticipated to result in unsafe conditions for pedestrians, including unsafe bicycle/pedestrian or pedestrian/motor vehicle conflicts. Therefore, impacts of the project related to design hazards or hazards to bicyclist/pedestrians would be **less-than-significant**.

Question C

Existing road infrastructure provides adequate emergency access to the proposed project site. The project site shall be designed to appropriate standards, to the satisfaction of the City of Sacramento's the Development Services Department, Development Engineering and Finance Division and Fire Department. Potential emergency access impacts are considered to be **less-than-significant** and do not require mitigation.

Question D

City Code Section 17.64.020 identifies the parking requirements by land use type, and indicates that single-family residential uses are required to provide one parking space per unit. Project floor plans indicate 2-car garages on all units. Consequently, inadequate on-site parking would not result from the proposed project as the proposed parking is within the requirements of the City's Zoning Code. There is space for grading equipment and construction workers to park on site during construction. As a result, a **less-than-significant** parking impact is anticipated.

Question F

Table T-5 compares the number of transit riders that would be generated for the proposed project. The proposed project has the potential to generate about 101 transit riders on an average weekday (page 23 of the Traffic Study).

Table T-1 Project Transit Ridership						
Land Use	Amount	Auto Occupancy	Percent Transit	Transit Riders		
				Peak Hour		Week day
				AM	PM	
Single-Family Residential	191 Units	1.62	3.2%	8	10	101

Source: Dowling Associates, Inc., November 2005.

The proposed project would generate approximately 8 to 10 transit riders during the a.m. and p.m. peak hours, respectively. The Traffic Study states (p. 30) that the increase in ridership would not likely cause the capacity of the transit system to be exceeded and would not justify the extension of a transit route. The impact of the project on transit operations would not be significant.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Traffic Study also states (p. 29) that the proposed project would result in the addition of residents, students, and visitors to the site, some of whom would travel by bicycle. Access between the project site and the regional bicycle trail along Rio Linda Boulevard would be provided along a short section of Jessie Avenue. Existing and proposed roadways in the project area would have adequate provision for bicycle access (wide lanes on a low-volume street) between the project site and the regional bicycle system.

Therefore, because the proposed project would not exceed ridership capacity of local transit, and because the proposed project includes access to the regional bicycle trail, the proposed project would result in a ***less-than-significant*** impact associated with conflicts with adopted policies concerning alternate forms of transportation.

Question G

The project would not result in waterborne or air traffic impacts because the project improvements would be contained within the project site and would be at ground-level. There are no railroad tracks or navigable waterways within, or adjacent to the project site, so impacts to rail or waterways would also be ***less-than-significant***.

Mitigation Measures

No mitigation is required.

Findings

The project would not result in significant impacts to transportation or circulation.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
7. BIOLOGICAL RESOURCES <i>Would the proposal result in impacts to:</i>			
A) Endangered, threatened or rare species or their habitats (including, but not limited to plants, fish, insects, animals and birds)?		✓	
B) Locally designated species (e.g., heritage or City street trees)?			✓
C) Wetland habitat (e.g., marsh, riparian and vernal pool)?		✓	

Environmental Setting

The following discussion is based largely on a Jurisdictional Delineation and Special Status Species Evaluation prepared by Gibson & Skordal, updated in March 2004. A Biological Assessment was also prepared specifically for the proposed project in March 2003 by Foothill Associates; however, because the Gibson & Skordal report is more recent and more conservative than the Foothill report, the majority of this section will be based on the Gibson & Skordal report.

This section includes information from the following additional studies: *Results of Special-Status Plant Surveys on the Jessie Avenue Property Sacramento County, California* was prepared for the project by Miriam Green Associates in September 2004; *Arborist Report for Jessie Avenue Property*, prepared for the project by Foothill Associates in February 2003; *Listed Vernal Pool Branchiopods Wet Season Survey*, prepared for the project by Gibson & Skordal in August 2004; and *Dry-Season Sampling for Federally Listed Large Branchiopods at the Jessie Avenue Property, Sacramento County, California* prepared for the project by Helm Biological Consulting in November 2004.

Site Description

The project site is bordered by Dry Creek Road to the east, a concrete-lined drainage feature (North I-80 Drainage Canal) to the south, and a mix of roads and residential subdivision to the north and west. The site consists of nearly level to gently undulating terrain that slopes and drains to the south and southwest. Jessie Avenue terminates near the center of the site. Historically, the site may have been used for a variety of agricultural purposes including orchards, winter oats and hay production, and cattle grazing.

Vegetation

Currently, a majority of the project site has been altered and disturbed by recent discing and

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

plowing activities. Prior to the recent discing, the majority of the site supported annual grassland habitat. Common grassland species observed include tarweed (*Holocarpha virgata*), soft chess (*Bromus mollis*), rip-gut brome (*Bromus diandrus*), wild oats (*Avena sp.*), filaree (*Erodium sp.*), perennial rye (*Lolium perenne*), Bermuda grass (*Cynodon dactylon*), rat-tail fescue (*Vulpia myuros*), and hairy hawkbit (*Leontodon leysseri*).

Trees

The Arborist Report, prepared for the project by Foothill Associates in February 2003, states (p. 3) that there are several different tree species growing on the property. These include elm (*Ulmus spp.*), black locust (*Robinia psuedoacacia*), chinaberry (*Melia azedarach*), box elder (*Acer negundo*), tree-of-heaven (*Ailanthus altissima*), ash (*Fraxinus spp.*), and pine (*Pinus spp.*). There are no native oak trees found on the property. All other trees on the project site are too small in circumference to be considered heritage trees by the City of Sacramento. Foothill Associates inventoried 6 trees with a diameter at breast height (DBH) greater than 6 inches.

Jurisdictional Waters

A Jurisdictional Delineation and Special Status Species Evaluation was prepared for the proposed project by Gibson & Skordal, LLC in November 2003 and revised in March 2004. The Delineation, as revised, identified four wet swales and four seasonal wetlands.

Wet Swales (WS1 – WS4)

Wet swales in the study area are characterized by linear, sloping drainages that experience long-term saturated soil conditions that persist during and following periods of heavy precipitation in the winter and early spring. However, they do not sustain long-term ponding conditions. The swales are hydrologically supported by rainfall and urban run-off. Portions of the wet swales have been altered by past disturbances including discing and/or plowing.

The primary wet swale (WS1) (See Attachment C) drains out of a depressional seasonal wetland in the eastern portion of the study area, then drains into an out-fall pipe at the southern boundary adjacent to the off-site drainage canal. The small wet swales, WS2 and WS3 feed into WS-1. The wet swales typically support a facultative (occurring in either wetlands or uplands) plant community dominated by perennial rye, Mediterranean barley, and Bermuda grass. Other common species include curly dock, toad rush, prickly lettuce, and creeping spikerush (*Eleocharis macrostachya*).

The upland adjacent to these swales is marked by a distinct rise in landscape position, the emergence of a disturbed upland grassland community, and an absence of wetland hydrology and/or hydric soil indicators.

Seasonal Wetlands (SW1 – SW4)

Gibson and Skordal identified a 0.68-acre (29,735 sq. ft.) seasonal wetland that occurs in a defined depression in the eastern portion of the project site. The wetland sustains long-term ponding conditions that persist for a portion of the growing season before drying up in the late spring. The wetland is hydrologically sustained from adjacent upland grasslands, roads, and

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

urban development.

In the recent past, SW1 has been augmented by leakage from a broken underground water pipe located immediately to the north of the wetland. Wetland hydrology field indicators include location within a defined depression overlying tight soils, algae matting, and oxidized root channels on live roots. Typical soils are dark gray clay loams and clays with mottles at a depth of 1 to 12 inches.

SW1 supports a mix of wetland plant species commonly associated with seasonal wetland and emergent marsh habitats. The wetland is currently dominated by annual rabbit-foot grass (*Polypogon monspeliensis*) and curly dock. Other common associates include water plantain (*Alisma plantago-aquatica*), dense-flower spike-primrose (*Boisduvalia densiflora*), loosestrife (*Lythrum hyssopifolia*), slender milkweed (*Asclepias fascicularis*), and perennial rye.

The upland adjacent to SW1 is marked by an absence of wetland hydrology and hydric soil indicators, and the emergence of a disturbed grassland community dominated species rated as facultative, facultative upland, or upland.

Three additional seasonal wetlands (SW2 – SW4) were delineated in March 2004 as a result of ongoing hydrology monitoring activities conducted in association with wet season branchiopod surveys at the site. All three of the added seasonal wetlands sustained long term ponding conditions during the winter season. The wetlands were delineated based on the presence of long term ponding conditions and an emerging wetland plant community.

Jurisdictional Status

The wetlands in the study area either drain into WS1 or are adjacent to WS1. WS1 drains off-site to the south via a culvert out-fall that connects into a drainage canal. Based on this apparent connection, the wetlands on the project site are subject to regulation by the US Army Corps of Engineers under Section 404 of the Clean Water Act.

Special Status Species

Gibson & Skordal considered those special status species documented by the California natural Diversity Database (CNDDDB) as occurring in the vicinity of the project site. A records search of the CNDDDB was conducted for the Rio Linda, Citrus Heights, and Sacramento East 7.5 Minute USGS quadrangles to identify all documented sightings of special status species in the vicinity of the project site. In addition to the species identified in the CNDDDB, Gibson & Skordal included other special status species that may have some potential for occurring in the study area based on historical range data and/or the presence of suitable habitat.

A report entitled *Results of Special-Status Plant Surveys on the Jessie Avenue Property Sacramento County, California* was prepared for the project by Miriam Green Associates in September 2004.

Special-Status Plants

The Special-Status Plant Report indicates that no special-status plants were identified; however, the report also states that the majority of the project site had been disced prior to the surveys, and

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

that the discing obscured the wetland vegetation and made it almost impossible to determine with certainty whether any of the special-status plants that are known from this region may have been present on the project site.

The report also includes a list of plants that, although not observed on the site, have the potential to occur on the site based on CNDDDB location information, and the habitat present on the site. According to the report, the following special-status plant species have the potential to occur on-site: Big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*), Dwarf downingia (*Downingia pusilla*), Stinkbells (*Fritillaria agrestis*), Boggs Lake hedge hyssop (*Gratiola heterosepala*), Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*), Red bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*), Legenere (*Legenere limosa*), Hoary navarretia (*Navarretia ericocephala*), Pincushion navarretia (*Navarretia myersii* spp. *myersii*), and Sanford's arrowhead (*Sagittaria sanfordii*).

Special-Status Wildlife

Swainson's Hawk and Other Raptors

Swainson's hawk (*Buteo swainsoni*) is a raptor species currently listed as threatened in California by CDFG. These hawks typically nest in tall cottonwoods, valley oaks, or willows associated with riparian corridors, grassland, irrigated pasture, and other cropland with a high density of rodents. The Central Valley population typically breeds and nests in late spring through early summer before migrating to Central America and South America for the winter.

Based on CNDDDB sighting records, it is highly likely that the project site occurs within a five-mile to ten-mile radius of active Swainson's hawk nests. Given this, the grassland/pasture habitat of the proposed project site would be considered as potential foraging habitat for Swainson's hawk, as well as other raptors including white-tailed kite, red-tailed hawk, northern harrier, sharp-shinned hawk, and Cooper's hawk. The larger trees on the project site also provide suitable nesting habitat for these raptors. Although no current or formerly utilized raptor nests were observed on the site, Gibson & Skordal (p. 6) indicate that it is reasonable to assume that future raptor nesting may occur at the site based on the presence of suitable nest trees and foraging habitat.

Burrowing Owl

Burrowing owl (*Athene cunicularia*) is a ground nesting raptor species that is afforded protection by CDFG as a species of special concern due to potentially declining populations in the Central Valley of California. These owls typically inhabit open grassland habitats where they nest in abandoned ground squirrel burrows and other nesting cavities associated with raised mounds, levees, or soft berm features. Although indication of current or recent nesting activity was not observed, there is suitable foraging habitat and suitable nesting habitat (i.e. ground squirrel burrows) present in the study area.

Vernal Pool Branchiopods

Federally listed vernal pool branchiopods, including the threatened vernal pool fairy shrimp (*Branchinecta lylInchi*) and the endangered vernal pool tadpole shrimp (*Lepidurus packardi*) have been documented as occurring in the Rio Linda area. Other non-listed branchiopods known to

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

occur in the region include California linderiella (*Linderiella occidentalis*) and midvalley fairy shrimp (*Branchinecta mesovallensis*).

The branchiopod species listed above are generally restricted to vernal pools and/or other seasonally ponded wetlands that sustain inundation during the winter before drying up in the late spring. The seasonal wetlands on the project site provide potential habitat for special-status branchiopods.

Wet Season Sampling

Gibson & Skordal conducted wet season samples of the on-site vernal pools during the 2004 wet season. Based on the samples, vernal pool fairy shrimp and Californian linderiella were identified in SW 3. The area of SW 3 is approximately 650 square feet.

Dry Season Sampling

Helm Biological Consulting prepared a report entitled *Dry-Season Sampling for Federally Listed Large Branchiopods at the Jessie Avenue Property, Sacramento County, California* in November 2004. Visual examinations of the soils collected from the basins onsite reveal the presence of at least two species of large branchiopods (*Branchinecta* sp. and *Linderiella occidentalis*) in SW 3 and SW 4.

The California fairy shrimp (*Linderiella occidentalis*) is a fairly common species in the central valley of California and does not have any special-status (e.g., federally or state listed). However, several species within the genus *Branchinecta* are listed as threatened or endangered under the federal Endangered Species Act. Given the morphology of the *Branchinecta* cysts, the location of the project site vicinity, generally types of habitats in which they were found, and the fact that the vernal pool fairy shrimp (*Branchinecta lynchi*) was observed onsite during Gibson and Skordals' wet-season sampling efforts, the cysts most likely belong to the threatened vernal pool fairy shrimp.

Standards of Significance

For purposes of this environmental document, an impact would be significant if any of the following conditions or potential thereof, would result with implementation of the proposed project:

- Creation of a potential health hazard, or use, production or disposal of materials that would pose a hazard to plant or animal populations in the area affected;
- Substantial degradation of the quality of the environment, reduction of the habitat, reduction of population below self-sustaining levels of threatened or endangered species of plant or animal;
- Affect other species of special concern to agencies or natural resource organizations (such as regulatory waters and wetlands); or
- Violate the Heritage Tree Ordinance (City Code 12:64.040).

For the purposes of this document, "special-status" has been defined to include those species, which are:

- Listed as endangered or threatened under the federal Endangered Species act (or formally proposed for, or candidates for, listing);

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

- Listed as endangered or threatened under the California Endangered Species Act (or proposed for listing);
- Designated as endangered or rare, pursuant to California Fish and Game Code (Section 1901);
- Designated as fully protected, pursuant to California Fish and Game Code (Section 3511, 4700, or 5050);
- Designated as species of concern by U.S. Fish and Wildlife Service (USFWS), or as species of special concern to California Department of Fish and Game (CDFG);
- Plants or animals that meet the definitions of rare or endangered under the California Environmental Quality Act (CEQA);

Answers to Checklist Questions

Question A

According to the Jurisdictional Delineation and Special Status Species Evaluation prepared by Gibson & Skordal for the project, there is potential foraging and nesting habitat for special-status raptors including Swainson's hawk, white-tailed kite, northern harrier, and burrowing owl.

In addition, although no special-status plant species were observed, the report entitled *Results of Special-Status Plant Surveys on the Jessie Avenue Property* prepared by Miriam Green Associates in September 2004, indicates that the site had been disced prior to the surveys and that the discing obscured the wetland vegetation and made it almost impossible to determine with certainty whether any of the special-status plants that are known from this region may have been present on the project site. As previously stated, based on CNDDDB search results and consideration of project site habitat the report indicates the potential for the following special-status plant species to occur within the on-site wetlands: Big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*), Dwarf downingia (*Downingia pusilla*), Stinkbells (*Fritillaria agrestis*), Boggs Lake hedge hyssop (*Gratiola heterosepala*), Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*), Red bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*), Legenere (*Legenere limosa*), Hoary navarretia (*Navarretia ericocephala*), Pincushion navarretia (*Navarretia myersii* spp. *myersii*), and Sanford's arrowhead (*Sagittaria sanfordii*).

Wet and Dry season sampling was performed within the wetlands identified on the project site. The vernal pool fairy shrimp (*Branchinecta lynchi*) was observed in SW 3 during Gibson and Skordal's wet-season sampling efforts, and cysts, most likely belong to the threatened vernal pool fairy shrimp, were identified in the samples taken from both SW 3 and SW 4 during the dry season by Helm Biological Consulting. The combined area of SW 3 and SW 4 is approximately 940 square feet (0.02 acre). However, it should be noted that the US Army Corps of Engineers have not yet verified the wetland delineation and that the US Fish and Wildlife Service have not issued a biological opinion.

Because the project could result in impacts to potentially occurring special status plant and animal species and habitat, and because threatened vernal pool fairy shrimp have been identified on the project site, the proposed project would result in a *potentially significant* impact. Implementation of the following mitigation measures would reduce impacts to a **less-than-significant** level.

Mitigation Measures

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Special-Status Plants

BR-1 Prior to issuance of grading permit, the applicant shall submit a copy of a Botanical Survey Report to the City of Sacramento. The Botanical Surveys shall be conducted by a qualified botanist in April or May to determine presence or absence of the following plants: Big-scale balsamorhiza (*Balsamorhiza macrolepis* var. *macrolepis*), Dwarf downingia (*Downingia pusilla*), Stinkbells (*Fritillaria agrestis*), Boggs Lake hedge hyssop (*Gratiola heterosepala*), Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*), Red bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*), Legenere (*Legenere limosa*), Hoary navarretia (*Navarretia ericocephala*), Pincushion navarretia (*Navarretia myersii* spp. *myersii*), and Sanford's arrowhead (*Sagittaria sanfordii*). If the Botanical Survey indicates the presence of any of the above-listed special-status plants, then the following additional mitigation measures shall be implemented:

- Prior to issuance of a grading permit, all grading and improvement plans shall indicate that no grading shall occur within 50 feet of wetlands occupied by these species until the applicant provides the City of Sacramento a copy of a mitigation plan approved by the Department of Fish and Game. The mitigation plan shall require documentation of the translocation of the plants to a wetland mitigation site approved by DFG.
- If take of Boggs lake hedge hyssop will occur, the applicant shall provide evidence to the City of Sacramento that compensatory mitigation has been implemented in accordance with an Incidental Take Permit issued by DFG.
- Implement BR-7.

Burrowing Owl

BR-2a. Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable burrowing owl habitat within the project site within 30 days prior to construction to ensure that no burrowing owls have become established at the site. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be re-surveyed. If no burrowing owls are located, then no further mitigation is required.

- 2b If located, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by California Department of Fish and Game (CDFG) verifies through noninvasive methods that either the birds have not begun egg-laying and incubation; or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- 2c If destruction of occupied burrows is unavoidable, the applicant shall coordinate with CDFG to identify existing suitable burrows located on protected land to be enhanced or new burrows will be created by installing artificial burrows at a ratio of 2:1.
- 2d If owls must be relocated away from the site the applicant shall coordinate with CDFG to relocate the owls using passive relocation techniques (as described in the CDFG's October 17, 1995, Staff Report on burrowing owl mitigation, or latest version).

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

- 2e If avoidance is the preferred method of mitigating potential project impacts, then no disturbance shall occur within 160 feet of occupied burrows during the non-breeding season (September 1 through January 31) or within 250 feet during the breeding season (February 1 through August 31).

Swainson's Hawk

- BR-3a. Prior to issuance of a grading permit, a pre-construction survey shall be completed by a qualified biologist, within 30 days prior to construction, to determine whether any Swainson's hawk nest trees will be removed on-site, or active Swainson's hawk nest sites occur within ½ mile of the development site. These surveys shall be conducted according to the Swainson's Hawk Technical Advisory Committee's (May 31, 2000) methodology or updated methodologies, as approved by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG), using experienced Swainson's hawk surveyors.
- 3b. If breeding Swainson's hawks (i.e. exhibiting nest building or nesting behavior) are identified, no new disturbances (e.g. heavy equipment operation associated with construction) shall occur within ½ mile of an active nest between March 15 and September 15, or until a qualified biologist, with concurrence by CDFG, has determined that young have fledged or that the nest is no longer occupied. If the active nest site is located within ¼ mile of existing urban development, the no new disturbance zone can be limited to the ¼ mile versus the ½ mile.
- 3c. If construction or other project related activities which may cause nest abandonment or forced fledgling are proposed within the ¼ mile buffer zone, intensive monitoring (funded by the project sponsor) by a Department of Fish and Game approved raptor biologist will be required. Exact implementation of this measure will be based on specific site conditions.
- BR-4. Prior to issuance of grading permits, the project applicant shall be required to purchase compensatory Swainson's hawk foraging habitat credits for each developed acre, at a ratio of 0.5:1, from an approved mitigation bank, or develop other arrangements acceptable to and approved by the CDFG.

Other Raptors

- BR-5a Prior to issuance of grading permits, the applicant shall retain a qualified biologist to conduct preconstruction surveys of suitable raptor nesting habitat within the project site within 30 days prior to construction. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be re-surveyed. If no raptor nests are located, then no further mitigation is required.
- 5b If nests are found, then a qualified biologist will establish an avoidance area around each raptor nest site a minimum of 500 feet from the nearest construction activity. If the establishment of an avoidance area for a nest is not possible, then DFG shall be consulted. If DFG determines that avoidance is still infeasible, the applicant shall not initiate construction until a qualified biologist has determined that the young have fledged.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

In addition, the applicant shall implement any additional measures indicated during consultation with DFG.

Vernal Pool Branchiopods

BR-6 Prior to issuance of grading permit, the applicant shall provide proof that either fee payment has been made to the US Fish and Wildlife Service's vernal pool species fund, or that vernal pool credits have been purchased from a Sacramento County mitigation bank , as follows:

- One creation credit shall be purchased for every acre of vernal pool habitat (1:1 ratio) that is determined by the USFWS to be habitat for the listed branchiopods; and
- Two preservation credits shall be purchased for every acre of vernal pool habitat disturbed (2:1 ratio), as determined by the USFWS.

