



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File #: 2016-01270

Consent Item 04

Title: Establish Multiple Park Capital Improvement Projects (CIP) and Appropriate Funding and Approve Amendment to Brooks Truitt Park Project Development Agreement

Recommendation: Pass a Resolution: 1) establishing a new capital improvement project for Argonaut Skate Plaza (L19179100); 2) appropriating \$20,000 from Park Development Impact Fees (Fund 3204) to Argonaut Skate Plaza (L19179100); 3) establishing a new capital improvement project for Land Park Amphitheater Renovation (L19128300); 4) appropriating \$100,000 from the William Land Park Fund (Fund 2507) to Land Park Amphitheater Renovation (L19128300); 5) appropriating \$75,000 from the Park Development Impact Fees (Fund 3204) to Cesar Chavez Park Improvements (L19207100); 6) establishing a new capital improvement project for Marshall Park Playground Fence (L19135500); 7) appropriating \$21,000 from Park Development Impact Fees (Fund 3204) to Marshall Park Playground Fence (L19135500); 8) appropriating \$400,000 from Park Impact Fees (Fund 3204) to Brooks Truitt Park (L19011800); and 9) authorizing the City Manager or City Manager's designee to execute the First Amendment to Project Development Agreement 19th and Q Street Brooks Truitt Park with CADA to increase funding by \$400,000.

Location: Districts 4 and 5

Contact: C. Gary Hyden, Manager, Park Planning and Development, (916)-808-1949, Department of Parks and Recreation

Presenter: None

Department: Parks & Recreation Department

Attachments:

1-Description/Analysis

2-Resolution

3-CADA Agreement Exhibit A

Description/Analysis

Issue Detail: The Department of Parks and Recreation (DPR) recommends that the following actions be taken by City Council:

Establish CIP L19179100 for the Argonaut Skate Plaza and appropriate funding

The community has acquired a grant from the Tony Hawk Foundation to develop a skate plaza and the Sacramento City Unified School District has offered to manage construction of the project because it will be located on District property which has been leased to the City for use as Argonaut Park. Appropriating \$20,000 from Park Development Impact Fees (Fund 3204) is required to close the funding gap for project construction. An agreement with the School District will be needed to transfer the funding.

Establish CIP L19128300 for the Land Park Amphitheater Renovation and appropriate funding

In 2013, a group of civic minded Sacramentans established an ad hoc committee to help improve the facilities at the Land Park Amphitheater. The group known as the Land Park Amphitheater Facility Working Group (“Working Group”) established an account with Gifts to Share, Inc. to financially manage the “Working Group’s” fundraising efforts. Gifts to Share, Inc. is a 501(c)3 nonprofit organization that supports the City of Sacramento’s park and recreation programs and facilities. Architectural services for the development of a preliminary plan and estimate of construction cost for the improvements were donated by a local architect. The preliminary cost of construction was determined to be \$2,000,000. The “Working Group” is in the process of raising funds. They have hired a public relations firm to assist with a fund drive for the construction of the amphitheater improvements. The City’s DPR will be responsible for providing the construction plans and specifications and final estimates. Creation of a capital improvement project and appropriating \$100,000 from the William Land Park Fund (Fund 2507) will allow DPR staff to proceed with development of the construction documents for the project. Creating a “shovel ready” project will generate a detailed estimate of construction cost which will help the “Working Group” focus their fundraising efforts. It will also demonstrate a commitment from the City to help make the improvements become reality as well as expedite the construction once the appropriate amount of funding is raised. All appropriate public contracting rules will be followed in development of the construction documents and the construction of the improvements.

Appropriate \$75,000 from Park Development Impact Fees (Fund 3204) to Cesar Chavez Park Improvements L19207100

There is a strong desire to develop a child’s play feature in Cesar Chavez Park with a

“Farm to Fork” theme. DPR has determined that there is not enough room in the plaza for a traditional playground. Therefore, the best approach is to create a play/art sculpture piece that will function as a play piece for children but also function as an art sculpture. DPR will work with the Sacramento Metropolitan Arts Commission staff to develop concepts for the sculpture piece. Final design will be brought to the Parks and Recreation Commission prior to construction and installation. Appropriating \$75,000 from Park Development Impact Fees (Fund 3204) is required to accomplish this work.

Establish CIP L19135500 for the Marshall Park Playground Fence and appropriate funding

The playground at Marshall Park needs a complete fence around the existing playground for safety and security reasons. This is a high priority project for DPR. Appropriation of \$21,000 from the Park Development Impact Fees (Fund 3204) is required to accomplish this work.

