



# REPORT TO COUNCIL

## City of Sacramento

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

Consent  
August 31, 2010

Honorable Mayor and  
Members of the City Council

**Title:** Supplemental Agreement: R Street Market Plaza Project (T15068300)

**Location/Council District:** R Street between 16<sup>th</sup> Street and 18<sup>th</sup> Street. Districts 3 and 4

**Recommendation:** Adopt a **Resolution:** 1) approving the amended Memorandum of Understanding (MOU) with the Capitol Area Development Authority (CADA); 2) approving the appropriation of funds in the amount of \$400,000 from CADA; and 3) approving Supplemental Agreement No. 1 to City Agreement No. 2008-0871 with Mark Thomas and Company in the amount not to exceed \$306,001.

**Contact:** Ricky Chuck, Senior Engineer (916) 808-5050; Tim Mar, Supervising Engineer (916) 808-7531

**Presenters:** None

**Department:** Transportation

**Division:** Engineering Services

**Organization No:** 15001131

### Description/Analysis

**Issue:** The R Street Market Plaza Project (T15068300) is in the preliminary design phase. Approval of the Memorandum of Understanding with the Capitol Area Development Authority (CADA) and Supplemental Agreement No. 1 with Mark Thomas and Company will allow staff to move forward with the final design of the project.

**Policy Considerations:** The action requested supports the City's Strategic Plan goals of expanding and improving economic development and public safety and achieving sustainability, and enhancing livability.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA):** The Community Development Department, Environmental Planning Services Division has determined that the project as proposed may have potentially significant impacts to the environment. Mitigation measures have been incorporated in the project to reduce these impacts to a less-than-significant level, and a Mitigated Negative Declaration/Initial Study has been prepared for the project. In compliance with Section 15070(b)1 of the California Environmental Quality Act (CEQA) Guidelines, mitigation measures have been identified that are incorporated into project plans to reduce impacts to a less-than-significant level. These mitigation measures address soils, air quality, transportation/circulation, biological resources, hazards, noise, public services, aesthetics and cultural resources. The mitigation measures are listed in the Mitigation Monitoring Plan.

On July 13, 2010, the City Council approved the Mitigated Negative Declaration and the preliminary design recommended by the Design Review Commission.

National Environmental Policy Act (NEPA) clearance will also be approved after approval of the Mitigated Negative Declaration by City Council. Caltrans will approve a Categorical Exclusion (CE) or Environmental Assessment (EA)/Finding of No Significant Impact (FONSI) in compliance with NEPA. NEPA clearance will enable the City to pursue federal funds for the construction for the project.

**Sustainability Considerations:** This project is consistent with the City's Sustainability Master Plan. It conforms to the Air Quality Focus Area by improving and optimizing transportation infrastructure and by adding sidewalks to improve pedestrian safety and accessibility within the neighborhood.

**Commission/Committee Action:** A hearing of the project was held by the Design Commission on June 16, 2010. Comments for consideration from the Design Commission were included in the preliminary design approved by the City Council on July 13, 2010.

**Rationale for Recommendation:** Approval of the amended Memorandum of Understanding (MOU) with the Capitol Area Development Authority (CADA) and Supplemental Agreement No. 1 with Mark Thomas and Company will allow staff to move forward with the final design of the project.

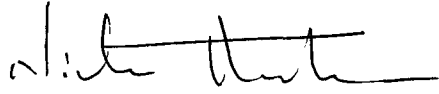
**Financial Considerations:** The total budget for the R Street Market Plaza Project (T15068300) is \$720,000 consisting of funds provided by CADA and Sacramento Area Council of Governments (SACOG). Approval of the amended Memorandum of

Understanding (MOU) will appropriate an additional \$400,000 from CADA and increase the total budget to \$1,120,000 and the unobligated balance to \$464,324, which is sufficient to execute Supplemental Agreement No. 1 in the amount of \$306,001 with Mark Thomas and Company and cover staff costs to complete final design.

As part of the R Street Improvements Project, 10<sup>th</sup> Street to 13<sup>th</sup> Street, which was previously awarded by Council, remaining federal funds from that project, will be programmed to this project for future construction upon approval by SACOG.