The credits shall be purchased only after the US Army Corps of Engineers has provided verification of the wetland delineation, and the US Fish and Wildlife Service has provided a biological opinion.

Question B

The City protects "Heritage Trees." There are a number of trees located on the project site. The City Arborist has visited the project site and determined that, based upon the current structure and species of the existing trees, they may be removed or saved at the developer's discretion, and, therefore, there are no Heritage Trees on the site. City street trees would not be affected by the proposed project. Therefore, it is anticipated that impacts to locally designated species will remain ***less-than-significant***.

Question C

The *Jessie Avenue Property Jurisdictional Delineation and Special Status Species Evaluation* prepared specifically for the project by Gibson & Skordal, indicates that a total of 1.16 acres of wetlands, including 0.93 acres of seasonal wetlands and 0.23 acres of wet swales are located on the site, and that these wetlands are subject to Section 404 regulation by the US Army Corps of Engineers. Therefore, the proposed project would result in a ***potentially significant*** impact related wetlands.

Mitigation Measures

BR-7 Prior to issuance of a grading permit, the Building Department shall verify that all grading and improvement plans state: "It is the Contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal Endangered Species Act and Clean Water Act. The City Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and federal laws in areas subject to State and federal jurisdiction."

BR-8 Prior to issuance of a grading permit, the project applicant shall submit a wetland mitigation and monitoring plan to the City. The mitigation and monitoring plan shall meet the following requirements:

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

- The mitigation plan shall be prepared in accordance with the requirements of the Corps of Engineers
 - The mitigation plan shall indicate that the applicant shall either purchase one seasonal wetland credit at a Corps-approved mitigation bank for each acre of seasonal wetland habitat disturbed (1:1 ratio), as indicated on the wetland delineation verified by the US Army Corps of Engineers, or the applicant shall construct a minimum of 1 acre of seasonal wetland habitat for each acre of seasonal wetland habitat disturbed (minimum 1:1 ratio). The specific acreage of habitat to be constructed must be determined by the US Army Corps of Engineers.
 - A copy of the bill of sale for the purchase of wetland mitigation credits shall be submitted to the City.
- BR-9 Prior to issuance of a grading permit the Building Department shall ensure that the grading plan indicates that no construction activities shall occur within 50 feet of any swale, seasonal wetland, or vernal pool (indicated on the wetland delineation verified by the US Army Corps of Engineers) until the applicant provides the City of Sacramento with documentation that the applicant has satisfied the mitigation plan through the construction of wetlands or a bill of sale for the purchase of mitigation credits. In addition, the grading plan shall require temporary fencing to be installed around the 50-foot buffer to exclude construction equipment until the applicant provides the City of Sacramento with documentation that the applicant has satisfied the mitigation plan through the construction of wetlands, or a bill of sale for the purchase of mitigation credits.
- BR-10 Prior to issuance of grading permits, the Building Department shall verify that the Stormwater Pollution Prevention Plan (SWPPP) for the project indicates the location of the wetlands (consistent with the wetland delineation verified by the US Army Corps of Engineers), including the 50-foot buffer, and includes water quality control measures to prevent any discharge of construction-related pollutants or sediment into the identified wetlands.

Findings

With the incorporation of the mitigation measures listed above, the proposed project would not result in significant impacts to biological resources.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
8. <u>ENERGY</u>			
<i>Would the proposal result in impacts to:</i>			
A) Power or natural gas?			✓
B) Use non-renewable resources in a wasteful and inefficient manner?			✓
C) Substantial increase in demand of existing sources of energy or require the development of new sources of energy?			✓

Environmental Setting

Pacific Gas and Electric (PG&E) is the natural gas utility for the City of Sacramento. Not all areas are currently provided with gas service. PG&E gas transmission pipelines are concentrated north of the City of Sacramento. Distribution pipelines are located throughout the City, usually underground along City and County public utility easements (PUEs).

The Sacramento Municipal Utility District (SMUD) supplies electricity to the City of Sacramento. SMUD operates a variety of hydroelectric, photovoltaic, geothermal and co-generation powerplants. SMUD also purchases power from PG&E and the Western Area Power Administration. Major electrical transmission lines are located in the northeastern portion of the City of Sacramento.

Standards of Significance

Gas Service. A significant environmental impact would result if a project would require PG&E to secure a new gas source beyond their current supplies.

Electrical Services. A significant environmental impact would occur if a project resulted in the need for a new electrical source (e.g., hydroelectric and geothermal plants).

Answers to Checklist Questions

Questions A – C

The project would consume fossil fuels during construction. All construction equipment would be maintained and tuned at the interval recommended by the manufacturers to ensure efficient use of fuel. In addition, the project would consume energy during operation. The project site is surrounded by residential uses, which are currently served by existing energy providers.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Furthermore, the proposed project would result in a decrease in the density anticipated for the site in the SGPU and the NSCP and, therefore, would result in less demand for energy. Consequently, the project's impact to energy sources is expected to be **less-than-significant**.

Mitigation Measures

No mitigation measures are required.

Findings

The project would not result in impacts to energy resources.

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>9. HAZARDS</p> <p><i>Would the proposal involve:</i></p> <p>A) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?</p>			✓
<p>B) Possible interference with an emergency evacuation plan?</p>			✓
<p>C) The creation of any health hazard or potential health hazard?</p>			✓
<p>D) Exposure of people to existing sources of potential health hazards?</p>			✓
<p>E) Increased fire hazard in areas with flammable brush, grass, or trees?</p>			✓

Environmental Setting

The proposed project site consists of vacant, disturbed land, which is surrounded by existing residential development with Interstate 80 located immediately south of the site.

A Phase I Environmental Site Assessment (ESA) was prepared specifically for the proposed project by Soil Search Engineering in October 2004. Soil Search Engineering conducted a field reconnaissance of the project site and the surrounding area, reviewed the regulatory agencies' records, and interviewed regulatory officials and other individuals to obtain information concerning the known and potential use, storage, disposal, and release of hazardous materials at the project site.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Phase I ESA (p. 9) indicates that no evidence of recognized environmental conditions was found on the project site.

Standards of Significance

For the purposes of this document, an impact is considered significant if the proposed project would:

- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated soil during construction activities;
- expose people (e.g., residents, pedestrians, construction workers) to asbestos-containing materials; or
- expose people (e.g., residents, pedestrians, construction workers) to existing contaminated groundwater during de-watering activities; or
- expose people (e.g., residents, pedestrians, construction workers) to increase fire hazards.

Answers to Checklist Questions

Questions A, C & D

As stated above, the Phase 1 ESA indicates that the proposed project site does not contain evidence of recognized hazardous environmental conditions (p. 9). Therefore, neither the construction nor operation of the proposed project would result in the release of hazardous substances or the exposure of people to existing sources of potential health hazards.

The project proposes the development of a residential subdivision and neighborhood park. These land uses are not anticipated to create or use substantial amounts of materials that could result in the creation of significant health hazards.

The proposed land uses would use pesticides, fuels, and household chemicals associated with residences and landscaping; however, the amounts of the substances would be relatively minor. The use of each of the substances would be required to comply with all applicable regulations that ensure minimal risk with the use of the substances.

For these reasons, it is not anticipated that the project would result in a release of potentially hazardous materials, would not create a hazard, or expose people to a hazard. Consequently, impacts are anticipated to be ***less-than-significant***.

Question B

The proposed site plan has been reviewed for adequacy by the Fire District. Recommendations by the District were incorporated into the site design. Therefore, because the proposed project complies with recommendations made by the Fire District, the proposed project would result in a ***less-than-significant*** impact associated with interference with an emergency evacuation plan.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Questions E

The project site currently consists of vacant, disced land. Undeveloped, the project site would continue to grow vegetation, which can become a fire hazard. Development of the project site would eliminate the growth of fire-prone vegetation on the site and thereby would reduce the potential for increased fire hazard. Therefore, impacts associated with fire hazards are considered to be **less-than-significant**.

Mitigation Measures

No mitigation is required.

Findings

The proposed project would result in less-than-significant impacts regarding hazards.

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>10. <u>NOISE</u></p> <p><i>Would the proposal result in:</i></p> <p>A) Increases in existing noise levels? Short-term Long Term</p>		<p>✓ ✓</p>	
<p>B) Exposure of people to severe noise levels? Short-term Long Term</p>		<p>✓ ✓</p>	

Environmental Setting

The proposed Jessie Avenue Subdivision is located adjacent to Interstate Highway 80 (I-80), May Street, and Jessie Avenue. A City of Sacramento sump facility (Sump 144) is located at the south project boundary. Traffic on I-80 and the operation of pumps at Sump 144 are considered to be substantial noise sources which may affect the design of the project. As it passes by the project site, I-80 is depressed along the east portion of the site, at grade at approximately the midpoint of the site, and elevated at the west portion of the site.

Brown-Buntin Associates, Inc. (BBA) prepared a document entitled "Environmental Noise Analysis, Jessie Avenue Subdivision" (revised May 12, 2006) to determine whether the noise sources would

**DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

cause the noise levels at the project site to exceed the City of Sacramento exterior and interior noise level standards.

To describe the characteristics of the roadway noise affecting the project site, BBA performed continuous and short-term noise level measurements on the project site on February 19-21, 2003.

A concurrent count of traffic on I-80 was also made during the short-term noise level measurement. Short-term noise level measurements were made with the microphones at 5 and at 15 feet above the ground to represent first and second story noise level conditions. The purpose of the short-term noise level measurements was to determine the accuracy of the FHWA model. Table N-1 shows the measured traffic noise levels compared with the predicted noise levels.

Table N-1 Measured and Predicted Traffic Noise Levels								
Roadway	Vehicle Count During Measurement (15 mins)			Posted Speed, mph	Distance, ft	Measured L_{eq} dB*	Predicted L_{eq} dB**	Offset, dB
	Autos	Med. Truck	Heavy Truck					
I-80	2,107	38	97	65	165	72.9	74.0	-1.1
* Measured at 5 feet above ground. At 15 feet, the measured Leq was 75.6 dB. ** A soft site was assumed.								
Source: Brown Buntin Associates, 2006.								

The measured average traffic noise level was 1.1 dB lower than the predicted noise level. This is due to shielding as a result of the roadway being below grade near the underpass at the southeast area of the project site. Therefore a correction of -1 dB was applied to the FHWA model for traffic noise level predictions on the east portion of the project site.

The traffic noise level at 15 feet above ground was measured at 75.6 dB. This level is 2.7 dB higher than measured at a height of 5 feet. The difference is due to the fact that there is less ground absorption of sound because the microphone is raised. BBA has found that the noise level at an elevated receiver is typically higher than the noise level at 5 feet above ground, as shown by the data in Table N-1. A +3 dB correction was applied to the upper floor exterior noise level predictions at all locations on the site.

To determine the effect of the elevated roadway on measured noise levels, which affects noise exposures on the west portion of the site, BBA used data recently collected for a project that is located on the opposite side of I-80. The data contain noise level measurements for different transects of the property relative to the elevated roadway, with concurrent traffic counts. Based upon those data, the noise levels at the first floor receivers would be 9 dB lower than the levels predicted using the FHWA model, for receivers approximately 400 feet away from the centerline of the roadway. This correction factor was applied to the western portion of the project site.

The future average daily traffic volume for I-80 was taken from the EIR for the City of Sacramento General Plan. Assumptions for medium and heavy truck traffic mix were derived from Caltrans data for the year 2001. Based upon the continuous noise level measurements, the day/night

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

distribution of traffic noise was calculated to be 76% and 24%, respectively. The FHWA model inputs are shown in Table N-2.

Table N-2 FHWA Model Inputs						
ADT	Traffic Distribution		Truck Mix		Assumed Speed (mph)	Distance to Centerline, feet
	Day	Night	Medium	Heavy		
164,000	76%	24%	2.8%	5.8%	65	165
Source: Brown Buntin Associates, 2006.						

Standards of Significance

Thresholds of significance are those established by the Title 24 standards and by the City's General Plan Noise Element and the City Noise Ordinance. Noise and vibration impacts resulting from the implementation of the proposed project would be considered significant if they cause any of the following results:

- Exterior noise levels at the proposed project, which are above the upper value of the normally acceptable category for various land uses (SGPU DEIR AA-27) caused by noise level increases due to the project. The maximum normally acceptable exterior community noise exposure for residential backyards it is 60 dB Ldn, and for residential interior it is 45 dB Ldn;
- Residential interior noise levels of 45 Ldn or greater caused by noise level increases due to the project; and
- Construction noise levels not in compliance with the City of Sacramento Noise Ordinance.

Construction-generated sound is exempt from limits if construction activities take place between the hours of 7:00 a.m. and 6:00 p.m. Monday-Saturday and between 9:00 a.m. and 6:00 p.m. on Sundays as specified in Section 8.68.080 of the City of Sacramento Noise Ordinance.

Answers to Checklist Questions

Questions A and B

Traffic Noise

The receivers considered for this analysis are the residential lots adjacent to I-80. The following lots are shielded by the elevated roadway: Lots 110, 113, 114, 117, 118, 121, 122, 125 and 142. Lots 8, 11, 12, 15, 18 and 19 are considered for this analysis to be essentially at grade with the freeway. Based on the site plan dated May 2, 2006, BBA calculated the distances to the outdoor activity areas for representative lots along I-80. Lots 96, 97, 108 and 109 were assumed to be oriented so the houses faced the freeway, with the back yards being shielded by the houses. It was assumed that all other houses adjacent to I-80 would be oriented so the outdoor activity of the house was exposed to noise from the freeway

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table N-3 shows the traffic noise levels predicted on the lots adjacent to the freeway. As indicated by the table, the predicted exterior noise levels exceed the noise level standard of 60 dB Ldn.

Table N-3 Predicted Traffic Noise Levels at Nearest Building Facades			
Lot Number(s)	Distance to I-80 Centerline, feet	Ldn, dB	
		First Floor	Upper Floors
1	580	69.1	72.1
2	535	69.6	72.7
3	490	70.2	73.2
4	440	70.9	73.9
5	330	72.8	75.8
6	280	73.8	76.8
7	235	75.0	78.0
8	181	76.7	79.7
11, 12, 15, 18, 19	225	75.3	78.3
96, 97, 108, 109	238	74.9	77.9
110, 113, 114	259	66.4	69.4
117, 118	282	65.8	68.8
121, 122, 125	303	65.4	68.4
142	197	68.2	71.2
Source: Brown Buntin Associates, 2006.			

Sump 144 Noise

There is an existing sump pumping station near the southwest property line of the project site, operated by the City of Sacramento. The sump station utilizes only electrically-driven pumps. Furthermore, since the sump station is in close proximity to I-80, noise due to traffic on I-80 is likely to be dominant over the sump station operational noise.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Analysis of Noise Reduction Measures

Exterior Traffic Noise

Avoidance

BBA reviewed options for mitigation measures for noise due to traffic on I-80. These options include setbacks and noise barrier designs. A setback of backyards to about 2,300 feet from the roadway centerline is required to achieve the 60 dB L_{dn} standard. Consequently, avoidance is not feasible.

Noise Barriers

BBA performed a noise barrier analysis using the FHWA methodology to determine the barrier heights required to achieve the 60 dB L_{dn} standard. For this project, an additional objective of achieving an exterior noise level of 65 dB L_{dn} was established to determine the overall feasibility of a noise barrier as a noise mitigation measure for the lots that are not shielded by the elevated roadway. Table N-4 shows the results of the barrier analysis.

Table N-4 Noise Barrier Analysis			
Lots	Receiver Location	Required Barrier Heights to Achieve Exterior Noise Levels (feet)	
		60 dB L_{dn}	65 dB L_{dn}
1	Back Yard*	7.5**	7.5**
2	Back Yard*	9.5	7.5**
3	Back Yard*	10.5	7**
4	Back Yard*	12.5	7**
5	Back Yard*	15.5	6.5**
6	Back Yard*	17	6.5**
7	Back Yard*	17.5	9
8	Back Yard*	20	12
11, 12, 15, 18, 19	Back Yard	>20	14
96, 97, 108, 109	Back Yard	>20	14
* Predicted noise level includes -3 dB correction to account for shielding of back yard from I-80 noise from the east due to house. ** Minimum height required to block line of sight to all sources.			

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Source: Brown Buntin Associates, 2006.

An exterior noise level of 65 dB L_{dn} would be achieved at all unshielded outdoor activity areas of the lots listed above by providing a 14-foot high noise barrier located at the south project boundary between lot 8 and lot 109. Due to the height of the wall, it would not be practical to achieve the 60 dB L_{dn} standard at any of the back yards of the lots facing the freeway.

The 14-foot barrier height required to achieve 65 dB L_{dn} for lots 11, 12, 15, 18, 19, 96, 97, 108 and 109 would provide a back yard noise level of 60 to 65 dB L_{dn} at lots 1-8.

Lots 110, 113, 114, 117, 118, 121, 122, 125, and 142 are exposed to noise from traffic that is on an elevated roadway. Where the roadway is elevated, the property line noise barrier would not be as effective, as the barrier may not intersect the line of sight from the traffic noise sources to the receiver. However, the traffic noise level would be reduced by the fact that the roadway surface becomes less visible as the roadway elevation increases. The worst-case exterior noise level at lot 142 would be about 68.2 dB L_{dn} at the first floor façade, regardless of whether a traffic noise barrier was present.

It is not practical to provide a barrier for Lot 142 because the freeway is elevated, and the noise source is very high relative to the project site. A traffic noise level of 65 dB L_{dn} would be attained at Lot 144, which is set back an additional 110 feet from the freeway.

At the west end of the subdivision, marked by lot 142, the freeway barrier is not expected to be particularly effective in reducing freeway traffic noise, since the freeway is elevated at that point. Instead, a barrier should be provided to prevent noise intrusion by operation of the Sump 144 pumps. In addition, the back yards of lot 142 and its neighbors are at an obtuse angle to the roadway so that some shielding is provided by the reduced exposure and by neighboring houses. For these reasons, no barrier extension is required at the west end of the subdivision.

The SGPU states (Figure 3, p. 8-7) that in order to be "Conditionally Acceptable" new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Because alteration of the project site design could feasibly reduce noise levels at certain lots to below the Normally Acceptable (60 dB) Exterior Noise Threshold, while simultaneously reducing the required height of the sound wall, an alternative site design is being required as a Condition of Approval. It should be noted that the alternative site design would not reduce lots 1 – 8 to below 60 dB, although the sound wall, included as mitigation, would reduce the noise at the backyards of lots 1 – 8 to a level below 65 dB, which is considered "Conditionally Acceptable."

The City of Sacramento recommends a Condition of Approval of the Special Permit that would require the "functional backyard" of the residences to be located on the north side of the lot (with the house providing shielding from freeway noise). This requirement would apply to lots 8, 11, 12, 15, 16, 19, 96, 97, 108, 109, and lots 142 and 143. For this condition, the houses would be designed so that the resident could easily gain access to the side yard as an outdoor activity area. The houses would therefore provide substantial shielding from traffic noise for persons using the side yard outdoor activity area. Typically the amount of shielding provided by such a design is in the range of 10 decibels or more. The side yard would also be located farther from the freeway

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

than the back yard, so there would be additional noise reduction due to the increased distance.

Table N-5 shows the results of the property line barrier analysis as applied to the side yards of the lots involved in the alternative design. These calculations assume that the noise level at the receiver would be reduced by 10 dB by the shielding provided by the house.

Table N-5 Noise Barrier Analysis Alternate Site Design			
Lots	Receiver Location	Required I-80 Barrier Heights to Achieve Noise Levels	
		60 dB L_{dn}	65 dB L_{dn}
8	Side Yard – Shielded by House	7	5.5*
11, 12, 15, 16, 19	Side Yard – Shielded by House	6*	6*
96, 97, 108, 109	Side Yard – Shielded by House	6*	6*
142 and 143	Side Yard – Shielded by House	I-80 barrier has no effect	
* Minimum height required to block line of sight to all sources.			
Source: Brown Buntin Associates, 2006.			

The barrier analysis indicates that a freeway barrier height of 7 feet would be sufficient to achieve the 60 dB L_{dn} standard at the shielded side yard for lot 8, and that a freeway barrier height of 6 feet would be sufficient to achieve the 60 dB L_{dn} standard at the shielded side yards for lots 11, 12, 15, 16 and 19.

The recommended freeway barrier configuration for the alternate site design would be a barrier height of 9 feet, which would provide an exterior noise level of 65 dB L_{dn} or less at lots 1-7 (See Table N-4), and 60 dB L_{dn} or less at the remaining lots.

Exterior Sump 144 Noise

To ensure that the potential noise impact from the operation of Sump 144 is mitigated, the barrier should enclose the Sump 144 lot, and should be maintained at a height of at least 8 feet above pad elevation.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Interior Noise Levels

To judge compliance with the 45 dB Ldn interior noise level standard for residential development, it is necessary to determine the noise reduction provided by the building facade.

Typical facade designs and constructions in accordance with prevailing industry practices would result in an exterior to interior noise attenuation of 20 to 25 dB with windows closed, depending upon the materials used for facade construction. Therefore, standard construction methods can be expected to achieve the interior noise level standard of 45 dB Ldn, provided that the exterior noise level does not exceed 65 dB Ldn.

In this case, the predicted future traffic noise levels at the first-floor building facades facing I-80 range from 65.4 dB to 76.7 dB Ldn, as shown by Table N-3. Second-floor facades would be exposed to noise levels about 3 dB higher, also indicated by Table N-3.

Given the predicted noise levels, building facade design and construction in accordance with prevailing industry practices would not be expected to provide adequate noise attenuation to comply with the interior noise level standard of 45 dB Ldn, especially for the lots between lots 8, 11, 12, 14, 16, 19, 96, 97, 108, and 109.