Appropriate \$400,000 from Park Development Impact Fees (Fund 3204) to Brooks Truitt Park L19011800

On September 29, 2015, the City Council passed a resolution allocating \$800,000 of Quimby funds for design and construction of the park. The Council also approved a Project Development Agreement between the City and the Capitol Area Development Authority (CADA) for design and construction of the park. The contract for the construction has been negotiated and additional funds are required to complete construction of the project. Appropriating \$400,000 from the Park Development Impact Fees (Fund 3204) and approving the first amendment to the Project Development Agreement to transfer the additional \$400,000 will provide sufficient funding to complete the park construction.

Policy Considerations: As stated in City Council Resolution No. 2016-0216, Sections 10.2 and 10.8, City Council approval is required to establish CIP projects and make appropriation changes exceeding \$100,000.

Utilizing Park Development Impact Fees (Fund 3204), to fund park improvement projects is consistent with Sacramento City Code Section 18.44.160 as these funds will be expended to improve parks, which serve the developments within the neighborhood or community park service area which paid the fee.

Providing parks and recreation facilities is consistent with the City's strategic plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation, and trail facilities throughout the City.

Economic Impacts: Not applicable

Environmental Considerations: This report concerns administrative activities that do not constitute a "project" as defined by the CEQA Guidelines Section 15378(b)(2).

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: City Council approval is required to establish CIP Projects and for fund transfers of \$100,000 or more.

Financial Considerations: There are adequate resources in the specified available fund balances to transfer funding to the various projects as listed below:

<u>Project Name</u>	<u>Project Number</u>	<u>Fund</u>	<u>Amount</u>
Argonaut Skate Plaza	L19179100	Park Development Impact Fees (Fund 3204)	20,000
Land Park Amphitheater Renovation	L19128300	William Land Park (Fund 2507)	100,000
Cesar Chavez Park Improvements	L19207100	Park Development Impact Fees (Fund 3204)	75,000
Marshall Park Playground Fence	L19135500	Park Development Impact Fees (Fund 3204)	21,000
Brooks Truitt Park	L19011800	Park Development Impact Fees (Fund 3204)	400,000

Local Business Enterprise (LBE): Not Applicable

RESOLUTION NO. 2016-

Adopted by the Sacramento City Council

ESTABLISHING MULTIPLE PARK CAPITAL IMPROVEMENT PROJECTS (CIP), APPROPRIATE FUNDING AND APPROVING AMENDMENT TO TRUITT PARK PROJECT DEVELOPMENT AGREEMENT

BACKGROUND

- A. City Council approval is required to establish capital improvement projects (CIP) and for fund transfers of \$100,000 or more.
- B. The Parks and Recreation Department desires to establish CIPs and make fund transfers for improvements to Argonaut Park, Land Park, and Marshall Park and to fund existing projects for Cesar Chavez Park and Brooks Truitt Park
- C. The City and the Capitol Area Development Authority (CADA) entered into the Park Development Agreement for the 19th and Q Street Brooks Truitt Park to provide \$800,000 for CADA to design and construct the park using the Design-Assist delivery method. The contractor has submitted the maximum guaranteed price and an additional \$400,000 is needed to construct the park.

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

- Section 1. A new capital improvement project for Argonaut Skate Plaza is established as L19179100 and a transfer of \$20,000 of Park Development Impact Fees available fund balance (Fund 3204) to L19179100 is approved.
- Section 2. A new capital improvement project for Land Park Amphitheater Renovation is established as L19128300 and a transfer of \$100,000 of the William Land Park available fund balance (Fund 2507) to L19128300 is approved.
- Section 3. That \$75,000 of Park Development Impact Fees available fund balance (Fund 3204) is transferred to the Cesar Chavez Park Improvements Project (L19207100) is approved.
- Section 4. A new capital improvement project for Marshall Park Playground Fence is established as L19135500 and a transfer of \$21,000 of Park Development Impact Fees available fund balance (Fund 3204) to L19135500 is approved.
- Section 5. Transfer \$400,000 from Park Development Impact Fees available fund balance (Fund 3204) to Brooks Truitt Park L19011800 is approved.

Section 6. The First Amendment to Project Development Agreement 19th and Q Street Brooks Truitt Park with CADA, attached as Exhibit A, to provide an additional \$400,000 for park construction is approved. The City Manager or his designee is authorized to execute the Amendment.