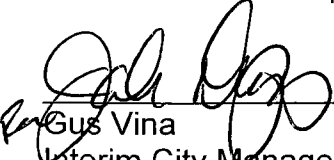
There are no general funds planned or allocated to the project.

**Emerging Small Business Development (ESBD):** The City's ESBE goal is 20%. Mark Thomas & Company, Inc. has attained 45.3% ESBE participation.

Respectfully Submitted by:   
Nicholas Theocharides  
Engineering Services Manager

Approved by:   
Jerry Way  
Director of Transportation

Recommendation Approved:

  
Gus Vina  
Interim City Manager

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**Attachment 1**

**Background:**

In accordance with the City approved R Street Corridor Urban Design Plan, the R Street Market Plaza Project (T15068300) will improve pedestrian safety and accessibility and provide streetscape improvements while maintaining the street's historic sense of shared space between pedestrians, bicyclists, and vehicles.

Because all funding is not currently available, the design of the R Street Market Plaza Project was planned to be completed in two phases. Phase I was to complete preliminary engineering and the approval of environmental documents. Phase II includes the preparation of Final Plans, Specifications and Estimate (PS&E).

On July 29, 2008, the City Council approved a Professional Services Agreement with Mark Thomas and Company to proceed with Phase 1 of the design. On July 13, 2010, City Council approved the preliminary design and the Mitigation Monitoring Plan.

As set forth in the Sacramento Area Council of Governments (SACOG) Proposal and in accordance with the 2006 Memorandum of Understanding (MOU) with Capitol Area Development Authority (CADA), CADA will provide additional funds to complete final design (Phase II). The approval of the amended Memorandum of Understanding (MOU) with CADA and Supplemental Agreement No. 1 with Mark Thomas and Company will allow staff to move forward with the final design of the project.

Because the construction funding of the project is anticipated to be federally funded, a review of the project under the National Environmental Policy Act (NEPA) was required. Project documents were routed to the State Office of Historic Preservation and the California Department of Transportation for review. On July 13, 2010, City Council approved the Mitigated Negative Declaration. Caltrans will approve a Categorical Exclusion (CE) or Environmental Assessment (EA)/Finding of No Significant Impact (FONSI) in compliance with NEPA. NEPA clearance will enable the City to pursue federal funds for the construction for the project.

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**APPROVING AMENDED MEMORANDUM OF UNDERSTANDING, APPROPRIATING FUNDS, AND APPROVING SUPPLEMENTAL AGREEMENT - R STREET MARKET PLAZA PROJECT (T15068300)**

**BACKGROUND**

- A. In accordance with the City approved R Street Corridor Urban Design Plan, the R Street Market Plaza Project (T15068300) will improve pedestrian safety and accessibility and provide streetscape improvements while maintaining the street's historic sense of shared space between pedestrians, bicyclists, and vehicles.
- B. The design of the R Street Market Plaza Project (T15068300) was planned to be completed in two phases. Phase 1 was to complete preliminary engineering and the approval of environmental documents. Phase II includes the preparation of Final Plans, Specifications and Estimate (PS&E). City Council approved a Professional Services Agreement with Mark Thomas and Company to proceed with Phase 1 of the design. On July 13, 2010, City Council approved the preliminary design and the Mitigation Monitoring Plan.
- C. As set forth in the Sacramento Area Council of Governments (SACOG) Proposal and in accordance with the 2006 Memorandum of Understanding (MOU) with Capitol Area Development Authority (CADA), CADA will provide additional funds to complete final design (Phase II). The approval of the amended Memorandum of Understanding (MOU) with CADA and Supplemental Agreement No. 1 with Mark Thomas and Company will allow staff to move forward with the final design of the project.

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

- Section 1. The City Manager is authorized to approve the amended Memorandum of Understanding with CADA.
- Section 2. The FY10/11 Capital Improvement Program is amended by appropriating \$400,000 (Fund 3702) to the R Street Market Plaza Project (T15068300).