BBA prepared a transmission loss analysis for the first- and second-floor habitable rooms. BBA assumes a 3 dB reduction in the exterior traffic noise level at perpendicular facades due to shielding.

Table N-6 shows the results of the analysis. The analysis assumed that the exterior building walls were faced with stucco or brick, and that the windows were acoustically rated with a Sound Transmission Class (STC) rating of at least 40. Energy-conserving construction practices were also assumed to be employed, in accordance with current building codes. Based upon these assumptions and the calculations, the proposed building designs for the proposed project would satisfy the interior traffic noise standard of 45 dB Ldn if placed on lots adjacent to the freeway.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table N-6 Predicted Interior Noise Levels for Lots Adjacent to I-80						
Building Plan	Room	Traffic Noise Level, dB Ldn				Noise Level Reduction, dB
		Parallel Façade	Perpendicular Façade	Total	Exterior	
B	Living Room	41.3	39.5	43.5	77	33.5
	Bedroom 3	40.5	35.4	41.7	77	35.3
	Bedroom 2	40.7	40.1	43.4	80	36.6
	Master Bdrm	41.1	38.9	43.1	80	36.9
	Computer Loft	42.4	38.6	43.9	80	36.1
B Alternate	Living Room	40.5	38.4	42.6	77	34.4
	Bedroom 3	40.5	35.4	41.7	77	35.3
	Master Bdrm	41.9	38.1	43.4	80	36.6
	Bedroom 2	43.3	36.7	44.2	80	35.8

Source: Brown Buntin Associates, 2006.

Construction Noise

The proposed project may temporarily increase noise in the area due to construction activities. However, the City of Sacramento Noise Ordinance exempts construction-related noise taking place between the hours of 7:00 a.m. and 6:00 p.m., on Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday. Therefore, because increases in ambient noise levels resulting from construction activities would be temporary, and would be required to comply with the City’s Noise Ordinance, the impact would not be considered significant.

Conclusion

Development of the proposed project would expose sensitive receptors to exterior noise levels associated with traffic and Sump 144, which are in excess of the City’s threshold for normally acceptable exterior noise levels (60 dB). In addition, the interior noise level threshold of 45 dB would also be exceeded. Therefore, the proposed project would result in a *potentially significant* impact. However, implementation of the following mitigation measures, in addition to the required conditions of approval (Alternate Site Design), would reduce the impacts to a **less-than-significant** level.

Mitigation Measures

- N-1 Prior to issuance of occupancy permits, a traffic noise barrier shall be constructed along the full length of the south property line. The barrier height shall be 9 feet above pad elevation from the east end of the project site to a point aligned with the west end of lot 19. Moving to the west from that point, the barrier height shall step down at equal intervals to a height of 8 feet above the adjoining pad elevation. The barrier shall enclose the north side of the Sump 144 lot.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

N-2 The Building Department shall verify that the building plans for units on lots 1-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 122, 125, and 142 contain the following measures:

- Exterior walls facing I-80 must be finished with stucco or brick siding.
- Windows on the facades of the homes on lots 5-8, 11, 12, 15, 18, 19, 96, 97, 108, 109, 110, 113, 114, 117, 118, 121, 122, 125, and 142 that have a line of sight to I-80 must have an STC rating of at least 40. Windows on the facades of the homes on Lots 1-4 that have a line of sight to I-80 must have an STC rating of at least 35.
- Air conditioning or other suitable mechanical ventilation must be provided to allow residents to close windows for the desired acoustical isolation.

Findings

With implementation of mitigation measures, the proposed project would result in less-than-significant impacts related to noise.

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
11. <u>PUBLIC SERVICES</u>			
<i>Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:</i>			
A) Fire protection?			✓
B) Police protection?			✓
C) Schools?			✓
D) Maintenance of public facilities, including roads?			✓
E) Other governmental services?			✓

Environmental Setting

The nearest fire stations to the proposed project site are, in no particular order, Station No. 15 located at 1591 Newborough, Station No. 17 located at 1311 Bell Avenue, Station No. 18 located at 746 North Market Boulevard, Station No. 20 located at 300 Arden Way, and Station No. 30 located at 1901 Club Center Drive in North Natomas.

The area is served by the Sacramento City Police Department. The William J. Kinney Police

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Facility is located less than 1 mile southeast of the site at 3550 Marysville Boulevard.

The proposed project site is within the Robla School District and Grant Joint Union School District.

Standards of Significance

For the purposes of this report, an impact would be considered significant if the project resulted in the need for new or altered services related to fire protection, police protection, school facilities, roadway maintenance, or other governmental services; the construction of which could cause significant environmental effects.

Answers to Checklist Questions

Questions A – E

The City's General Fund and other special collections such as Measure G, state school funds and developer fees provide the financial support to achieve basic safety, school, library and park services. Police/fire personnel, schools, libraries, and parks provide a wide range of services that are affected by population increases.

Fire Protection

Implementation of the project would result in an increase in the demand for fire protection and emergency services. However, the proposed project is required to incorporate design features identified in the Uniform Building Code and the Uniform Fire Code. The Fire Department is given the opportunity to review and comment on the design of any proposed project that could affect fire safety. The incorporation of fire safety measures required by the Uniform Building Code and the Uniform Fire Code, as well as City permitting requirements, are expected to reduce any physical fire safety impacts associated with the project to a level of insignificance.

In addition, although the project requires a General Plan Amendment, Community Plan Amendment, the proposed project would not change the land use type (i.e. residential to commercial) designated for the site, and the proposed project density is less than the density designated for the site in the SGPU and Community Plan. Consequently, the proposed project would create less demand for fire protection services than anticipated in the SGPU Community Plan.

Police

The City of Sacramento Police Department provides police protection services within the City of Sacramento. The Department takes an active role in crime prevention through the Crime Prevention through Environmental Design Program. This program requires new development to coordinate with the Community Resources Division of the Police Department to facilitate public safety through appropriate design of new residential developments. The incorporation of City permitting requirements and Crime Prevention through Environmental Design Program are expected to reduce any physical public safety impacts associated with the project to a level of insignificance.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

In addition, although the project requires a General Plan Amendment, Community Plan Amendment, the proposed project would not change the land use type (i.e. residential to commercial) designated for the site, and the proposed project density is less than the density designated for the site in the SGPU and Community Plan. Consequently, the proposed project would create less demand for police services than anticipated in the SGPU and Community Plan.

Schools

The State of California has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the State passed Assembly Bill 2926 (AB 2926) in 1986. This bill allowed school districts to collect impact fees from developers of new residential building space.

Senate Bill 50 (SB 50) and Proposition 1A (both of which passed in 1998) provide a comprehensive school facilities financing and reform program. Provisions of SB 50 prohibit local agencies from denying legislative land use approvals on the basis that school facilities are inadequate. According to Government Code Section 65996, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation." These provisions will remain in place as long as subsequent state bonds are approved and available.

Development of the proposed project would be required to pay school impact fees to compensate for the impacts of the residential development on local school capacity in order to maintain adequate classroom seating and facilities standards. Pursuant to SB 50, payment of fees to the School Districts is considered full mitigation for project impacts, including impacts related to the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance standards for schools. Thus, although the proposed project would add students, the project would pay development fees to the school districts, which is considered full mitigation for project impacts under SB 50.

Conclusion

Although the proposed project includes amendments to the SGPU and NSCP, the project would be developed at a lower density than allowed under the current SGPU designation and Community Plan designation, and would therefore result in less demand on public services than anticipated in the SGPU. Furthermore, the proposed project would be required to meet UBC and Fire Safety Code Regulations, and would also be required to incorporate the safety measures included in City permitting requirements. In addition, both the Fire Department and Police Department are included in review of the design of new development projects. Payment of school impact fees, pursuant to SB 50, would be considered full mitigation for impacts to schools. Therefore, the proposed project would result in a **less-than-significant** impact to public services.

Mitigation Measures

No mitigation is required.

Findings

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The proposed project would result in less-than-significant impacts to public services.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
12. UTILITIES			
<i>Would the proposal result in the need for new systems or supplies, or substantial alterations to the following utilities:</i>			
A) Communication systems?			✓
B) Local or regional water supplies?			✓
C) Local or regional water treatment or distribution facilities?			✓
D) Sewer or septic tanks?			✓
E) Storm water drainage?			✓
F) Solid waste disposal?			✓

Environmental Setting

Communications Systems. The project site does not contain radio, radar, or microwave transmission facilities.

Water. The City of Sacramento is identified as the water supplier for the proposed project. The project is within the City’s Water Service Area. The City of Sacramento obtains water from three sources: the American River, the Sacramento River, and groundwater wells. Treated water is currently produced at two water treatment plants: the Fairbairn Water Treatment Plan (WTP) on the American River, and the Sacramento WTP on the Sacramento River.

- **Surface Water Rights:** According to the City’s Urban Water Management Plan (UWMP) (p. 3-1), the City holds an annual surface water entitlement of 81,000 acre-feet from the Sacramento River, and, ultimately, 245,000 acre-feet from the American River. The total annual diversion allowed by the City’s four American River permits is 245,000 acre-feet at buildout of these entitlements in the year 2030. Therefore, the maximum total combined water supply from both the Sacramento and American River by the year 2030 is 326,800 acre-feet, as shown in Table U-1, below.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Year	Authorized Surface Water Use (acre-feet/year)
2010	227,500
2016	257,500
2020	278,000
2030	326,800
Source: UWMP 2000 (p. 3-1)	

- **Groundwater Sources:** According to the UWMP (p. 3-2), about 15 percent (24,000 af/y) of the City’s water demand is currently met through groundwater wells. The estimated safe yield of the groundwater basin underlying the American River POU is between 55,000 and 80,000 acre-feet, which is two to three times the City’s recent historical usage.

The groundwater is generally of good quality. The City focuses on surface water and minimizes reliance on groundwater to avoid water quality problems and reduce the City’s contribution to possible groundwater overdraft conditions.

Currently, a 6” water main exists within May Street, located adjacent to the site, and an 8” water main exists within Jessie Avenue, also located adjacent to the site. In addition, a 12” water main exists within Dry Creek Road adjacent to the site on the east.

Stormwater Drainage. The project site is within Drainage Shed 144, which flows to Sump 144, located directly south of the project site, just north of I-80 at the extension of May Street. Currently, a 30” underground drainage line is located within the May Street right-of-way, north of Jessie Avenue, and a 72” drainage line also exists within the Dry Creek Road right-of-way, east of the site, and turns to the west in the Jessie Avenue right of way, through the site. These drainage lines both connect to an existing 84” line at the junction structure, located at the intersection of Jessie Avenue and May Street. The 84” line travels south, transecting the site, and then turns to the west and travels along the southern property boundary. The 84” line then connects to Sump 144, located at the southern property boundary.

Currently, drainage on the project site generally occurs via surface flows into existing natural drainage swales and ditches on the site (including historic Verano Creek). These drainage swales and ditches generally flow southwest across the site to Sump 144 and into the North I-80 Drainage Canal, which is concrete-lined and located directly south of the project site within the Interstate 80 right-of-way.

Sewage. Sanitary sewer service is available to North Sacramento. The Sacramento Regional County Sanitation District (SRCSD) is responsible for the operation of all regional interceptors and wastewater treatment plants, while local collection districts operate the systems that transport less than 10 million gallons of waste flow daily. This portion of the City is served by the City Utilities Department, although treatment is provided by SRCSD.

An 8” Sanitary Sewer line exists within the May Street right-of-way and terminates at the street’s intersection with Blaine Avenue, which is over 300 feet north of the project site. An additional 8” Sewer line exists within the Dry Creek Road right-of-way and terminates approximately 100 feet

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

north of the project site.

Solid Waste. Solid waste transport within the City of Sacramento is generally provided by private contractors; consequently, disposal of solid waste occurs at a number of locations. However, typically, disposal of solid waste occurs either at Kiefer Landfill, operated by the County of Sacramento Public Works Department, or it is sent to the Sacramento Recycling and Transfer Station, which then transfers the solid waste to Lockwood, Nevada. According to Doug Kobold, Solid Waste Planner for Sacramento Region Solid Waste Authority, Kiefer Landfill has capacity until 2035 at the current throughput. According to Mike Root, Program Analyst for City's Solid Waste Division, the Lockwood landfill has capacity for the next 250 to 300 years. Consequently, these two landfills are not capacity constrained.

The project is required to meet the City's Recycling and Solid Waste Disposal Regulations (Chapter 17.72 of the Zoning Ordinance). The purpose of the ordinance is to regulate the location, size, and design of features of recycling and trash enclosures in order to provide adequate, convenient space for the collection, storage, and loading of recyclable and solid waste material for existing and new development; increase recycling of used materials; and reduce litter.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a detriment to microwave, radar, or radio transmissions;
- Create an increase in water demand of more than 10 million gallons per day;
- Substantially degrade water quality;
- Generate more than 500 tons of solid waste per year; or
- Generate storm water that would exceed the capacity of the storm water system.
- Result in a determination by the wastewater collection and treatment provider that it does not have adequate capacity to serve the project's projected demand in addition to existing commitments.

Answers to Checklist Questions

Question A

The proposed project would not exceed the height restriction specified in the Zoning Ordinance for structures within the proposed R-1A zone. Therefore, the proposed project would not interfere with microwave, radar, or radio transmissions, and the proposed project would result in a ***less-than-significant*** impact.

Questions B and C

Water Supply

Based on the figures presented in the City's UWMP, Sacramento's water supply is sufficient through Year 2030. See Table U-2 for a summary of the City's water rights and projected water use 2020.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Table U-2 illustrates the City’s ability to meet foreseen water and indicates that the City of Sacramento has sufficient water rights and the infrastructure to deliver water in normal, single-dry, and multiple-dry years. According to the UWMP (p. 4-10) the City has not needed to explore other water supply options because the City’s water sources are not subject to cutbacks, and the City’s entitlements are more than sufficient to meet projected future demands.

U-2 City of Sacramento Water Rights and Projected Water Use		
Year	Authorized Surface Water Used (acre feet)	Projected Water Use (acre-feet)^a
2000	183,500	136,776 ^b
2005	205,500	150,198 ^b
2010	227,500	163,123 ^b
2016	257,500	172,824 ^b
2020	278,000	175,819 ^b
2030	326,800	189,984 ^b
^a Does not include normalization and conservation adjustments ^b Does not include water supplied to additional customers outside of service area Source: UWMP, 2001 (p. 4-10)		

Build-out demand for the project site, in accordance with current General Plan designation, is assumed in the current UWMP. The UWMP (p. 4-5) indicates that the single-family water use factor of 606 gallons/account/day was used to calculate water use (consistent with the factor used in the Water Forum). Assuming 1 account per residence, an estimate of build-out demand for the proposed project (184 units) would be 111,504 gallons per day (124.8 acre-feet/year). Therefore the project is well-below the threshold of 10 million gallons per day.

Table U-3 Water Demand for Proposed Project				
Land Use Type	Units	Consumption Factor	Consumption	Consumption (af/y)
Residential –Low Density	184	606 gpd/unit	111,504 gpd	124.8 af/y

Water Distribution

The proposed project would be required to connect to the City’s water distribution systems. The water mains to be constructed to serve this site would connect to the 12” water main within Dry Creek Road, as well as the 8” water main within Jessie Avenue. Both of these connections would be made at the project site and would not require extension of lines. All connections to the City’s utility system are required to be designed and installed to the satisfaction of the City’s Department of Utilities. In addition, the Department of Utilities has indicated that the water mains in Dry Creek Road and Jessie Avenue have capacity to serve the proposed project.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Conclusion

The City has sufficient supply to serve the project. Water rights assume treated water. In addition, the project is required to comply with the City's ordinances and conditions of approval for connection to the existing water facilities. Therefore, the project impacts to the City's water supply, treatment, and distribution are anticipated to be ***less-than-significant***.

Question D

The proposed project includes the extension of a 8" sewer line to connect to the 8" sewer line currently located at the intersection of May Street and Blaine Avenue, which is over 300 feet north of the project site. The extension would be sized to be consistent with the overall sewer master plan. These improvements would be required prior to any final building permit. All public sewers are coordinated with and approved by the Department of Utilities. With the development requirements established by the Department of Utilities, the proposed project is anticipated to have a ***less-than-significant*** impact on sewer services.

Question E

Project drainage facilities would connect to a future drainage line to be installed as part of the approved Dry Creek Pointe residential subdivision to the north (P02-047). The proposed drainage facilities would receive a portion of the runoff from the Dry Creek Pointe subdivision. The majority of the project's drainage would flow through an on-site water quality/detention basin, located adjacent to the south side of the proposed park.

The Department of Utilities is requiring a Drainage Study in order to determine the appropriate sizing of the drainage facilities to adequately accommodate project drainage during the 10- and the 100-year storm event and also to determine the size of the facilities to provide appropriate water quality treatment.

All drainage improvements would be required to be developed to the satisfaction of the Department of Utilities, and the Department of Utilities would ensure consistency with the existing Drainage Master Plan for Drainage Shed 144. All drainage lines would be placed within the asphalt section of public rights-of-way as per the City's Design and Procedures Manual. The storm drain system shall be designed to conform to the master drainage plan for the area.

Because the Department of Utilities will ensure that project's drainage system is appropriately sized and is connected appropriately to the City's drainage system, the project impacts on the City's drainage facilities are anticipated to be ***less-than-significant***.

Question F

The California Integrated Waste Management Board website (www.ciwmb.ca.gov/Profiles/County/CoProfile1.asp) indicates that the Resident Daily Disposal Rate in Sacramento County is 1.46 pounds per resident per day. Using the Sacramento Area Council of Governments (SACOG) Population and Housing for Sacramento County, by Jurisdiction, it is estimated that the proposed development of 184 single family units would add approximately 480 new residents to the City's

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

population. Therefore, the proposed project would result in approximately 701 pounds of waste disposal per day (1.46 pounds/day/resident x 480 residents), which would equal approximately 128 tons per year. This is considerably below the City's threshold of 500 tons per year. In addition, as indicated above, the two primary landfills, which receive the majority of solid waste generated by the City of Sacramento, are not anticipated to be capacity constrained. Kiefer Landfill has capacity until 2035 at the current throughput, and the Lockwood landfill has capacity for the next 250 to 300 years. Consequently, the 128 tons per year of solid waste generated by the project would not adversely affect capacity at these landfills.

In addition, prior to issuance of a building permit by the Building Division the applicant would be required to comply with the City's Zoning Ordinance (Title 17.72 of the City Code). This section addresses recycling and solid waste disposal requirements for new and existing developments, which are designed to reduce impacts from the disposal of solid waste.

For these reasons, it is anticipated that development of the proposed project would result in ***less-than-significant*** impacts from solid waste.

Mitigation Measures

No mitigation is required.

Findings

The proposed project would result in less-than-significant impacts to utility systems.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
13. <u>AESTHETICS, LIGHT AND GLARE</u> <i>Would the proposal:</i> A) Affect a scenic vista or adopted view corridor? B) Have a demonstrable negative aesthetic effect? C) Create light or glare? D) Create shadows on adjacent property?			✓ ✓ ✓ ✓

Environmental Setting

The project site is not in an adopted view corridor or a scenic vista. The project site currently consists of vacant grassland with relatively flat topography. Illicit garbage dumping has occurred on the project site. The project area is presently comprised of residential uses. Interstate 80 is located immediately south of the project site, and the project site is visible from travelers on Interstate 80.

Standards of Significance

Visual impacts would include obstruction of a significant view or viewshed or the introduction of a façade which lacks visual interest and compatibility which would be visible from a public gathering or viewing area.

Shadows. New shadows from developments are generally considered to be significant if they would shade a recognized public gathering place (e.g., park) or place residences/child care centers in complete shade.

Glare. Glare is considered to be significant if it would be cast in such a way as to cause public hazard or annoyance for a sustained period of time.

Light. Light is considered significant if it would be cast onto oncoming traffic or residential uses.

Answers to Checklist Questions

Questions A, B, and D

The project site would convert undeveloped land into a single-family residential subdivision. The project site is not located within an identified scenic corridor or viewshed; consequently impacts to

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

an identified scenic corridor or viewshed would not occur. In addition, although the project site is visible from the freeway, Interstate 80 is not considered a Scenic Highway in the vicinity of the project site.

Although the project would include two-story residences and a 14-foot sound wall (required as noise mitigation), the height of the residences would be required to comply with the height restrictions set forth in the Zoning Ordinance, and the sound wall would be shorter than the residences. Consequently, the project would not generate shadows that could substantially shade a residence or public gathering place, including the proposed Neighborhood Park. Furthermore, although the proposed project is not required to go before the Design Review Board, the project would be required, as part of the Special Permit, to be reviewed by Design Review staff to ensure that the project is consistent with the City of Sacramento's Single Family Residential Design Principles.

Therefore, the proposed project is anticipated to have a *less-than-significant* impact related to aesthetics.

Questions C

The proposed project includes construction of 184 single-family residences. Single-family residences are not typically considered to be substantial sources of glare, due to the limited height and the limited amount of reflective surface area (i.e. glass and metal surfaces), and the project would not be anticipated to result in substantial adverse affects associated with glare.

The proposed project would require improvements to the City rights-of-way. These improvements include the installation of street lighting, as required by the Department of Transportation as a condition of approval. The lighting would be installed and shielded consistent with City standards. With the design and orientation of lighting in compliance with the City standards, impacts associated with light and glare are anticipated to be *less-than-significant*.

Mitigation Measures

No mitigation is required.

Findings

The project is determined to have a less-than-significant impact to visual resources.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
14. <u>CULTURAL RESOURCES</u>			
<i>Would the proposal:</i>			
A) Disturb paleontological resources?		✓	
B) Disturb archaeological resources?		✓	
C) Affect historical resources?		✓	
D) Have the potential to cause a physical change, which would affect unique ethnic cultural values?			✓
E) Restrict existing religious or sacred uses within the potential impact area?			✓

Environmental Setting

The proposed project is not in a Primary Impact Area as defined by the Sacramento General Plan Update Draft Environmental Impact Report (SGPU) (DEIR, V-5). The SGPU defines a Primary Impact Area as an area that is most sensitive to urban development due to the potential presence of cultural resources. The project site is vacant with weedy grasses and some trees located on the site.