Exhibits:

Exhibit A - First Amendment to Project Development Agreement 19th and Q Street Brooks Truitt Park

**FIRST AMENDMENT TO PROJECT DEVELOPMENT AGREEMENT
19TH AND Q STREET TRUITT PARK**

This First Amendment (“Amendment”) to the Project Development Agreement by and between the CAPITOL AREA DEVELOPMENT AUTHORITY, a California joint powers authority (“CADA”), and the CITY OF SACRAMENTO, a California municipal corporation (“CITY”), is made and entered as of the ____ day of _____, 2016 (“Effective Date”).

RECITALS

- A. CITY and CADA entered into the Project Development Agreement for Truitt Park whereby CADA would oversee the design and construction of Phase 2 of this park. CADA provided \$100,000 for the design and CITY provided CADA with \$800,000 to fund the construction. In addition, CADA is donating its staff time for contract administration and labor compliance. The City Council approved suspending competitive bidding to allow the construction work to proceed under a Design-Assist delivery method.
- B. In the Project Development Agreement, the Parties acknowledged that the amount of funding available for construction may be insufficient and this park project may need to be further phased unless CADA is able to secure additional funding through donations.
- C. CADA conducted a marketing program seeking donations and has received a net amount of \$22,230 thus far, which is to be used for future park amenities and maintenance.
- D. The design-assist contractor provided value engineering type services to reduce the construction costs and obtained bids from subcontractors, with the maximum guaranteed price based on the lowest subcontractor bids. However, the construction funding is insufficient to award the construction contract. An additional \$400,000 is needed to build Phase 2 of Truitt Park.

NOW THEREFORE, it is mutually agreed between the Parties as follows:

AGREEMENT

1. Project Funding. Section 4 of the Project Development Agreement, Project Funding, is hereby amended to read as follows:

“4. PROJECT FUNDING: CADA agrees to provide up to \$100,000 to fund preparation of the design and construction plans and Design-Assist services for the Phase 2 portion of Truitt Park. Provided in Exhibit C is the budget for the Truitt Park project based on the CITY’s total allocation of \$1,200,000 for this park and CADA’s \$100,000 contribution. CITY will pay SMAC for the Art in Public Places requirement for the Phase 2 project, and retain the amount for City Review Time and Administration.

CITY will provide CADA with a not to exceed amount of \$1,149,195 for design and construction costs for the Phase 2 portion of Truitt Park as detailed in Exhibit C. If CITY is able to undertake the CITY's work as listed in Exhibit B at a reduced cost, then the amount available to CADA for park construction may increase."

2. Exhibit C. Exhibit C of the Project Development Agreement is revised to add the City's additional contribution and update costs, including the maximum guaranteed construction price offered by the contractor, Valley Crest Landscape Development. Attached is revised Exhibit C which is incorporated into this First Amendment.

3. Entire Agreement. This Amendment constitutes the entire agreement, and supercedes any prior written or oral agreements, between the Parties with respect to the matters contained herein. All other terms and conditions of the Project Development Agreement not modified by this Amendment shall remain in full force and effect.

4. Authorization. Each individual executing this Amendment on behalf of any entity represents and warrants that he or she has been duly authorized to do so by the entity on whose behalf he or she executes this Amendment and said entity will thereby be obligated to perform the terms of this Amendment.

[signature page follows]

IN WITNESS WHEREOF, the Parties hereto executed this First Amendment on the date first above written.

CAPITOL AREA DEVELOPMENT AUTHORITY
a Joint Powers Authority

By: _____
Wendy Saunders, Executive Director

Approved As To Form:

By: _____
Attorney for CADA

CITY OF SACRAMENTO
a municipal corporation

By: _____
Christopher Conlin
Director of Parks and Recreation

Approved as to Form:

By: _____
Senior Deputy City Attorney

Attest:

By: _____
Assistant City Clerk

Exhibit C
19th and Q Street Truitt Park Phase 2 Project Budget

SOURCES AND USES			
19th and Q Park Improvements			
SOURCES		USES	
City Parks CIP	\$1,200,000	Design and Engineering	\$101,450
CADA	\$100,000	Design-Assist Services	\$10,200
		City Review Time and Administration *	\$31,500
		City Inspection	\$45,000
		City Permit Fess	\$23,097
		SMUD Fee	\$10,000
		CADA Contract Administration	\$0
		CADA Labor Compliance	\$0
		Site Furnishings	\$85,000
		MGP Dog Park Construction	\$965,250
		Contingency	\$9,198
		Art in Public Places (2% construction cost)*	\$19,305
Total Sources	\$1,300,000	Total Uses	\$1,300,000

* City retained funds.