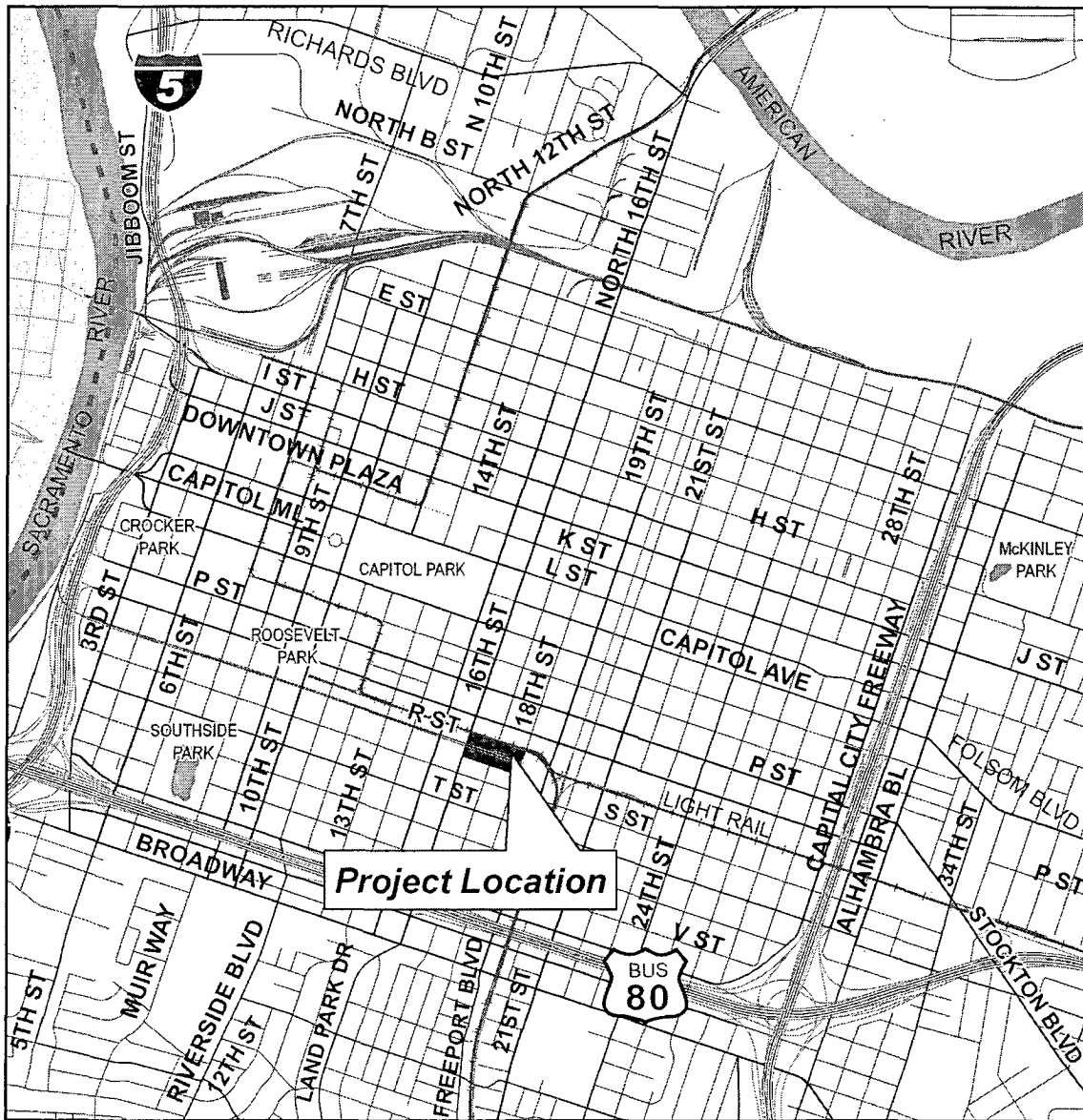
- Section 3. The City Manager is authorized to approve Supplemental Agreement No. 1 with Mark Thomas and Company in the amount of \$306,001.
- Section 4. The City Manager's authority for the agreement with Mark Thomas and Company on the R Street Market Plaza Project (T15068300) is hereby reset.
- Section 5. Exhibit A is hereby incorporated into and is part of this resolution.

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Exhibit A: Map of R Street Market Plaza Project (T15068300) – 1 page

EXHIBIT A

Location Map for  
R Street Market Plaza Project  
(T15068300)



Department of  
**TRANSPORTATION**  
City of Sacramento

Map Contact: S. Tobin  
Map Date: June, 2008

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Feet