The SGPU DEIS (p. V-6) states that portions of North Sacramento, which lie north of I-80 along drainage courses and the American River floodplain have been judged as having a “moderate” to “somewhat higher than moderate” archeological sensitivity.

Standards of Significance

Cultural resource impacts may be considered significant if the proposed project would result in one or more of the following:

1. Cause a substantial change in the significance of a historical or archaeological resource as defined in CEQA Guidelines Section 15064.5 or
2. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Answers to Checklist Questions

Questions A - D

The project site consists of disturbed land within an area that, according to the SGPU DEIR, has

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

been judged as having a “moderate” to “somewhat higher than moderate” archeological sensitivity. It is currently unknown whether identified cultural resources exist on the site. In addition, during construction, previously unidentified cultural or historical resources may be unearthed. The mitigation measures listed below shall be implemented to ensure a less-than-significant impact to potential cultural resources.

Mitigation Measures

CR-1 The applicant shall hire a qualified archaeologist to conduct a records search for the project site, including a search of the North Central Information System at CSU Sacramento. The qualified archaeologist shall provide recommendations for mitigation should any resource be identified on the project site by the records search. Prior to issuance of grading permits, the applicant shall provide proof that the records search has been performed and that any cultural resources identified on the project site have been mitigated according to the recommendations of the qualified archaeologist.

CR-2a In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil (“midden”), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archeologist, representatives of the City and the qualified archeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation. In addition, a report shall be prepared by the qualified archeologist according to current professional standards.

CR-2b If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.

If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.

In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.

CR-3 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

appropriate actions have taken place.

Question E

There are no known existing religious or sacred uses on the project site. Therefore, it is not anticipated that religious or sacred uses will be impacted by the proposed project, and a **less-than-significant** impact would occur.

Findings

The project is anticipated to have less-than-significant impacts on cultural resources with the incorporation of the above mitigation measures.

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>15. <u>RECREATION</u> <i>Would the proposal:</i></p> <p>A) Increase the demand for neighborhood or regional parks or other recreational facilities?</p> <p>B) Affect existing recreational opportunities?</p>			<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>

Environmental Setting

There are no existing recreational amenities within the project site, as the site is currently vacant private property. Surrounding uses consist of vacant land and residential. Robla Community Park is the nearest park and is located within ½ mile northwest of the site, along Bell Avenue. Other parks in the area include Main Avenue School Park, Taylor Street School Park, and Glenwood School Park.

Standards of Significance

Recreation impacts would be considered significant if the project created a new demand for additional recreational facilities or affected existing recreational opportunities.

Answers to Checklist Questions

Questions A and B

The proposed project would introduce new residences to the area, which would increase demand for parks. The proposed project includes dedication of an on-site 2.6-acre Neighborhood Park, which would serve the new residences, as well as the general public. Because the park would be

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

conveniently located for future use by the residents of the proposed development, the future residents would not likely travel to other parks in the area. Consequently, it is not anticipated that the proposed project would affect existing recreational facilities in the area. The dedication of the park, in combination with payment of the Quimby fees, would ensure that the proposed project would result in a ***less-than-significant*** impact related to recreational facilities.

Mitigation Measures

No mitigation is required.

Findings

The proposed project would result in less-than-significant impacts to recreational resources.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MANDATORY FINDINGS OF SIGNIFICANCE

Issues:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less-than-significant Impact
<p>16. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u></p> <p>A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? Disturb paleontological resources?</p>		✓	
<p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?</p>			✓
<p>C. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>			✓
<p>D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			✓

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Question A

As discussed in the preceding sections, the proposed project, with the implementation of the mitigation measures, would not have the potential to degrade the quality of the environment, including effects on animals or plants. However, as stated in Section 14, the proposed project may affect known and/or unknown Cultural Resources within the project site. Mitigation measures concerning how to handle paleontological resources were included in case known cultural resources are identified on the site, or previously unidentified resources are uncovered during construction activities. Likewise, as stated in Section 7, the proposed project may affect biological resources on the site, including: special-status plants, nesting raptors (including burrowing owls and Swainson's hawk), Swainson's hawk foraging habitat, vernal pool branchiopods, and wetlands. Mitigation has been proposed in order to reduce these impacts to *less-than-significant* levels.

Question B

As discussed throughout this Initial Study, the proposed project consists of a tentative subdivision map to divide 9 parcels into 184 single-family residential lots, a neighborhood park, a detention basin, and a landscaped lot. The project also includes a General Plan Amendment, a Community Plan Amendment, a Rezone, and a Special Permit. The project is assumed to comply with federal, State, and local laws and regulations and would not include any activities or include any uses that would achieve short-term goals to the disadvantage of long-term environmental goals; therefore, impacts are considered *less-than-significant*.

Question C

When impacts are considered along with, or in combination with other impacts, the project-related impacts are less-than-significant with appropriate mitigation. In addition, although the proposed project includes amendments to the SGPU and North Sacramento Community Plan, the project is less dense than the land use designations in the SGPU, and, therefore, the proposed project would not exceed the density assumptions utilized for analysis in the SGPU DEIR. The project would also not add to cumulative effects analyzed. In addition, project-specific impacts would be mitigated to a less-than-significant level. Therefore cumulative effects are considered a *less-than-significant* impact.

Question D

The project does not have environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly. The site is not known to contain any hazards. However, construction activities could reveal previously unknown hazards. The proposed project is required to comply with all applicable laws concerning hazardous materials. Therefore, the project would result in a *less-than-significant* impact.

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SECTION IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below potentially would be affected by this project.

- | | |
|--|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Hazards |
| <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Water | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Aesthetics, Light & Glare |
| <input checked="" type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy and Mineral Resources | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> None Identified | |

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

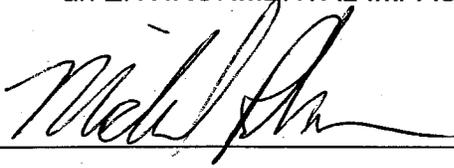
SECTION V. DETERMINATION

On the basis of the initial evaluation:

I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- X I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the project-specific mitigation measures described in Section III have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.



Signature

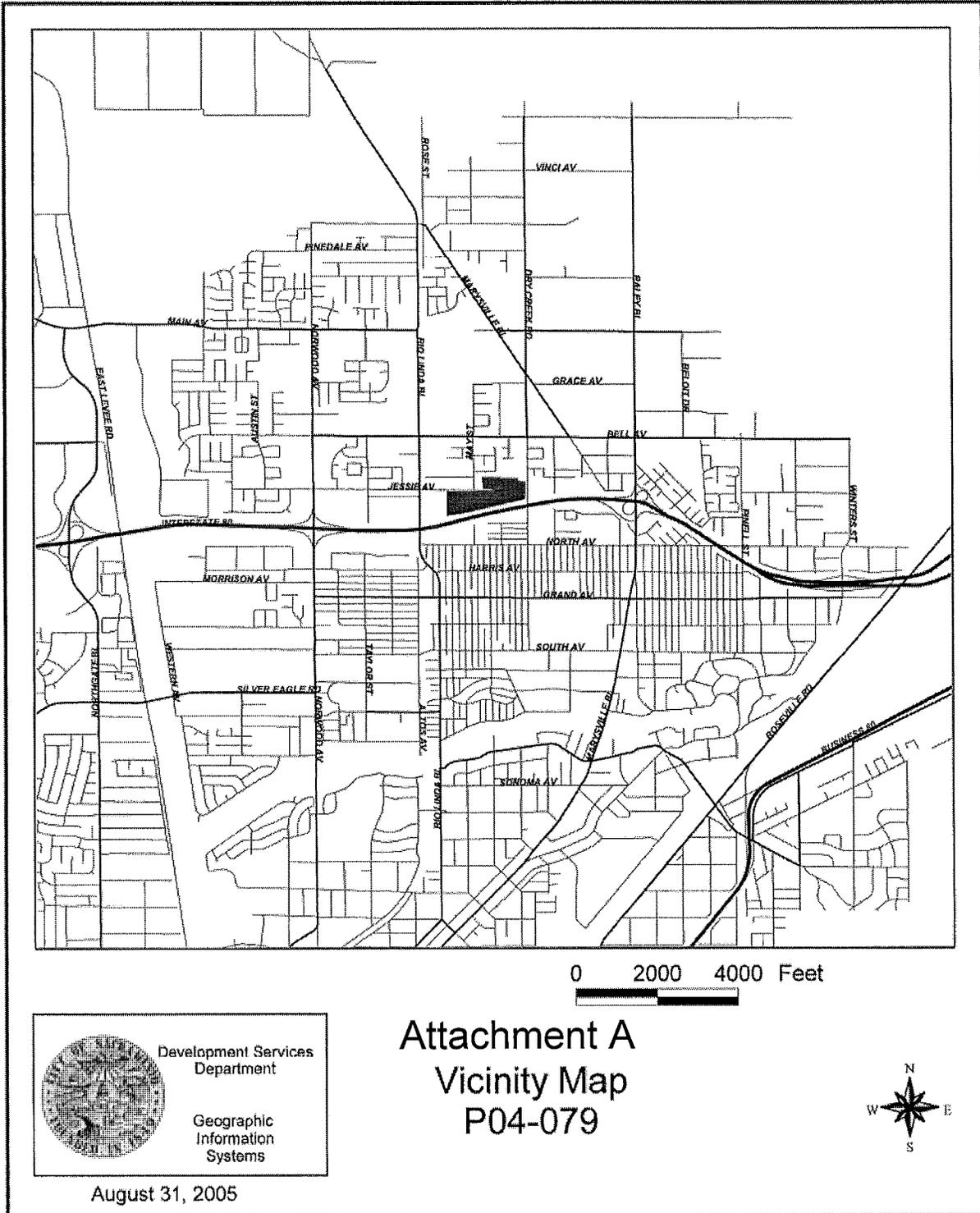


Date

Mike Parker

Printed Name

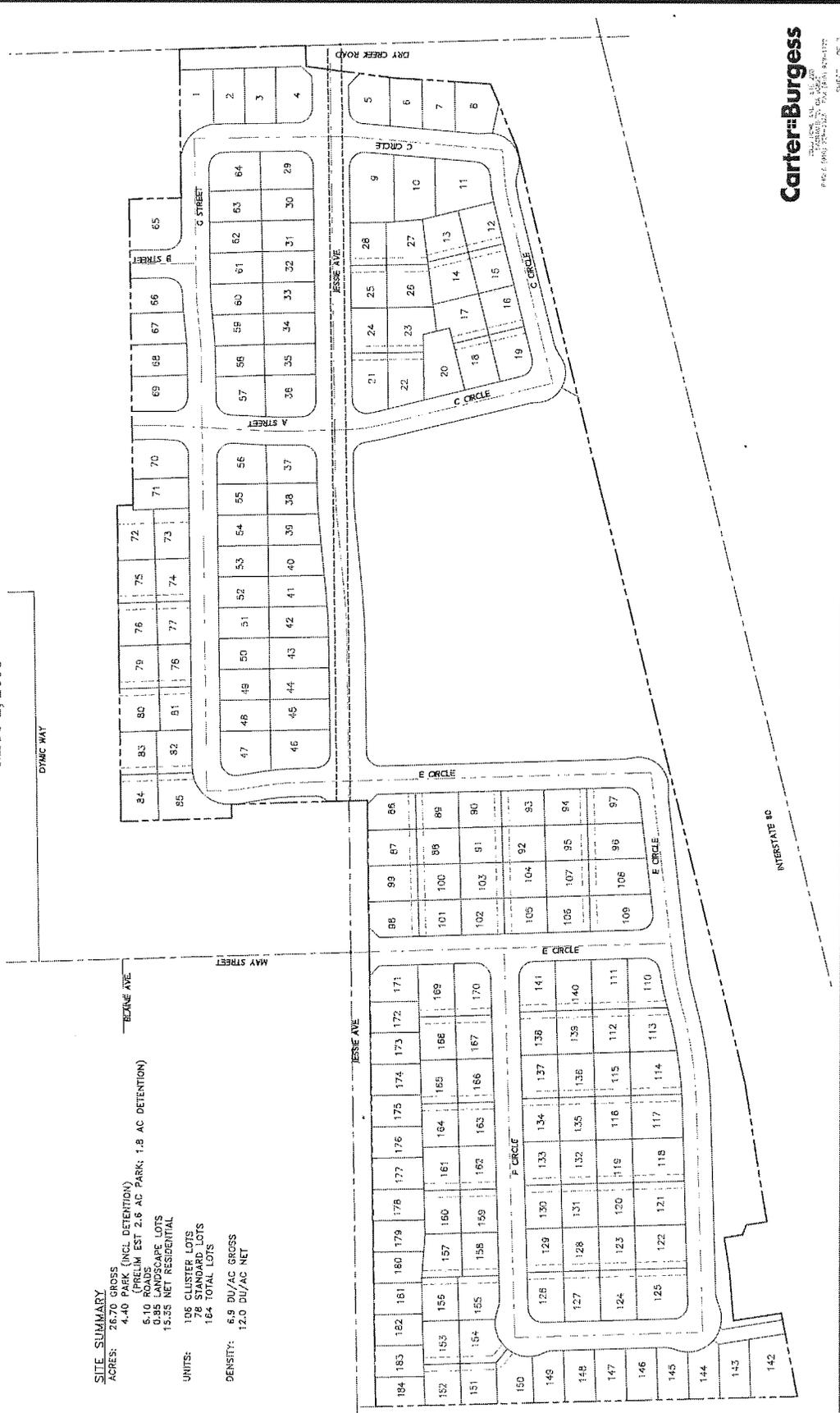
DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION



DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Attachment B
Site Plan

JESSIE AVENUE
REVISED SITE PLAN
MAY 2, 2006



SITE SUMMARY
 ACRES: 26.70 GROSS
 4.40 PARK (INCL DETENTION)
 6.10 PRELIM EST 2.8 AC PARK; 1.8 AC DETENTION)
 0.95 LANDSCAPE LOTS
 15.25 NET RESIDENTIAL
 UNITS: 196 CLUSTER LOTS
 164 STANDARD LOTS
 164 TOTAL LOTS
 DENSITY: 6.9 DU/AC GROSS
 12.0 DU/AC NET

Carter-Burgess
 CIVIL ENGINEERS, ARCHITECTS, PLANNERS
 1000 J STREET, SUITE 100
 SACRAMENTO, CA 95811
 PHONE: (916) 441-1111
 FAX: (916) 441-1112
 WWW.CARTERBURGESS.COM
 SHEET 02 OF 3
 P:\SACRAMENTO\04-079\02-01-06\DWG\02-01-06.DWG

Attachment C

JURISDICTIONAL DELINEATION MAP
JESSIE AVENUE PROPERTY



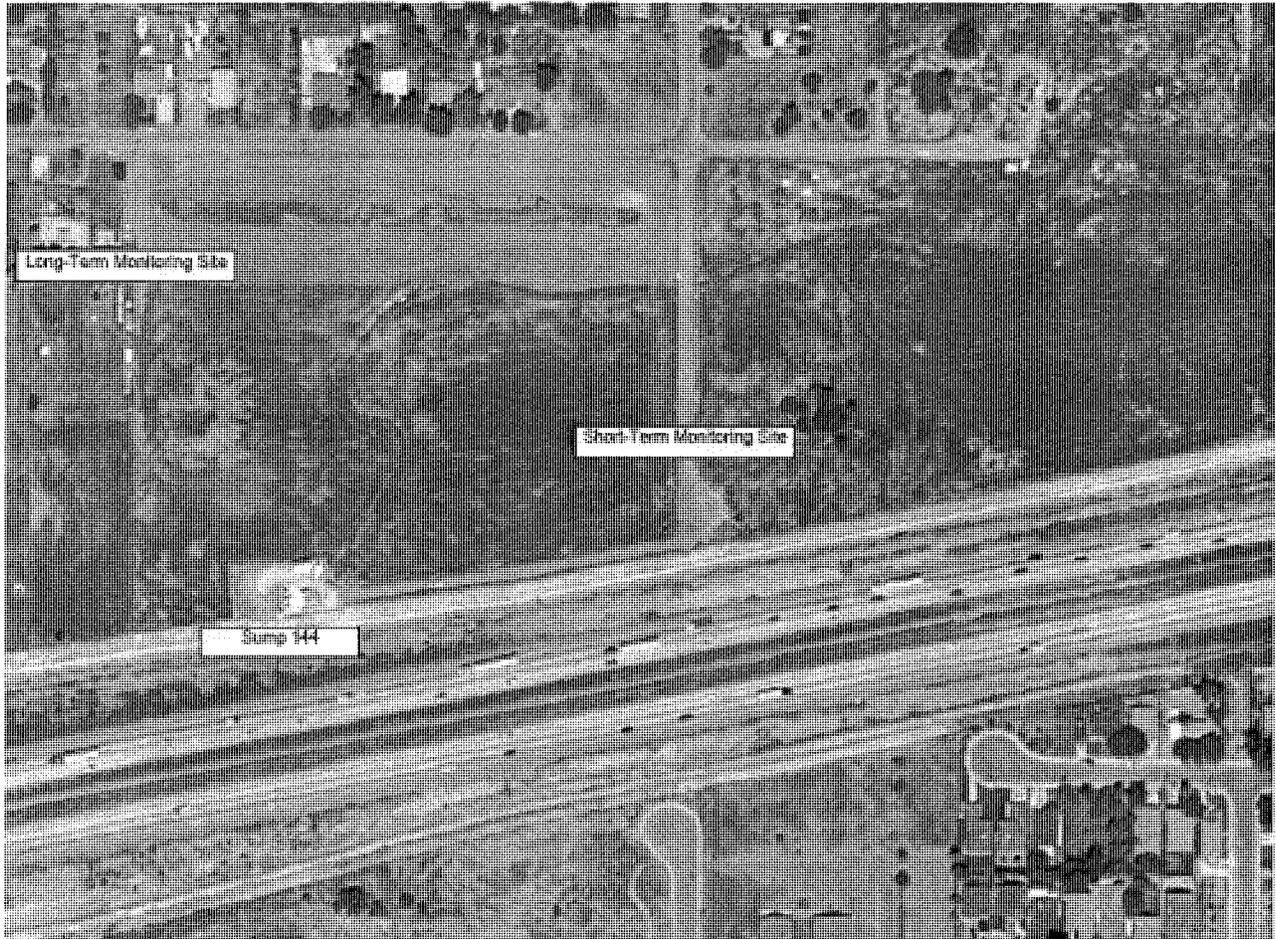
Legend

-  Seasonal Wetlands (0.93 Ac.)
-  Wet Swale-Photo Delineated (0.05 Ac.)
-  Wet Swale-Field Delineated (0.04 Ac.)
-  Wet Swale-Field Delineated (0.14 Ac.)
-  Data Points (1A-3B)
-  Study Area

GIBSON AND SKORDAL, LLC
 2277 Fairview Blvd., Suite 107
 Denver, CO 80233
 Phone: 303.733.8883
 Prepared: November 2003
 Revised: March 2004
 Base Map: Aerial Photography
 Flown May 2002

DUNMORE SACRAMENTO, JESSIE AVENUE (P04-079)
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Attachment D
Noise Monitoring Sites



RESOLUTION NO. 2015 –

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING
THE JESSIE AVENUE TENTATIVE MAP PROJECT (P14-069)**

BACKGROUND

- A. On October 8, 2015, after conducting a public hearing, the City Planning and Design Commission denied the Jessie Avenue Tentative Map Project (P14-069), a proposal to subdivide 27.29± acres into 144 residential parcels, a joint park and detention basin, and a landscaped lot in the Single Unit or Duplex Dwelling (R-1A) and Agriculture-Open Space (A-OS) zones for future residential development.
- B. On October 16, 2015, the applicant appealed the decision of the City Planning and Design Commission.
- C. On November 17, 2015, after giving notice as required by Sacramento City Code section 17.812.030, the City Council conducted a public hearing on the Project, receiving and considering evidence concerning it.

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

Section 1. Based on the verbal and documentary evidence received at the hearing on the Jessie Avenue Tentative Map Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A. Environmental Determination: The Mitigated Negative Declaration Addendum and Mitigation Monitoring Plan and Findings of Fact for the Project have been adopted by Resolution No. 2015-__.

B. Tentative Map. The Tentative Map is **approved** based on the following findings of fact:

- 1. None of the conditions described in Government Code section 66474 exist with respect to the proposed subdivision as follows:

- a. The proposed map is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code;
 - b. The design and improvement of the proposed subdivision is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code;
 - c. The site is physically suitable for the type of development;
 - d. The site is physically suitable for the proposed density of development;
 - e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
 - g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, all applicable community and specific plans, Title 16 of the City Code, and all other applicable provisions of the City Code (Gov. Code §66473.5).
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. Code §66474.6).
 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1).
 5. The City has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).
- C. The Site Plan and Design Review with deviations of the tentative map is approved based on the following Findings of Fact:**
1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan Suburban Neighborhood Low Density and Suburban Neighborhood Medium Density designations and with the

General Plan Goals and policies related to infill development, housing diversity, access to parks and open space, promoting family-friendly neighborhoods, and enhancing established neighborhoods.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the size, width and depth of the lots are adequate for new single-unit dwellings.

3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the subject site offers improvements to existing roads and will provide infrastructure to meet the needs of the new residential units.

4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood as the surrounding neighborhood is predominantly single-unit dwellings.

5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged.

6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance in that the proposed tentative map is for single-unit dwellings, which is the primary use in the area, and the project has been designed to meet all applicable development standards and will adhere to a mitigation monitoring plan that will address the identified project related impacts.

Conditions of Approval

B. The Tentative Subdivision Map to subdivide approximately 27.29 acres into 146 lots for 144 single-unit lots, one park and detention basin lot, and one landscape lot is **approved** subject to the following Conditions of Approval:

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P14-069). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under

a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Public Works

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval.

GENERAL: All Projects

- B 1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- B 2. Pursuant to City Code section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Department of Public Works after consultation with the U.S. Postal Service.
- B 3. Comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-069).
- B 4. Show all continuing and proposed/required easements on the Final Map.
- B 5. Private reciprocal ingress, egress, maneuvering easements is required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City stating that a private reciprocal ingress/egress, and maneuvering easement shall be conveyed to and reserved from all appropriate parcels (between City Pump Station Parcel #237-0200-082 and Lot A, and between Parcel 1 and Parcel 2) as shown on the map to the satisfaction of the Department of Public Works.
- B 6. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Public Works.

PUBLIC WORKS:

- B 7. Submit a Geotechnical Analysis prepared by a registered engineer to be used in street design. The analysis shall identify and recommend solutions for groundwater related problems, which may occur within both the subdivision lots and public right-of-way. Construct appropriate facilities to alleviate those problems. As a result of the analysis street sections shall be designed to provide for stabilized subgrades and pavement sections under high groundwater

conditions.

- B 8. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.
- B 9. Construct the following traffic calming measures per City standards to the satisfaction of the Department of Public Works:
- a. All-way stop controls at the intersection of Jessie Avenue and May Street;
 - b. All-way stop controls at the intersection of Jessie Avenue and Clay Creek Way;
 - c. Stop controls on A Street approaching Jessie Avenue (north and south legs of the intersection);
 - d. Stop controls on A Street/C Street approaching Clay Creek Way (east and west legs of the intersection);
 - e. Standard crosswalks on the north and south legs of the intersection of Jessie Avenue and A Street;
 - f. Standard crosswalks on all legs of the intersection of Jessie Avenue and Clay Creek Way;
 - g. Triple-Four crosswalks on the east leg of the intersection of Jessie Avenue and A Street;
 - h. Detail 23 through the southwest elbow of B Street; and
 - i. Detail 23 through the east and west elbows on Clay Creek Way (outside of project area).
- B 10. Construct Dry Creek Road adjacent to the subject property to a City standard 57-foot right-of-way street cross-section to the satisfaction of the Department of Public Works. Any extra right-of-way shall be placed on the planter.
- B 11. Dedicate and construct Jessie Avenue from the intersection of C Street/B Circle to west of A Street in front of Lot #35 as shown on the map, to a standard 53-foot right-of-way street cross-section per City standards to the satisfaction of the Department of Public Works.
- B 12. Dedicate additional right-of-way and construct Jessie Avenue adjacent to the subject property from the westernmost property line of Lot #35 to the

westernmost property line of Lot #86 as shown on the map to a standard 53-foot right-of-way street cross-section (half-street only). Construction of Jessie Avenue along the concerned segment shall include a 5-ft separated sidewalk, 6.5-ft planter with vertical curb, a 15-ft travel lane, a 12-ft travel lane, and an acceptable shoulder and drainage. The design and construction of said improvements shall be per City standards and to the satisfaction of the Department of Public Works.

- B 13. Dedicate and construct the extension of Cold Creek Way adjacent to the subject property to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 14. Dedicate and construct the extension of Clay Creek Way adjacent to the subject property to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 15. Dedicate and construct A Street as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 16. Dedicate and construct C Street as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 17. Dedicate and construct B Circle (east and west) as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 18. Dedicate and construct B Circle (south, 50-ft right-of-way) to a modified 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works. Construction of B Circle (south) shall consist of 5-ft attached sidewalk on each side of the street, and two 20-ft travel lanes (measured from the centerline to the face of curb) with parking lanes/brackets.
- B 19. Dedicate and construct May Street as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 20. Dedicate and construct D Street as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.
- B 21. Dedicate and construct E Street as shown on the map to a City standard 41-ft right-of-way street cross-section with rolled curb to the satisfaction of the Department of Public Works.

- B 22. All right-of-way and street improvement transitions that result from changing the right-of-way of any street shall be located, designed and constructed to the satisfaction of the Department of Public Works. The center lines of such streets shall be aligned.
- B 23. Construct A.D.A. compliant ramps at all corners of intersections bounded by the project site per City standards to the satisfaction of the Department of Public Works.
- B 24. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Department of Public Works.
- B 25. The applicant shall make provisions for bus stops, shelters, transit centers, etc. to the satisfaction of Regional Transit.
- B 26. The applicant shall dedicate and construct bus turn-outs for all bus stops adjacent to the subject site to the satisfaction of the Department of Public Works.

SMUD:

- B 27. Dedicate a 12.5 foot public utility easement or 10-foot public utility easement where previously approved, for underground/overhead facilities and appurtenances adjacent to all public street right of ways.
- B 28. Maintain existing 12kv underground/overhead route along May street and overhead 12kv route along Jessie Ave. These facilities support a major pump station. Said facilities may be relocated at developer's expense given the developer ensures no (to minimal) interruption in service to said pump station. Developer to coordinate any relocation plans with SMUD and DOU prior to construction. Plans are subject approval.
- B 29. In the event they are needed, the developer shall dedicate any ingress and egress easement (and 10-ft adjacent thereto) as a public utility easement for overhead and underground facilities and appurtenances.
- B 30. Existing overhead lines and underground cables may need to be relocated at developer's expense within the development. If alternate means are not provided, existing overhead 12kV infrastructure will need to remain in order to maintain existing services not part of the development.

SACRAMENTO AREA SEWER DISTRICT:

- B 31. Developing this property may require payment of Regional San sewer impact fees. Impact fees shall be paid prior to issuance of building permits. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

DEPARTMENT OF UTILITIES:

- B 32. Prior to the submittal of improvement plans, the applicant must provide the Department of Utilities (DOU) with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The DOU can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions: a) At maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch; or b) At average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch.
- B 33. Prior to the submittal of improvement plans, the applicant shall submit a water study with pipe network calculations for the proposed water distribution system. The calculations shall be reviewed and approved by the DOU prior to improvement plan submittal.
- B 34. Two points of connection to the public water distribution system will be required for this subdivision or any phase of this subdivision. All new water mains shall be 8-inch minimum. Note: A 12-inch water main is located in Dry Creek Road. An 8-inch water main is located in Jessie Avenue through a portion of the site, and an 8-inch water main is located in May Street. There is a 2-inch service line that is connected to the water main in May Street and proceeds along the south boundary of the property to Sump 144.
- B 35. Provide separate metered domestic water services to each parcel. No public water mains shall be placed in the private driveways.
- B 36. Per Sacramento City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or back of walk for connected sidewalks. Water meter boxes shall be rated for H/20 loading (for 1-inch service Christy Box B1324 with Lid B1324-61GH, for 1.5-inch service Christy Box B1730 with Lid B1730-51G).
- B 37. Residential water taps shall be sized per the City's Building Department on-site plumbing requirements (water taps may need to be larger than 1-inch depending on the length of the house service, number of fixture units, etc).

- B 38. New fire hydrants will be required to the satisfaction of the DOU and the Fire Department.
- B 39. Place a 2-inch (minimum) sleeve(s) under the sidewalks for each single family lot along all streets with separated curb and sidewalk in order to allow for landscaping and irrigation of the landscape planter. Sleeves shall be placed at the time sidewalks are constructed. Landscaping may be deferred until construction of the homes.
- B 40. Relocate the 2-inch main that provides service to Sump 144 to a point on "E" Street adjacent to the Sump. Abandon the existing main to the satisfaction of DOU.
- B 41. Prior to submittal of improvement plans, a sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual shall be reviewed and approved by the Department of Utilities. All new sewer mains shall be 8-inch minimum. Note: There is a 6-inch sewer main located in Jessie Avenue west of May Street. The east end of this main is very shallow. There is an 8-inch sewer main located in May Street, 300 feet north of Jessie Avenue that may be extended. There is an 8-inch sewer main located in Dry Creek Road, 300 feet north of Jessie Avenue that may be extended.
- B 42. Provide separate sanitary sewer services to each parcel to the satisfaction of the Department of Utilities. The point of service for sewer service shall be the back of curb for separated sidewalks or back of walk for connected sidewalks. If approved by the Building Department, a private common sewer may be constructed from the point of service to each landlocked parcel.
- B 43. Properly abandon under permit, from the City and County Environmental Management Department, any well or septic system located on the property.
- B 44. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required. The applicant shall develop or coordinate with the City's SSWMM model for the drainage study for Shed 144. The new drainage system will be required to drain to a water quality facility prior to discharge into the existing drainage improvements in Shed 144 that are located in Jessie Avenue and May Street. Drainage improvements will include an on-site detention basin, based on the SSWMM model results. The finished lot pad elevations shall be a minimum of 1.20 feet above the 100-year HGL and shall be approved by the DOU. The drainage study shall include an overland flow release map for the proposed project. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation.
- B 45. Construct a storm water quality and drainage detention basin within Lot B. Provide landscaping and an irrigation system for Lot B including the basin. The

construction and landscaping shall be to the satisfaction of the DOU. A separate set of improvement plans shall be prepared for the water quality drainage detention basin.

- B 46. Execute and deliver to the City, in recordable form, an IOD for conveyance to the City in fee title Lot B for a detention/water quality basin. The exact location and dimensions of Lot B shall be established by the DOU in its sole discretion. If the exact location and dimensions differ from those specified for Lot B on the tentative map, the location and dimensions shall be revised on the final map according to the DOU determinations.
- B 47. The subdivision shall be annexed into the city of Sacramento Neighborhood Water Quality District which provides for maintenance of the water quality and drainage detention basin, including landscaping and irrigation within Lot B.
- B 48. The proposed drainage system shall provide connection to the drainage system approved and under construction for Dry Creek Pointe (P02-047/ P900), to the north of "A" Street. As shown on sheet 6 of 14, Dry Creek Pointe (plan number 2006022), in Construction Note 7, the 15-inch drainage pipe shall be unplugged at MH Station 1+00 and 2+80.44 and a new plug placed at Station 5+64.76 and the pipe to the east of the MH abandoned in place.
- B 49. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities. The proposed development shall not block existing off-site drainage. If necessary, private facilities shall be constructed to convey existing off-site drainage and if necessary, the owner shall execute a drainage agreement with the City assuring maintenance of the private drainage facilities.
- B 50. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
- B 51. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Both source controls and on-site treatment control measures are required. On-site treatment control measures may affect site design and site configuration and therefore, should be considered during the early planning stages. Improvement plans must include on-site treatment control measures. Refer to the "Guidance Manual for On-site Stormwater Quality Control Measures" for appropriate source control measures and on-site treatment control measures.

- B 52. This project will be disturbed more than one acre of land or is part of large common development; therefore, the project is required to comply with the State's "Construction General Permit" (Order 2009-0009 DWQ or most current). To comply with the State Permit, the applicant must file a Notice of Intent (NOI) through the State's **Storm Water Multiple Application and Report Tracking System (SMARTS)**, located online at

<http://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp>

- B 53. A valid WDID number must be obtained and provided to the DOU prior to the issuance of any grading permits.

FIRE DEPARTMENT

- B 54. All turning radii for fire access shall be designed as 35' inside and 55' outside. CFC 503.2.4
- B 55. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. CFC 503.2.1
- B 56. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3
- B 57. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105.

SPECIAL DISTRICTS

- B 58. Maintenance District: The Applicant shall mitigate the impact of its development on the City's park system by completing the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annexing to an existing park maintenance district, forming and funding an endowment, or other funding mechanism that is reviewed and approved by the City's PPDS, Finance Department and the City Attorney. The Applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Diane Morrison, Special Districts Project Manager at 808-7535.)
- B 59. Dedicate to the City those areas identified on the Tentative Subdivision Map as Landscape Corridors, Freeway Buffers, and Open Space areas (Lot A). Annex the project area to the appropriate Landscape Maintenance District, or other financing mechanism acceptable to the City, prior to recordation of the Final Map. Design and construct landscaping, irrigation and masonry walls (or wood fences) in dedicated easements or rights of way, to the satisfaction of the Development Services Department, and Parks Planning, Design, and Development (PPDD).

Acceptance of the required landscaping, irrigation and walls or fences by the City into the Landscape Maintenance District shall be coordinated with the Department of Public Works (Special Districts and Development Services) and PPDD. The Developer shall maintain the landscaping, irrigation and walls for two years or until acceptance by the City into the District (whichever is less). The two year period shall begin following the issuance of a notice of completion by the City for the landscaping, irrigation and walls or fences.

PARKS:

- B 60. Park Dedication: Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall dedicate the park site identified on the tentative map as Lot B. Prior to recording the Final Map, the applicant shall: (1) provide to City a title report demonstrating that it holds full and clear title to Lot B (a joint use facility with a minimum of 1.94 acres of qualifying parkland), including all interests necessary for maintenance and access; (2) provide a Phase 1 environmental site assessment of Lot B ; (3) if the environmental site assessment identifies any physical conditions or defects in Lot B which would interfere with its intended use as a park, as determined by PPDS in its sole discretion, Applicant shall complete a supplemental assessment and remedy any such physical condition or defect, to the satisfaction of PPDS; and (4) take all actions necessary to ensure that Lot B is free and clear of any wetland mitigation, endangered or threatened animal or plant species, sensitive habitat or other development restrictions. The applicant shall be solely responsible, and at its sole cost, for any required mitigation costs or measures associated with Lot B.
- B 61. Improvements: The Applicant shall construct the following public improvements prior to and as a condition of City's acceptance of Lot B as a joint use detention/park site:
- a. Full street improvements for Lot B including but not limited to curbs, gutters, accessible ramps, street paving, streetlights, and sidewalks; and improved surface drainage through the site.
 - b. A four inch (4") sanitary sewer stub to the back of the sidewalk at Lot B at a location approved by PPDS for future service; locations to be approved by PPDS. Storm drain and Sewer stubs are to be marked with a 3' high, white 4" x 4" post indicating stub or service location.
 - c. One water tap for irrigation and one domestic water tap for Lot B, quantity and location as approved by PPDS. Electrical service (needed to operate the irrigation system) shall be provided to Lot B. The irrigation water tap shall be 2 inches for Lot B; and the domestic water tap shall be 1 inch. Water taps and telephone and electrical services shall be marked with a 3' high, white 4" x 4" post indicating stub or service location.

- d. A ten-foot (10') wide driveway into Lot B shall be provided at a location approved by PPDS and to the satisfaction of the Department of Public Works. The driveway is to provide future maintenance access to the park.
 - e. The Applicant shall rough grade Lot B as required by City Code to provide positive drainage as approved by PPDS.
 - f. A minimum 6 foot high concrete block wall on southern park boundary with Interstate 80.
- B 62. Site Plan: The Applicant shall submit a site plan and electronic file showing the location of all utilities on Lot B to the PPDS for review and approval.
- B 63. Design Coordination for PUE's and Facilities: If a 12.5 foot public utility easement (PUE) for underground facilities and appurtenances currently exists or is required to be dedicated adjacent to a public street right-of-way contiguous to Lot B, the Applicant shall coordinate with PPDS and SMUD regarding the location of appurtenances within the PUE to minimize visual obstruction in relation to the parks and to best accommodate future park improvements. The applicant shall facilitate a meeting with SMUD and PPDS prior to SMUD's facilities coordinating meeting for the project.
- B 64. Turnkey Park Development: If the Applicant desires to construct Lot B as a turnkey park, the Applicant shall notify PPDS in writing and shall enter into a City standard Credit/Reimbursement Agreement to construct the park improvements to the satisfaction of the City's PPDS. The Agreement shall address: (1) the preparation and approval of the park design and improvement plans, (2) time for completion of the park, (3) any credits to be awarded to the applicant against the City's Park Development Impact Fee (PIF) that would be payable as a condition of issuance of building permits for the dwelling units to be constructed in the subdivision, (4) maintenance of all improvements to be accepted into the park maintenance financing district for a minimum of one year and until a minimum of 50% of the residential units to be served by the park have received occupancy permits, unless the City agrees to accept park maintenance into the District at an earlier date. The one-year maintenance period shall begin following the issuance by the City of a notice of completion for the improvements.

Miscellaneous

- B 65. Title to any property required to be dedicated to the City in fee shall be conveyed free and clear of all rights, restrictions, easements, impediments, encumbrances, liens, taxes, assessments or other security interests of any kind (hereafter collectively referred to as "Encumbrances"), except as provided herein. The applicant shall take all actions necessary to remove any and all Encumbrances prior to approval of the Final Map and acceptance of the dedication by City, except that the applicant shall not be required to remove Encumbrances of record, including but not limited to easements or rights-of-way for public roads or

public utilities, which, in the sole and exclusive judgment of the City, cannot be removed and/or would not interfere with the City's future use of the property. The applicant shall provide title insurance with the City as the named beneficiary assuring the conveyance of such title to City.

ABANDONMENTS

PUBLIC WORKS

- B 66. The applicant shall satisfy the conditions of approval of the abandonment.
- B 67. Final Map shall be recorded concurrently with the recordation of the abandonment.

DEPARTMENT OF UTILITIES

- B 68. Pay full cost recovery fees.
- B 69. Per entitlement planning no. P14-069, the applicant must comply with the conditions of approval placed on the Tentative Map and Site Plan and Design Review.
- B 70. There is an existing 8-inch water main along May Street. An easement over the 8-inch water main shall be retained to the satisfaction of the DOU.
- B 71. There is an existing 84-inch drainage main along May Street to parcel APN: 237-0200-082. An easement over the 84-inch drainage main shall be retained to the satisfaction of the DOU.
- B 72. There is an existing 2-inch water main that crosses the proposed lots 120, 121, 136, and 137. No permanent structures shall be constructed on top of the 2-inch water main. The applicant shall relocate the 2-inch water main to the satisfaction of the DOU. (Note: The waterline relocation may be deferred until the improvement plan approval.)
- B 73. An easement shall be retained to the satisfaction of the DOU to provide unrestrictive personnel and vehicular access to APN: 237-0200-082. City personnel shall have an unrestricted and unlimited access at all times to repair, replace or maintain the facilities. No additional permanent structures shall be constructed anywhere within the associated utility easement, unless approved by the Director of Utilities and execution of hold harmless agreement by the City Attorney.

AT&T

- B 74. Any know or unknown cost associated with relocating existing AT&T facilities to be borne by the owner/developer. USA location services to be contacted prior to any excavation.

Advisory Notes:

The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

- B 75. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.
- B 76. House plans shall comply with City Code Chapter 18.08 Driveway Permits which includes:
- 18.08.040.C All driveways shall be at least 20-ft apart from another driveway.
18.08.040.F All driveways shall be at least 10-ft away from a pedestrian ramp.
18.08.050.A Residential driveways shall have a width of at least 10-ft and a depth of at least 20-ft measured from the right-of-way line.
- B 77. To ensure adequate access to SMUD equipment, all paved surfaces shall be accessible to a 26,000 pound SMUD service vehicle in all weather conditions. The placement of SMUD equipment shall be no further than 15-feet from said drivable surface that has a minimum width of 20-ft.
- B 78. Setbacks of less than 14-feet may create clearance issues. The developer shall meet with all the utilities to ensure adequate setbacks are maintained prior to acceptance of the tentative map. At a minimum, the setback info should be placed on the tentative map for review.
- B 79. To maintain adequate trench integrity, building foundations must have a minimum clearance of 5-feet to a SMUD trench. Developer to verify with other utilities for their specific clearance requirements.
- B 80. Future SMUD facilities located on the customer's property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the customer's property.
- B 81. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.

- B 82. As per City Code, acreage within an existing or proposed drainage area, easement, public right-of-way, or areas with 10% and greater slopes shall not receive parkland dedication credit. Quimby parkland credit can be granted only to “buildable acres”.
- B 83. The City is considering modifications to its Quimby Parkland Dedication Ordinance concerning areas that are subject to flood. Joint use facilities that can be developed with recreational amenities may be eligible for partial Quimby credit in the near future.
- B 84. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
- B 85. Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$837,216. This is based on 144 single family residential units at \$5,814 each. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
- B 86. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.
- B 87. Open Space Lot A is not eligible for Quimby credit as parkland.
- B 88. Any work or traffic control that would encroach onto the State’s Right of Way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to Sergio Aceves in the Caltrans, District 3, Office of Permits located at 703 B Street, Marysville, CA 95901.
- B 89. Traffic related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the website at the following URL for more information:
- <http://www.dot.ca.gov/hq/traffops/developserv/permits/>
- B 90. The Preliminary Grading and Utilities Plan for the proposed project indicate a detention basin with an area of 0.82-acres and a volume of 4.92-acre-feet. The overflow from the detention basin must be provided. Overflow from the detention basin must not be directed towards Caltrans ROW.
- B 91. Caltrans also request a drainage report be submitted for review to Gurdeep Bhattal in the Caltrans, District 3, Hydraulics Branch, located at 703 B Street,

Marysville, CA 95901.

- B 92. The applicant shall pay a fair share contribution in the amount of \$35,220.00 to fund the future design and construction of a traffic signal at the intersection of Bell Avenue and Dry Creek Road prior to the issuance of the first Building Permit.

C. The Site Plan and Design Review with deviations of the tentative map is approved subject to the following Conditions of Approval:

PLANNING

- C 1. The developer shall plant one tree in the rear yards of the homes on lots 87, 88, 89, 90, 91, 92, 93, 94, 95, and 96.
- C 2. The applicant shall comply with requirements included in the Mitigation Monitoring Plan developed by, and kept on file in, the Planning Division Office (P14-069).

POLICE DEPARTMENT

- C 3. Bollards or post and chain barriers should be installed along the “E” street side of Lot “B” in order to keep vehicular traffic out of the area. If using bollards, they should be placed no greater than 60 inches apart.
- C 4. A gate should be placed to limit access to the road leading to the pump station in Lot “B”.
- C 5. Bollards or post and chain barriers, with reasonable and logical access for pedestrian and landscaping implements, should be installed along the west, north, and east street sides of Lot “C” in order to keep vehicular traffic out of the park. If using bollards, they should be placed no greater than 60 inches apart.
- C 6. During construction the applicant should enclose the entire perimeter of the project with a chain link fence with necessary construction gates to be locked after normal construction hours.
- C 7. The location should be monitored by security after normal construction hours during all phases of construction.
- C 8. During construction, adequate security lighting should be provided to illuminate vulnerable equipment and materials. Lighting should be white light with full cut off fixtures.

PUBLIC WORKS, SOLID WASTE

- C 9. Project must meet the requirements outlined in City Code Chapter 17.616.

- C 10. Solid waste trucks must be able to safely move about the project, with minimum backing, and be able to empty the bins and cans safely.
- C 11. Single family homes must have enough space to set out three cans (garbage, recycling, green waste) for collection, with 3 ft. of space between each can and neighboring objects (cars, street lights, poles, etc.).
- C 12. Solid waste cans are to be stored on each property, screened from view, on noncollection days, per 17.616.040.

PUBLIC WORKS, URBAN FORESTRY

- C 13. An arborist report must be prepared to inventory all trees within the proposed subdivision. All proposed removals must be identified in the report.

TENTATIVE SUBDIVISION MAP FOR: JESSIE AVENUE

CITY OF SACRAMENTO

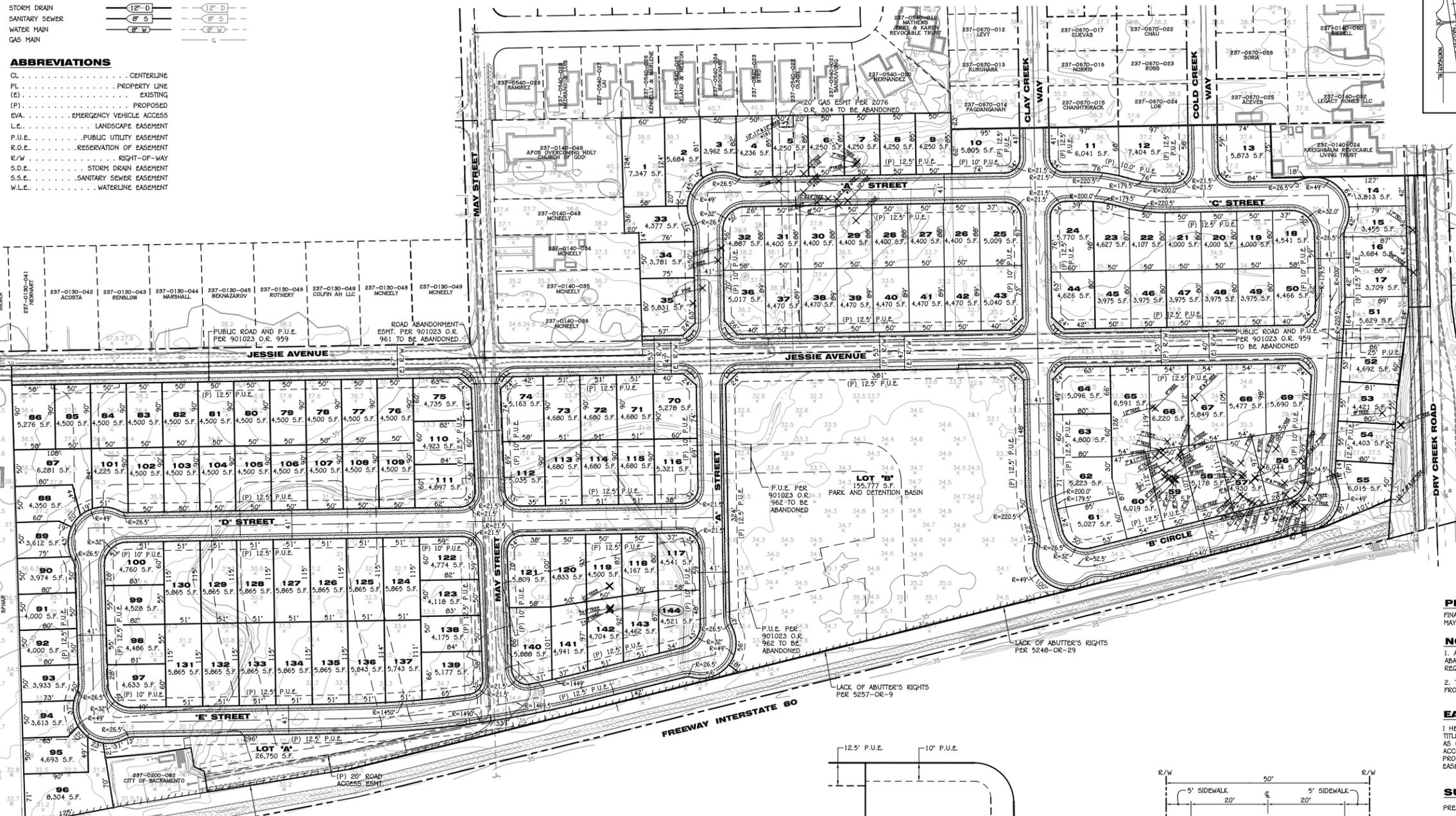
CALIFORNIA

LEGEND

DESCRIPTIONS	(P) PROPOSED	(E) EXISTING
CENTERLINE	---	---
RIGHT-OF-WAY LINE	---	---
BOUNDARY LINE	---	---
PROPERTY LINE	---	---
EASEMENT LINE	---	---
WALL	---	---
SIDEWALK, CURB AND GUTTER	---	---
STORM DRAIN	---	---
SANITARY SEWER	---	---
WATER MAIN	---	---
GAS MAIN	---	---

ABBREVIATIONS

CL	CENTERLINE
PL	PROPERTY LINE
(E)	EXISTING
(P)	PROPOSED
EVA	EMERGENCY VEHICLE ACCESS
L.E.	LANDSCAPE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.E.	RESERVATION OF EASEMENT
R/W	RIGHT-OF-WAY
S.D.	STORM DRAIN EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
W.L.E.	WATERLINE EASEMENT



GENERAL NOTES

ASSESSORS PARCEL NUMBERS: 237-0200-056, 074, 086
237-0140-026, 032, 033
237-0140-056

EXISTING ZONING: R1-A-A-05
PROPOSED ZONING: R1-A-A-05
EXISTING LAND USE: VACANT
PROPOSED USE: MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL

OWNER: DEL PASO HOMES, INC.
4120 DOUGLAS BLVD., SUITE 306-375
GRANITE BAY, CA 95764
(916)223-8451

DEVELOPER: DEL PASO HOMES, INC.
4120 DOUGLAS BLVD., SUITE 306-375
GRANITE BAY, CA 95764
(916)223-8451

ENGINEER: BURRELL CONSULTING GROUP, INC.
1001 ENTERPRISE WAY, SUITE 100
ROSEVILLE, CA 95678
ATTN: JIM KOO, P.L.S. 7829
(916)783-8090

UTILITY DISTRICTS:
SEWER: CITY OF SACRAMENTO
ELECTRIC: SHUD
GAS: PG&E
TELEPHONE: AT&T
DRAINAGE: CITY OF SACRAMENTO
WATER: CITY OF SACRAMENTO

LAND AREA (GROSS): 27.29 ACRES
LAND AREA (NET): 16.65 ACRES
NUMBER OF EXISTING LOTS: 0
NUMBER OF PROPOSED LOTS: 144
NUMBER OF LANDSCAPE LOTS: 1
NUMBER OF PARK LOT: 1

LOT DENSITY

	CORNER	INTERIOR
MAX. LOT SIZE	6,044 SQ. FT.	7,652 SQ. FT.
MIN. LOT SIZE	4,466 SQ. FT.	3,609 SQ. FT.
AVER. LOT SIZE	5,193 SQ. FT.	4,785 SQ. FT.

PHASING
FINAL MAPPING MAY OCCUR IN PHASES. MULTIPLE FINAL MAPS MAY BE RECORDED BASED ON THIS TENTATIVE MAP.

NOTES

- ANY EXISTING SEPTIC TANKS AND/OR WELLS WILL BE ABANDONED PURSUANT TO THE ENVIRONMENTAL MANAGEMENT REQUIREMENTS.
- TYPICAL SETBACKS:
FRONT: 25' REAR: 5' SIDE: NO MINIMUM

EASEMENT STATEMENT

I HEREBY STATE THAT ALL EASEMENTS AS INDICATED IN PLACER TITLE COMPANY PRELIMINARY TITLE REPORT NO. 110-8976 DATED AS OF 09/23/14 HAVE BEEN SHOWN HEREON AND/OR HAVE BEEN ACCOUNTED FOR IN NOTE PLACED HEREON. ALL EASEMENTS PROPOSED TO BE ABANDONED OR QUITCLAIMED AND/OR ALL EASEMENTS THAT CANNOT BE LOCATED ARE NOTED HEREON.

SURVEYOR'S STATEMENT

PREPARED UNDER THE DIRECTION OF:

JIM C. KOO PLS 7829
EXP. DATE: DEC. 31, 2016

DATE:



BENCHMARK

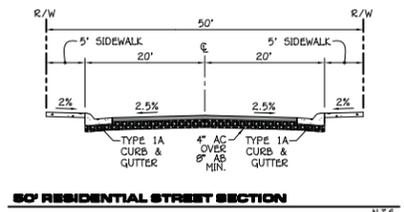
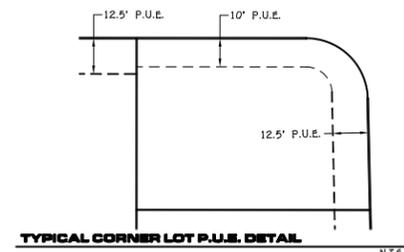
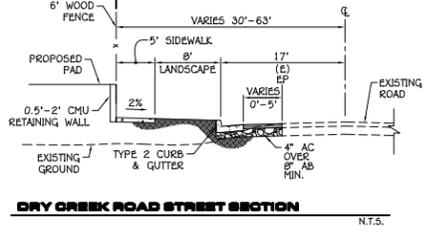
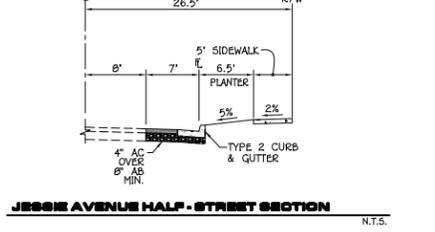
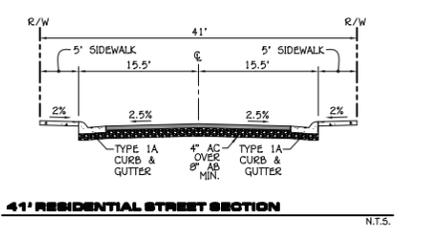
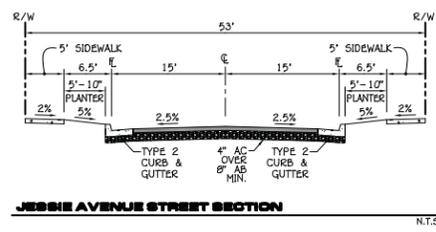
ELEVATION = 45.241 DATUM = CITY

DIVISION OF HIGHWAYS CAP STAMPED "24-290" EAST SIDE OF DRY CREEK ROAD AND ON SOUTH END OF OVER-CROSSING ON I-80

**TENTATIVE SUBDIVISION MAP FOR:
JESSIE AVENUE**

NOVEMBER 24, 2014
MARCH 18, 2015
APRIL 13, 2015
MAY 07, 2015
JUNE 09, 2015

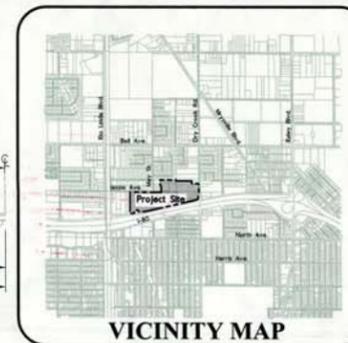
BURRELL CONSULTING GROUP, INC.
1001 Enterprise Way, Suite 100 Roseville, CA 95678 (916) 783-8090



S:\Proj\1388\Map\Planning\1388-Map.dwg, 07/09/15, 10:47:33am, kcoo

JESSIE AVENUE TENTATIVE SUBDIVISION MAP

LOTING PLAN CITY OF SACRAMENTO, CALIFORNIA June 7, 2006



PROJECT NOTES

ASSESSOR'S PARCEL NUMBER
237-0200-058/059/074/086
237-0140-026/033/056

PARK DISTRICT
CITY OF SACRAMENTO

FIRE PROTECTION
CITY OF SACRAMENTO

SCHOOL DISTRICT
RIO LINDA

SEWER
CITY OF SACRAMENTO

STORM DRAIN
CITY OF SACRAMENTO

WATER
CITY OF SACRAMENTO

ELECTRICITY
SMUD

GAS
PG&E

TELEPHONE
PAC BELL

CABLE
COMCAST

PHASING
FINAL MAPPING MAY OCCUR IN PHASES. MULTIPLE FINAL MAPS MAY BE RECORDED BASED ON THIS TENTATIVE MAP.

FLOOD INSURANCE RATE ZONE
ZONE X

AREA
26.7 AC.

NUMBER OF RES. LOTS
185 LOTS

EXISTING USE
VACANT

PROPOSED USE
SINGLE FAMILY RESIDENTIAL

EXISTING ZONING
R-1 & R-2A

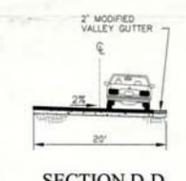
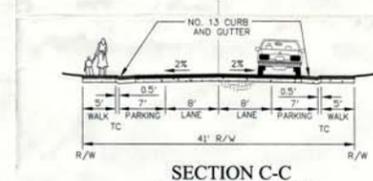
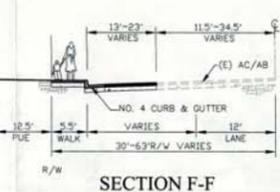
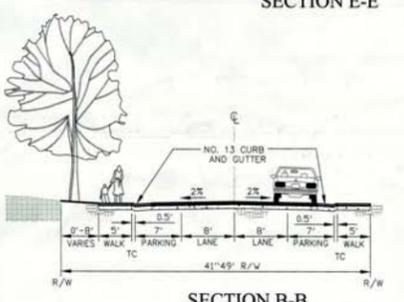
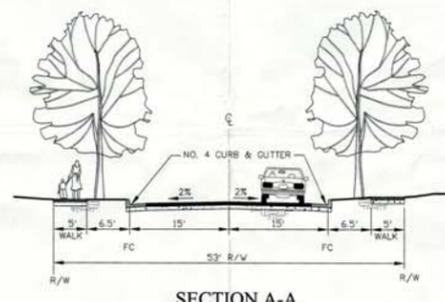
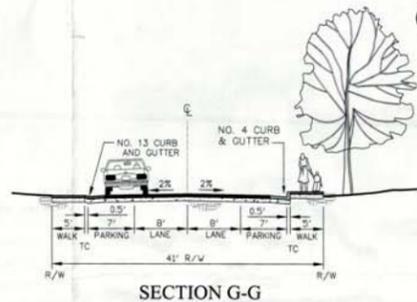
PROPOSED ZONING
R1-A

DESCRIPTION
ALL OR PORTION OF LOT 47, 48, 49, 50, 51 AS SHOWN ON THE MAP ENTITLED "SUBDIVISION OF SECTION NO. 11 OF RANCHO DEL PASO, RECORDED ON APRIL 18, 1913 IN BOOK 14 OF MAPS PAGE 5, IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA"

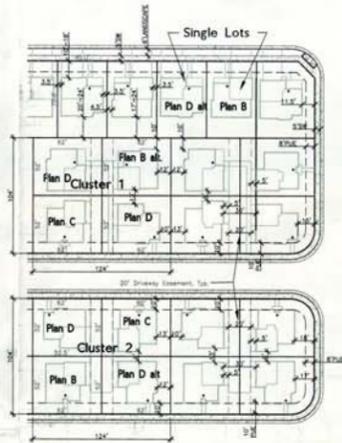
NOTES
SURVEY DATA WAS PROVIDED BY BURRELL CONSULTING GROUP, INC.
ANY EXISTING SEPTIC TANKS AND/OR WELLS WILL BE ABANDONED PURSUANT TO THE ENVIRONMENTAL MANAGEMENT REQUIREMENTS.
ALL OF EXISTING TREES ON SITE TO BE REMOVED.

LAND USE SUMMARY

DESCRIPTION	LOTS	NET ACRES	NET DENSITY
CLUSTER LOTS (62'x 52')	107	8.79	12.2 du/oc
STANDARD LOTS (45'x70' MIN.)	77	6.61	11.7 du/oc
PARK/OPEN SPACE	1	2.6	
LANDSCAPE LOT/MAINTENANCE	2	.81	
DETENTION BASIN	1	1.76	
ROAD	2	6.13	
TOTAL	188	26.7	
TOTAL RESIDENTIAL LOTS = 184			



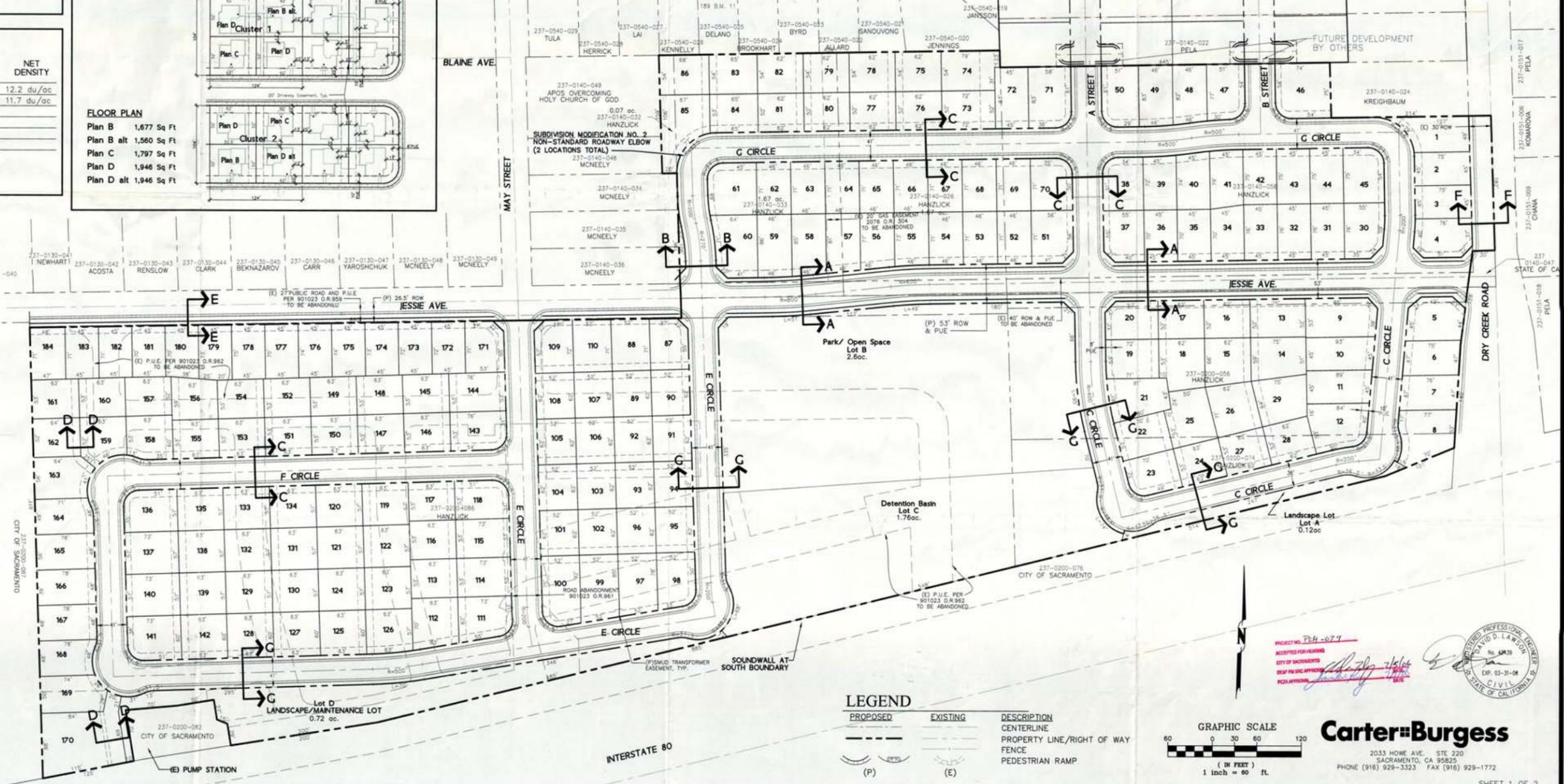
TYPICAL CLUSTER LOT & SINGLE LOT DIMENSIONS



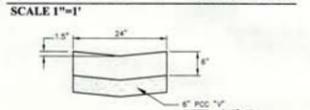
FLOOR PLAN
Plan B, 1,677 Sq Ft
Plan B alt, 1,560 Sq Ft
Plan C, 1,797 Sq Ft
Plan D, 1,946 Sq Ft
Plan D alt, 1,946 Sq Ft

TYPICAL STREET SECTIONS

SCALE 1"=10'



MODIFIED "V" GUTTER



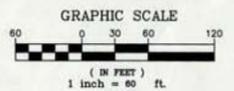
ABBREVIATION

- AC ACRES
- CL CENTERLINE
- FC FACE OF CURB
- NTS NOT TO SCALE
- R/PL PROPERTY LINE
- PSE PUBLIC SERVICE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- R/W/ROW RIGHT OF WAY
- TC TOP BACK OF CURB
- TYP TYPICAL



LEGEND

- PROPOSED (P)
- EXISTING (E)
- DESCRIPTION
- CENTERLINE
- PROPERTY LINE/RIGHT OF WAY
- FENCE
- PEDESTRIAN RAMP



Carter-Burgess
2033 HOWE AVE. STE 220
SACRAMENTO, CA 95825
PHONE (916) 929-3323 FAX (916) 929-1772





October 8, 2015

Teresa Haenggi, Associate Planner
Community Development Department
300 Richards Blvd.
Sacramento, CA 95811

Ms. Haenggi,

It is with great pleasure that Viva Supermarket support your pending project with Cooley & Associates.

We at VIVA SUPERMARKET believe in "living life". Not only is this saying what we embed in all our employees and have them believe. This also means: Viva has a passion for finding the best opportunities within our local communities and supporting those relationships for the betterment of our current and future families in the Greater Sacramento area.

Viva Supermarkets strongly believe the single unit housing project will bring great stability to the neighborhood. We support, we acknowledge, and we do not object to the pending project. If you have any questions, please do not hesitate to give me a call at 916-277-8466 ext. 1001 or via email at sean@vivasupermarket.com

Thank you,

A handwritten signature in blue ink, appearing to read "Sean Loloee", is written over a horizontal line.

Sean Loloee, President
Viva Supermarket

SL/ah

4750 Duckhorn Drive, Sacramento, CA 95634
Phone: 916-277-8466 | Fax: 916-692-8433

ROBLA PARK COMMUNITY ASSOCIATION

Jessie Avenue Project Community Comments



Our mission is to unite our neighborhood by working together for an improved quality of life and beautification of our community for the enjoyment of all its residents.

The Robla Park Community Association (RPCA) respectfully submits community voices to address the concerns of the proposed Jessie Avenue Project. We hope the Developer, City Planning Commission and various departments making decisions that impact this project, considers and implements the solutions proposed by life-long residents of the Robla Community.

The Robla community is unique to North Sacramento and should have well thought-out master planning for future growth and development that includes the voices of existing residents. Residents hope their life-long home/community investments are not squandered by a new growth of hodgepodge infill projects that do not enhance, add value or upgrade existing neighborhood conditions.

Following are key issues, concerns and possible solutions identified by Robla community residents in response to the proposed Tentative Map and Jessie Avenue project.

Summary:

Current homeowners are again asking for lower building and population density of the Jessie Avenue Project. Specifically, to reduce the project by a minimum of 15 – 20 lots in order to accommodate concerns and maintain the distinctive character and identity to the existing communities through-out the Robla area.

Residents would like to see larger lot sizes (wider and deeper) throughout the development, which would be consistent with other existing semi-rural suburbia neighborhoods in the area. Duplexes and crammed corner lots are discouraged, as this concept takes away from the overall neighborhood appeal and long term value.

The desire is to see uniformed streets that tie existing neighborhoods together (specifically on Jessie Avenue). Deeper front setbacks and widths would provide a seamless transition between new and existing homes. The incorporation of similar lot sizes and setbacks provide for a more interesting street environment, better experience and sense of security for pedestrians and emergency vehicle access to the area.

Jessie Avenue current residential concerns:

- Current plan does not enhance the existing community streetscape or transition to new subdivision.
- Street parking and adding mailbox cluster will add to the current congestion.
- Existing width with heavy traffic from Rio Linda Boulevard and Bell Avenue is currently causing safety and traffic problems. Not enough room for car to pass each other on Jessie Avenue.

Solution / Proposed

- + Less homes, lots similar to existing residents, reduce proposed 12 lots by 3. Request only 9 homes on Jessie Avenue to enhance existing streetscape.
- + Deeper setbacks and wider lots (driveways) similar to existing homes. No 2wo-Story homes on Jessie Avenue.
- + No sidewalks on Jessie Avenue – Green Belt / Landscape improvements to ditches, new homes similar to existing residents.
- + No parking on Jessie or limited parking hours during peak time and days.
- + Plant trees, shrubs to enhance streetscape.
- + Eliminate mailbox cluster if planned on Jessie Avenue. Locate in another area within the subdivision or instead of mailbox cluster on Jessie Avenue, dedicate a pull in parking lot using the requested lots to be eliminated lots 78-79. (Reference: Dante Circle, Roseville – this concept was used and works well).

Existing resident animal safety and other concerns:

- Houses backed up to the existing property that has livestock / barn.
- The smell generated from livestock is natural and not resolvable. Building homes next to a farm is a problem and presents future problems for the long-time current resident.
- Homeowner strongly opposed to 2-story homes aligning property. Will invade privacy and quality of life for livestock and family.
- Location/position of proposed lots aligning property decreases existing home property value.

Solutions Proposed

- + No two-story homes along property line that has livestock (privacy).
- + Masonry wall, 10' or high as possible with privacy shrub/trees. If a masonry wall is required who will be responsible for long term maintenance?
- + View from side front of existing home faces new home backyards. Devalue existing property and visual environment.
- + Merge lots 85-86 into one lot.
- + Consider no homes in close proximity to the barn area. Perhaps a green belt swell in addition to a masonry wall not accessible to residents.

Jessie Avenue / May Street (new intersection) and project concerns:

- Currently a blind corner. Additional traffic from the new community will exacerbate the existing problem without significant improvements to the corner.

Solutions Proposed

- ✚ Needs a 4 way stop
- ✚ 73,108, 109 to mirror 72, 110 (eliminate 1 house/lot)
- ✚ 120, 121, 136, 137 to mirror 119, 138 (eliminate 2 houses/lots)
- ✚ 95-98 (eliminate 2 houses/lots)
- ✚ Combine lots 85-86, 93-94 (eliminate 2 lots)

Dymic Way concerns recommendations/solutions proposed:

- ✚ Lots 1-10 – eliminate 1 Lot to be consistent with current residential lot lines. Line up fence lines with existing homes on Dymic Way.
- ✚ Replace all fences (wood) existing properties aligning the proposed project.
- ✚ No 2 story homes behind existing homes on Dymic Way.
- ✚ Plant trees for privacy for existing homes on Dymic Way backyards.
- ✚ Rodent problem existing in field. Mitigate before project begins.
- ✚ Existing 100+ year Oak tree overlaps with Lot 3. Protect the Oak Tree.

Jessie Avenue traffic issues/concerns:

- Current traffic Jessie Avenue / Rio Linda Boulevard four way stop sign. Congestion traveling in all (North, East, South, West) directions. Same problem
- Heavy traffic and congestion traveling from North Rio Linda to Jessie Avenue, Norwood, traveling to the Freeway and business area. Heavy traveling Rio Linda toward North Sacramento to downtown.
- Currently has blind spot – Residential stucco fence with landscaping (Blockade style). Was a permit required / issued and approved by the City of Sacramento?
- Fruit stand on corner:
 - Cars either stop before and at the stop sign holding up traffic on Jessie Avenue / Rio Linda to conduct business/purchases.
 - Cars pull off both sides of the road on Rio Linda / Jessie Avenue (very little shoulder) to handle business transactions/purchases.
 - Traffic congestion stack up from the stop sign to the underpass. Vehicles use Granger Avenue as short cut to Jessie Avenue, which adds to the congestion at the four way stop on Taylor Street / Jessie Avenue.

Solutions Proposed

- ✚ Four way stop Light with left turn yield
- ✚ Require homeowner to remove or made modifications to the wall
- ✚ Cite and remove Fruit Stand

Traffic May Street / Bell Avenue and telephone pole location adds to the blind spot:

- Traffic is too heavy on Bell Avenue for May Street exit.
- Left turn from Bell Avenue to May Street danger from oncoming traffic.
- Telephone pole creates a blind spot.

Solution Proposed

- ✚ 4-way stop light with left turn yield.
- ✚ Relocate the telephone pole.

Church parking on May Street:

- Current parking is not adequate, parishioners currently park on May Street

Solution Proposed

- ✚ Outreach to Church for ideas and solutions to parking problem

Note: Over 250 new residents will be using May Avenue, Cold Creek, and Clay Creek to exit the community on Bell Avenue, Jessie Avenue, Rio Linda Avenue and Norwood Avenue. All of which currently have significant traffic and freeway access problems. The Jessie Avenue project needs to have a keen eye review on the overall community/area impact to the quality of life for new and existing residence.

Note: The new Patterson Project (Dry Creek and Bell Avenue) will also add to the congestion of all corridors. In addition, this project is inconsistent with the existing community, completely disregards the current streetscape visual aesthetics and safety on Dry Creek Road.

Site Photographs



North of Jessie Avenue, Looking Northeast



South of Jessie Avenue, Looking Southeast



South of Jessie Avenue, Looking South



South of Jessie Avenue, Looking Southwest



**Jessie Avenue, Looking West
Proposed Project is to the Left**



**Jessie Avenue, Looking East
Proposed Project is to the Right**

Meeting Date: 12/1/2015

Report Type: Staff/Discussion

Report ID: 2015-00969

Title: Update on Emergency Preparedness Strategies

Location: Citywide

Recommendation: Receive and file.

Contact: Steve Winton, Police Lieutenant, Office of Emergency Services, (916) 808-1746, Police Department

Presenter: Steve Winton, Police Lieutenant, Office of Emergency Services, (916) 808-1746, Police Department; Pat Costamagna, Fire Captain, (916) 808-1300, Fire Department

Department: Police / Fire Department

Division: OES/HS

Dept ID: 11001411

Attachments:

1-Description/Analysis

City Attorney Review

Approved as to Form

Michael Fry

11/20/2015 11:46:13 AM

Approvals/Acknowledgements

Department Director or Designee: Sam Somers - 11/12/2015 9:02:12 AM

Description/Analysis

Issue Detail: On September 23, 2015, Sacramento Police Department (SPD) Lieutenant Steve Winton provided an update to the city manager and department directors on the City of Sacramento's current status on disaster preparedness involving the City, its work staff and the community. Following that presentation, a request was made to provide the same overview to the City Council.

Beginning in 2013, the City of Sacramento separated from a joint City/County Office of Emergency Services, to a City of Sacramento Office of Emergency Services (OES). The OES was placed under the SPD for oversight.

The staff consists of Police Lieutenant Steve Winton, Fire Captain Pat Costamagna, Emergency Manager Jason Sirney and Police Clerk III Susan Schmidt. The SPD's Communication Center houses the OES staff and serves as the City's Emergency Operations Center (EOC).

Since the inception of the City's OES, priorities were established that included preparing the City of Sacramento to function in its own EOC, updating the City's emergency response plans, raising the level of training for the employees assigned to staff the EOC (consisting of various individuals from each department), and providing continual disaster exercises to prepare all facets of a City response.

City OES maintains a close working emergency response relationship with the County of Sacramento and the Operational Area (OA). This relationship allows for expanded training opportunities and collaboration on a number of disaster preparedness topics with other local, state and federal agencies. For example, the City recently participated in a tabletop response exercise that simulated a downed jetliner in downtown Sacramento. The exercise was administered by the National Transportation Safety Board and hosted locally by the County OA.

City OES staffing levels have recently increased which now allows for a stronger focus in community outreach regarding disaster preparedness from the local, state and federal resource level. City OES is currently creating an OES website which will soon allow the community to locate a variety of information that will assist and prepare them in the event of a disaster.

Policy Considerations: The update on the status of the City's disaster preparedness is consistent with City Council's goal of improving and expanding public safety. It is also consistent with City Council's goal of establishing and strengthening community partnerships.

Economic Impact: None.

Environmental Considerations: Not applicable.

Sustainability Considerations: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Not applicable.

Financial Considerations: None.

Local Business Enterprise Program (LBE): Not applicable.

Meeting Date: 12/1/2015

Report Type: Staff/Discussion

Report ID: 2015-01082

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Preliminary Term Sheet for the Development of a Major League Soccer Stadium for Sacramento Republic FC and Funding for Advisory Services

Location: Downtown Railyards, District 3

Recommendation: Pass a Resolution 1) approving the Sacramento Major League Soccer Stadium Preliminary Term Sheet; 2) establishing a multi-year operating project (MYOP) for the MLS Stadium Project (I80020500); 3) increasing the General Fund transient occupancy tax budget by \$100,000; and 4) establishing a \$100,000 General Fund (Fund 1001) expenditure budget in I80020500.

Contact: John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager

Presenter: John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager

Department: City Manager

Division: Executive Office

Dept ID: 02001011

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Resolution
- 4-MLS Preliminary Term Sheet

City Attorney Review

Approved as to Form
Matthew Ruyak
11/20/2015 11:30:29 AM

Approvals/Acknowledgements

Department Director or Designee: Howard Chan - 11/19/2015 4:27:32 PM

Description/Analysis

Issue Detail: Major League Soccer (MLS) is evaluating options for the award of expansion teams to competing cities in the United States. Sac Soccer and Entertainment Holdings, LLC (SSEH) and its affiliates, including Sacramento Republic FC, are seeking an award of an expansion team in Sacramento. To be awarded an expansion team, a MLS-qualified stadium must exist or be constructed to host the team. There is no existing stadium in the City of Sacramento that meets MLS standards. Thus, a viable plan for construction of a new stadium must be in place in order to secure an expansion team.

If approved by the City Council, the attached Sacramento Major League Soccer Stadium Preliminary Term Sheet between the City and SSEH would be submitted to MLS to assist in its evaluation process. While the term sheet is preliminary and non-binding, it would serve as a good faith agreement and guideline for the preparation of definitive agreements between the City and SSEH for the development of a new multi-purpose stadium, subject to all environmental considerations. The Preliminary Term Sheet would only be effective if MLS awards an expansion team and SSEH consummates the acquisition of the team.

The Preliminary Term Sheet sets forth the key terms, process, and framework by which the parties agree to negotiate definitive documents and potential approvals to be considered by the City regarding the potential location, financing, ownership, design, development, construction, operation, use, and occupancy of a new, first-class, state-of-the art, multi-purpose stadium. The stadium would serve as the home of Sacramento Republic FC (Team) and would also host concerts, sporting events, community-oriented events, and numerous other events. The parties would agree to prepare definitive legal documents that contain the basic terms set forth in the Preliminary Term Sheet, as well as other terms that are customary or standard for a project of this nature. The definitive legal documents may contain additional terms that are mutually agreed to by the parties and that the City determines to be feasible.

The stadium is proposed to be located at the Downtown Railyards on property currently owned or controlled by Downtown Railyard Venture, LLC and to be acquired or leased by SSEH. As proposed, the stadium would be privately owned and financed by SSEH, with an estimated total development cost of approximately \$180 million. The stadium predevelopment and development process would be led by SSEH but the entire process would be a cooperative, mutual endeavor in which the parties actively participate and work together in good faith and with due diligence. SSEH would be responsible for all aspects of the stadium design, construction, operations, maintenance, capital repairs, and improvements.

The City and SSEH would work cooperatively to be in a position to open the stadium by March 2018 based on a schedule of milestones regarding public participation, environmental review (CEQA), permits, and other important events to meet that timetable.

The City would agree to assign the appropriate planning, engineering, building, safety, and other staff to enable the parties to meet that timeline and SSEH would pay all standard entitlement, planning, permit, and impact fees.

The City would provide customary police, traffic control, and similar municipal services for stadium events. SSEH would be responsible for reimbursing the City for its costs of providing these event-related municipal services.

In pursuing this opportunity it is important for the City to be well represented in the negotiations and preparation of definitive documents. Staff will need advisory consultant services to support the City in the progression of this effort.

Policy Considerations: Successfully securing a new major league sports team and the development of a new MLS-caliber multi-purpose outdoor stadium in the Downtown Railyards is expected to contribute to the cultural and economic development of Sacramento and the region. A downtown stadium would further anchor downtown as the region's center of entertainment and cultural activity and also provide Sacramento with a first-class outdoor venue for sports, entertainment and cultural events. Both the MLS franchise and the construction of the stadium would provide direct and indirect jobs as outlined in the economic impact section below. In addition, the stadium and event activity may spur other investment and development in the Railyards and River District.

A MLS team, a multi-purpose stadium, and the variety of stadium events would support the City's General Plan vision of creating the most livable city in America. As demonstrated by the community's overwhelming support of the Sacramento Republic FC team, professional soccer is a highly treasured amenity in Sacramento and contributes to the quality of life and vibrancy of the City and region. A new outdoor stadium will provide a venue for other entertainment, cultural, and sporting events that complement Sacramento's Golden 1 Center, the nation's newest and most advanced arena opening in 2016.

As proposed, the City is not directly participating in financing the stadium development. However, the City has made significant infrastructure investments in the Railyards that would serve and support the proposed stadium as it would other development in the Railyards. The Railyards contains approximately 94 developable acres over which the public infrastructure investment benefit is spread. That amounts to approximately \$2.9 million per acre or \$46 million for the proposed 16-acre stadium site. Future impact fees, tax revenue and benefits from this project, and other potential development stimulated by the stadium, would begin to provide the City with a return on its public infrastructure investment.

Economic Impacts: The MLS stadium project will create between 936 and 2,628 jobs based on two generally accepted economic impact analysis models typically used by the City. The lower job estimate is based on local job estimates while the higher figure

represents primarily regional and statewide job growth. The total economic output of the stadium construction project is estimated at between \$153 million locally and \$341 million regionally/statewide over the construction period. Total economic output includes direct and indirect output as well as induced activities. This includes such items as construction and consumer spending, transfers, wages, tax revenues, and transactions, among others. This does not include the benefits associated with any ancillary development spurred within the immediate area nor does it reflect spending benefits associated with ongoing stadium operations. A typical MLS franchise and stadium operation provides between 75 and 120 direct jobs.

The local economic benefits are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilizes the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. These are standard estimators used by the City. These estimates are preliminary and these models provide relative estimates of jobs and outputs. A more comprehensive economic impact analysis and actual economic results could differ significantly from these estimates. Neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

Environmental Considerations:

California Environmental Quality Act: The actions in this report are exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines (14 Cal. Code Reg. Section 15000 et seq.) as they concern proposed business terms for future agreements. If the Council approves the Preliminary Term Sheet, the stadium project itself would be subject to CEQA analysis.

Sustainability: The proposed site is well suited for a sustainable development. Regional Transit's light rail system runs along the western boundary of the proposed site and a station is proposed at the stadium. SSEH seeks to achieve LEED-equivalent energy and environmental design to the extent feasible.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Approval of the term sheet would allow SSEH to present a competitive proposal to MLS for the acquisition of an expansion professional soccer team and provide for a new state of the art outdoor stadium in the downtown. The stadium development and events would serve as an economic catalyst for, and contribute to the continued revitalization of, the Downtown Railyards, the River District, the greater downtown, and the region. It would ensure that the City has a suitable outdoor entertainment and sports venue and enhance the entertainment and cultural opportunities in downtown and the region. The proposed terms provide for the private financing of the

stadium development while providing economic benefits to the City including sales taxes, property taxes, parking revenue, and jobs.

Sports facility development in partnership with sports teams is a specialized and complex undertaking. It is essential that the City have the appropriate technical advisory services from an experienced sports facility development specialist.

Financial Considerations: SSEH would privately finance the stadium project and pay all standard entitlement, planning and development fees. If the stadium is developed, the City will benefit from increased transient occupancy tax (TOT), sales tax and parking revenue generated by the project. Staff is recommending a multi-year operating project (MYOP) be established for the MLS Stadium Project (I80020500). The cost to secure technical advisory services for the project is estimated at approximately \$100,000. Based on the General Fund TOT revenues received to date, staff is recommending that the General Fund TOT revenue budget be increased by \$100,000 and an expenditure budget of the same amount be established in I80020500.

Local Business Enterprise (LBE): None at this time.

Background:

Sacramento Republic FC is a minor league professional soccer team currently playing in the United Soccer League (USL). Republic FC was co-founded by President and part-owner Warren Smith and was granted a USL league expansion franchise on December 2, 2012. Republic FC played its first USL game on March 29, 2014. In its inaugural season, Republic FC demonstrated significant success both on and off the pitch. On the business side, Republic FC set new league records in several categories, including most notably overall attendance, season ticket sales, merchandise sales, and corporate sponsorship revenues. On the pitch, Republic FC placed second in the league during the regular season and went on to win the 2014 USL Pro Championship.

In September 2014, Republic FC reached an agreement with Kevin Nagle to become Republic FC Owner and Managing Partner and assume a lead role in the effort to bring MLS to Sacramento. Mr. Nagle previously served as founder and former CEO of Envision Pharmaceutical Holdings and is currently the largest local shareholder of the Sacramento Kings.

Concurrently with its participation at the USL level, Republic FC has made efforts to secure expansion rights for a Major League Soccer (MLS) franchise. Led by Commissioner Don Garber, MLS is a professional soccer league founded in 1993 and widely considered to represent the sport's highest level of play in both the United States and Canada.

Matriculation from the USL level to MLS level has been a common occurrence in recent years, with several cities – including Portland, Seattle, Vancouver, Montreal, and Orlando – successfully transitioning from USL to MLS after demonstrating viability and strength as markets for professional soccer. Republic FC has modeled its activities after these previous success stories in the hopes of following their pathway into MLS.

Republic FC's success during its inaugural 2014 season attracted significant local and national attention, enabling Mr. Nagle and Mr. Smith to insert Sacramento into consideration by MLS as a potential location for future expansion. At the time, MLS was evaluating potential expansion opportunities to reach a total of 24 teams. Receiving consideration alongside Sacramento were cities that included Minneapolis and Miami, the latter having previously been awarded the league's 23rd franchise but which has yet to deliver a concrete plan to MLS for a new stadium.

To maximize Sacramento's attractiveness to MLS, Mr. Nagle and Mr. Smith led a community-wide effort throughout the fall of 2014 with Sacramento Mayor Kevin

Johnson and members of the City Council, City staff, Republic FC fans, sponsors, and the general public to deliver on several key components required to present a compelling expansion proposal. The proposal included a viable plan for a new MLS-caliber multi-purpose stadium at the downtown Sacramento Railyards. It also included a capable ownership group with professional sports experience including the San Francisco Forty-Niners, the Sacramento Kings, and several prominent local business executives under Sac Soccer and Entertainment Holdings, LLC (SSEH).

While Sacramento's bid for MLS was well-received by league officials, MLS ultimately decided in March 2015 to award its 24th franchise to a Minnesota-based investor group led by Dr. Bill McGwire. MLS also acknowledged that it would begin analysis of expansion beyond 24 teams, with Sacramento a top candidate for consideration.

In May 2015, SSEH initiated "Operation Turnkey," to continue work on strengthening Sacramento's bid for a team. Operation Turnkey was structured as a five-point plan to be completed by December 31, 2015 centered around advancing progress specifically on the new soccer stadium proposal. The five components and status are as follows:

1. **Feasibility Studies:** SSEH to produce an economic impact analysis and a market analysis to assess Sacramento's viability and competitive advantages as an MLS market.
 - *Economic impact analysis completed by Capitol Public Finance Group (October 5, 2015)*
 - Full Report: <http://www.sacrepublicfc.com/wp-content/uploads/2015/10/The-Critical-Mass-Report-FINAL.pdf>
 - Summary: <http://www.sacrepublicfc.com/news/2015/10/05/mls-stadium-impact-report#.VkzJI66rRPM>
 - *Sacramento Market Analysis completed by Conventions, Sports and Leisure (November 4, 2015)*
 - Full Report: <http://www.sacrepublicfc.com/wp-content/uploads/2015/11/SacramentoMarketAnalysis1.pdf>
 - Summary: <http://www.sacrepublicfc.com/news/2015/11/04/sacramento-market-analysis#.VkJu66rRPM>
2. **Pre-Development Team:** SSEH to hire a team of consultants to lead key predevelopment activities including project management, design, planning, engineering, and pre-construction.
 - *Legends hired as stadium project manager (July 13, 2015)*

- *HNTB hired as stadium architect (August 19, 2015)*
3. **Site Control:** Secure control of the land required to build the stadium at the proposed Railyards site.
 - *Sacramento Railyards acquired by Downtown Railyards Venture (September 30, 2015).*
 - *SSEH site control (Expected: December 2015)*
 4. **Concept Design and Cost Estimation:** Complete conceptual renderings and cost estimates for the new stadium informed by input from ownership, staff, fans, partners, elected officials, and the general public.
 - *Cost Estimate prepared by Legends (Expected: December 2015)*
 - *Concept Design completed by HNTB (Expected: December 2015)*
 5. **Preliminary Term Sheet:** Establish a preliminary framework with the City of Sacramento that sets forth key terms with respect to location, financing, ownership, design, development, construction, and operation of a new MLS stadium.
 - *Council consideration of the proposed Preliminary Term Sheet (December 1, 2015)*

At this time, MLS continues to deliberate on its plans for league expansion beyond 24 teams. Ownership groups for the proposed Minnesota and Miami franchises continue to advance stadium plans in their respective markets, but neither has yet finalized terms with all relevant parties.

SSEH plans to continue to make progress on the proposed stadium plan as part of its broader efforts to maintain and strengthen its proposal to MLS for a franchise.

RESOLUTION NO. 2015-

Adopted by the Sacramento City Council

APPROVING THE PRELIMINARY TERM SHEET FOR THE DEVELOPMENT OF A MAJOR LEAGUE SOCCER STADIUM FOR SACRAMENTO REPUBLIC FC AND FUNDING FOR ADVISORY SERVICES

BACKGROUND

- A. Major League Soccer (MLS) is evaluating options for the award of expansion team opportunities to competing cities throughout the United States.
- B. Sac Soccer and Entertainment Holdings, LLC (SSEH) seeks an award of an expansion team in Sacramento.
- C. To be awarded an expansion team, a MLS-caliber stadium must exist or be constructed to host the team.
- D. There is no existing stadium in the City of Sacramento that meets MLS standards and a new stadium must be constructed in order to secure an expansion team.
- E. A preliminary term sheet is desired by MLS to provide evidence that there is cooperation between the expansion team applicant and the host city.
- F. The attached Preliminary Term Sheet for the Development of a Major League Soccer Stadium is a non-binding agreement that demonstrates cooperation between the City and the MLS applicant. It serves as a good faith agreement for further preparation of definitive agreements, and future actions by and between the City and SSEH for the development of a new multi-purpose stadium, subject to all environmental considerations.
- G. The Preliminary Term Sheet would only be effective if MLS awards an expansion team and SSEH consummates the acquisition of the team.
- H. Advisory consultant services are needed to support the City in the implementation of the Preliminary Term Sheet.

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

Section 1. The Sacramento Major League Soccer Stadium Preliminary Term Sheet between the City of Sacramento and Sac Soccer and Entertainment Holdings (attached as Exhibit A) is approved.

Section 2. A multi-year operating project (MYOP) for the MLS Stadium Project (I80020500) is established.

Section 3. The General Fund transient occupancy tax revenue budget shall be increased by \$100,000.

Section 4. A \$100,000 General Fund (Fund 1001) expenditure budget shall be established in I80020500.

Table of Contents:

Exhibit A - Sacramento Major League Soccer Stadium Preliminary Term Sheet

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

The City of Sacramento (City), in recognition of the substantial public benefits to be derived by attracting a Major League Soccer (MLS) franchise to Sacramento and having a downtown stadium, and an investor group led by Kevin Nagle and Warren Smith (Sac Soccer and Entertainment Holdings, LLC or “SSEH”) have developed preliminary terms that would result in the potential development of a new multi-purpose outdoor stadium (the “Project” or “Stadium”) that is intended to contribute to the ongoing redevelopment of downtown Sacramento and the region. SSEH has formally notified representatives of Major League Soccer (MLS) of its interest in acquiring a MLS expansion team (Team). MLS is evaluating options regarding expansion opportunities. This Term Sheet, if approved by the City Council, will be submitted to MLS to assist it in its due diligence process and will only be effective if MLS awards SSEH the Team. If MLS approves SSEH as the new owners of the Team and SSEH consummates the acquisition of the Team, SSEH would use an affiliated entity to develop, construct, and operate the Stadium (StadiumCo); an affiliated entity to operate the Team (TeamCo); and possibly other related entities. The definitive documents will specify the legal entities participating in the proposed transaction.

This Preliminary Term Sheet sets forth the key terms, process, and framework by which the parties agree to negotiate definitive documents and potential approvals to be considered by the City regarding the potential location, financing, ownership, design, development, construction, operation, use, and occupancy of a new, first-class, state-of-the art, multi-purpose stadium that will serve as the home of the Team and will also host concerts, sporting events, community-oriented events, and numerous other events. The parties agree to prepare definitive legal documents that contain the basic terms set forth herein with other agreed terms consistent with this Preliminary Term Sheet that are customarily included in similar agreements for the location, financing, ownership, design, development, construction, operation, use, and occupancy of comparable facilities. The parties intend that the planning, design, development, and construction of the Stadium along with associated off-site infrastructure will be led by SSEH, which will have final decision-making authority for that process, subject to City review and the provisions included herein, but that the entire process be a cooperative, mutual endeavor in which the parties actively participate and work together in good faith and with due diligence.

Although this Preliminary Term Sheet contains the proposed, non-binding framework of a potential transaction that the City has agreed to process, the parties agree that no obligation to enter into definitive transaction documents, or any transaction, shall exist and no project or definitive transaction documents shall be deemed to be approved until after (i) the proposed Project is reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA), (ii) any additional conditions or changes to the Project based on the CEQA review have been resolved in a manner acceptable to the City and SSEH, and (iii) all required permits for the Project have been obtained by the parties in accordance with applicable laws and regulations.

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

Parties	<p>City of Sacramento (City)</p> <p>Sac Soccer and Entertainment Holdings, LLC (SSEH) – Parent company that owns and controls affiliates described herein (and possibly others).</p> <p>StadiumCo – SSEH affiliate responsible for developing, constructing, and operating the Stadium.</p> <p>TeamCo – SSEH affiliate responsible for owning and operating the Team.</p> <p>Note: The definitive legal documents will identify the legal entities formed by the SSEH to acquire the Team and to develop the Stadium.</p>
Ownership	<p>The Stadium and the land on which the Stadium will be developed shall be owned by SSEH or an affiliated entity. The ownership structure shall be detailed in the definitive legal documents, which may include appropriate refinements to the terms in this Term Sheet.</p>
Location	<p>SSEH is responsible for assembling a development site sufficient to build the Stadium and event parking. The Stadium is proposed to be located at the Railyards on property currently owned or controlled by Downtown Railyard Venture, LLC, and on other parcels to be acquired or leased by SSEH, as necessary. See Exhibit 1 for a map that illustrates the Railyards location. The exact location of the Stadium shall be determined by SSEH, following additional design and planning. The parties may consider other locations by agreement.</p>
Description	<p>The Stadium shall be a new, first-class, state-of-the art, multi-purpose stadium that will serve as the home of the MLS Team, and will also host concerts, sporting events, community-oriented events, and numerous other events. SSEH seeks to achieve LEED-equivalent energy and environmental design to the extent feasible.</p> <p>See Exhibit 2 for a summary description of the Stadium’s preliminary program elements. The definitive agreements will contain a more detailed description of program elements.</p>
Sources and Uses of Funds	<p>Except as otherwise specified herein, SSEH shall be responsible for securing its financing and other funding sources required for the planning, construction, and development of the Stadium.</p> <p>See Exhibit 3 for a preliminary list of sources and uses of funds to develop the Stadium.</p>
Stadium Development	<p>The City and SSEH intend to work together in a collaborative and cooperative manner to develop the Stadium in a fiscally responsible manner. SSEH shall be</p>

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

	<p>responsible for, and shall lead all phases of the planning, design, land acquisition, development, and construction of the Stadium and related infrastructure. The City is committed to processing all planning and construction entitlements in a timely and efficient manner given the significance of the Project and its benefit to the City and region.</p> <p>The Stadium preliminary program is contained in Exhibit 2, which sets forth the intended size and components to be implemented through the design and construction of the Project. The Stadium shall be constructed in accordance with the program elements and the Quality Standard (as defined below), subject to recognition of the overall size of the Stadium. The “Quality Standard” for the Stadium shall be first-class and state-of-the-art, comparable to other MLS facilities, including Sporting Park (Kansas City, Kansas), BBVA Compass Stadium (Houston, Texas), Rio Tinto Stadium (Sandy, Utah) and Orlando MLS Stadium (Orlando, Florida). The standard of quality and design of the Project shall be comparable, taken as a whole, to the standard of quality used in the design and construction of the facilities named above, or a new or different list of facilities to which the Parties agree after the date of this Preliminary Term Sheet.</p> <p>Notwithstanding the foregoing, the City shall retain its full discretion regarding the granting of any and all necessary approvals required under the law.</p>
Schedule	<p>The City and SSEH shall work cooperatively and make all commercially reasonable efforts to open the Stadium by March 2018, or such other later date as dictated by the MLS Team decision, and shall promptly after the date hereof agree upon a schedule of milestones regarding CEQA, permits, and other important events to meet such timetable.</p> <p>The City agrees to assign the appropriate planning, engineering, building, safety, and other staff to enable the parties to achieve such timeline.</p>
Pre-Development Expenses	<p>SSEH shall be responsible for all predevelopment expenses associated with pre-development, including but not limited to all architectural, geotech, engineering, environmental, market studies, and other costs related to stadium development. SSEH shall pay all fees and costs normally paid by a developer for the processing of a private project of this type. City shall be responsible for all other City staff time expended for pre-development and development of the stadium (for example, executive-level management and general in-house legal support). Each party shall be responsible for paying for its third-party consultant costs following execution of this Agreement, unless the scope of the City’s participation or obligations changes such that the City requires consultant services beyond those normally required for a project of this type, in which case the Parties shall execute a pre-development expenses reimbursement agreement.</p>
Completion	<p>SSEH shall use reasonable best efforts to cause the general contractor responsible</p>

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

Guarantee and Cost Overruns	for the Stadium to provide a separate, written project completion guarantee(s) consistent with the schedule referred to above, and SSEH shall provide cost-overrun protection covering all elements of the development, construction, and delivery of the Stadium, consistent with all applicable MLS and financial industry standards. Such guarantees will be consistent with industry standards and may be in the form of a guarantee, bond, or other similar instrument.
CEQA	As required by law, the City retains the sole and independent discretion as the lead agency to, among other things, balance the benefits of the Stadium project against any significant environmental impacts prior to taking final action if such significant impacts cannot otherwise be avoided, and determines not to proceed with the Stadium project. No legal obligations to approve the Project, the permits for the Project, or the transaction will exist unless and until the parties have negotiated, executed, and delivered definitive agreements based upon information produced during the CEQA environmental review process and on other public review and hearing processes, subject to all applicable governmental approvals, including CEQA.
Stadium Management	StadiumCo shall manage and operate the Stadium. StadiumCo may elect to hire a private management company experienced in the management of comparable facilities to manage the Stadium. The Stadium shall be operated in a first-class manner, similar to and consistent with that of other comparable facilities that serve as the homes of MLS teams. StadiumCo shall be solely responsible for all aspects of the Stadium operation, including the booking of non-Team events.
Capital Contribution – SSEH	SSEH shall be responsible for all costs associated with the development of the Project, currently estimated at approximately \$180,000,000. SSEH shall have the right, but not the obligation, to obtain private financing for its capital contribution.
Use and Occupancy	<p>The Stadium shall serve as the home of the Team and will also host concerts, sporting events, community-oriented events, and numerous other events. The parties shall use commercially reasonable efforts to market the Stadium aggressively to promote activity and economic development in the area.</p> <p>The City shall be permitted to use the Stadium to host up to 4 civic-oriented events per year that do not conflict with other previously scheduled events (City Events). The City shall not contract this right to third parties that would customarily contract directly with the venue operator in publicly owned facilities. The City shall have the right to schedule City Events in advance based on Stadium availability.</p>
Naming Rights	Any name proposed to be associated with the Stadium shall be tasteful and not be a cause for embarrassment to the City and shall not include any companies

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

	<p>primarily known for tobacco products, guns, adult entertainment, marijuana, other non-pharmaceutical drugs, etc.</p>
Stadium Parking	<p>The City shall work with SSEH to identify City-controlled parcels that are not currently City parking facilities (City-owned or controlled parking facilities that currently generate parking revenues shall not be included) within a ¼ mile of the final Stadium site that could be utilized for vehicle parking during Stadium events. If suitable parcels are identified, SSEH shall be responsible for all improvement and operation costs, and City shall receive 50% of net revenues. The City shall retain parking revenues from all other City-owned or controlled parking facilities. No less than 6,500 parking spaces will be provided, or arranged, by SSEH in parking garage structures that are conveniently located and available to serve other development surrounding the Stadium. Temporary surface parking may be approved for a period after stadium opening.</p>
Property Taxes	<p>SSEH and related entities shall pay any and all property taxes (including taxes on possessory interests) associated with all real property interests in the Stadium. SSEH and related entities shall be responsible for its own personal property and any other taxes related to its operations and income.</p>
Targeted Taxes	<p>The City shall not impose, and shall cooperate with any efforts of SSEH to prevent any other public entities from imposing, on all or any portion of the Stadium or the Team any targeted or special taxes, assessments, or surcharges, including special district taxes, assessments or surcharges (except for those already in place or supported by SSEH). SSEH, StadiumCo, TeamCo, and its users shall be subject to all City taxes or assessments of general applicability.</p>
Annual Operating Expenses	<p>StadiumCo shall be responsible for all annual operating expenses and routine maintenance and repairs (Annual Operating Expenses) of the Stadium. By way of illustration and not limitation, Annual Operating Expenses include:</p> <ul style="list-style-type: none"> • Salaries, wages, and benefits • Routine maintenance • Routine repairs • Insurance • Utilities • Supplies and equipment • Human resources • Training • Contract labor • Setup/tear down • Stadium marketing/promotion • Premium seating marketing/promotion • Non-event security

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

	<ul style="list-style-type: none"> • Non-event cleaning • Telephone • Professional services (e.g., legal, accounting, etc.) • Travel/lodging • Equipment rental • Taxes/permits/fees/licenses • Dues and subscriptions • Public relations • Common area maintenance/landscaping • Unreimbursed event expenses • Unfunded pre-opening expenses (Year 1) • Others <p>The City shall have no responsibility for any operating expenses of the Stadium (except for incremental, out-of-pocket expenses associated with City Events).</p>
Capital Repairs	<p>StadiumCo shall be responsible for all Stadium capital repairs, replacements, and improvements (Capital Repairs). Identification of Stadium capital repairs, replacements, and improvements shall be determined by StadiumCo. However, StadiumCo shall maintain the Stadium in a first class manner so as to cause it to remain in a condition comparable to that of other MLS facilities of similar size, design, and age, ordinary wear and tear excepted.</p>
Municipal Services	<p>Customary police, traffic control, and other similar City-based services (Municipal Services) for Stadium events shall be provided by the City at a general level and manner appropriate for Stadium events and, with respect to Team Events, in compliance with MLS rules and standards. TeamCo shall be responsible for any and all costs incurred by the City for Municipal Services provided for all Team Events on terms to be set forth in the definitive legal documents. TeamCo and the City shall cooperatively evaluate appropriate public and private staffing levels for police/security, traffic control, fire prevention, emergency medical, street cleaning/trash removal, and other similar services based upon anticipated attendance for Stadium Events; however, the City shall have final approval over appropriate staffing and service levels. The City shall use a "reasonableness standard" in determining appropriate staffing and service levels. In the event that the parties cannot agree on appropriate staffing and service levels, TeamCo shall have the right to submit such dispute to a mutually agreed upon mediator or to arbitration for accelerated dispute resolution. Notwithstanding the foregoing, if the City determines that an emergency public safety issue exists with respect to a particular Stadium Event, the City shall have the right to determine and impose the staffing level for that event. StadiumCo shall insure that events other than Team Events shall be responsible for any and all costs incurred by the City for Municipal Services provided. StadiumCo shall be granted similar rights as TeamCo as outlined above with respect to events</p>

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

	other than Team Events. The terms and costs of these Municipal Services for events other than Team Events shall be provided on terms that are no less favorable than those provided for Team Events, taking into consideration the expected attendance and nature of the event.
Team Name	The Team shall include “Sacramento” as the first part of the Team’s name. For example, the Team must be named the “Sacramento ____.” The Team may not include any other geographic, city, county, or state reference in the Team name. The Team shall reasonably reference Sacramento in public statements (whether marketing, advertising, or otherwise).
Corporate Headquarters	SSEH, StadiumCo, and TeamCo shall maintain their corporate headquarters within city limits during the non-relocation term (and any extensions).
Team Transfer	Before the execution of any definitive legal documents for the sale or other transfer of all or substantially all of the assets or equity of the Team (including the Team MLS membership – for which the City shall not have any consent right with respect to such transfer), the new owner must assume any and all obligations of this Term Sheet. Except as provided above, any assignment of any party’s rights under this Term Sheet is subject to the other party’s consent in its sole discretion.
Affordable Programs	The Team shall make reasonable efforts to provide attractive and meaningful programs to keep the MLS affordable for families in the Sacramento region.
MLS All Star Game	The Team shall request that the MLS host the MLS All-Star Game at the Stadium within three years after opening. The roles and responsibilities of the City and SSEH shall be determined in the definitive legal documents.
Internet	StadiumCo shall provide the City with a banner on the Stadium website. The banner shall serve as a link to the City’s internet home page. TeamCo shall provide the Stadium with a banner on the Team’s website. The banner shall serve as a link to the Stadium’s internet home page.
Non-Discrimination	SSEH agrees to comply with the City’s non-discrimination code requirements.
Confidentiality	The City agrees not to disclose, and to cause its affiliates and representatives not to disclose, to any third party any financial information or other confidential information provided to it pursuant to this Preliminary Term Sheet or the definitive legal documents, to the extent permitted by law.
MLS Approvals	The parties acknowledge that the definitive transaction documents will be subject to the approval of the MLS.

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

**EXHIBIT 1
STADIUM LOCATION**



Illustrative Location Plan
1" = 300'-0"

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

**EXHIBIT 1
STADIUM LOCATION (CONT'D)**



Alternative Site Plan
7/1/2015



**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

**EXHIBIT 2
PRELIMINARY PROGRAM DESCRIPTION**

Soccer Capacity	25,000
Suites	36
Party Suites	3
Owners Suite	1
General Admission Seats (includes Supporter Section seating)	21,400
Premium Seats (Suites, Club seats, Loge seating)	3,100
SRO	500
Space Type	<u>Gross Square Feet</u>
Classification 1: Spectator & Stadium Bowl Facilities	146,000
Classification 2: Premium Facilities	66,500
Classification 3: Circulation	139,000
Classification 4: Food, Retail, & Spectator Facilities	32,000
Classification 5: Team Facilities & Practice Facility	13,500
Classification 6: Media Facilities	9,000
Classification 7: Event Facilitates & Operations Support	30,000
Classification 8: Standing Room Only decks	<u>14,000</u>
Estimate of Gross Building Square Footage (G.S.F.)	450,000

Source: Sac Soccer & Entertainment Holdings (SSEH).

**SACRAMENTO MAJOR LEAGUE SOCCER STADIUM
PRELIMINARY TERM SHEET
December 1, 2015**

**EXHIBIT 3
PRELIMINARY SOURCES AND USES OF FUNDS**

Sources of Funds	
<i>Private</i>	
Capital Contribution – Sac Soccer (SSEH)	\$180,000,000
<i>Public</i>	
Capital Contribution – City/Other*	<u>\$46,000,000</u>
Source of Funds – Total	\$226,000,000
Uses of Funds	
<i>Private</i>	
Stadium Project	\$180,000,000
<i>Public</i>	
Infrastructure*	<u>\$46,000,000</u>
Uses of Funds – Total	\$226,000,000
Surplus/(Deficit)	\$0

* Represents estimated apportionment to proposed Stadium site, based on acreage, of in-place Railyards infrastructure investment by the City of Sacramento and other public agencies. (See December 1, 2015 staff report for more detail.)