



APPROVED  
BY THE CITY COUNCIL

SEP 15 1998

OFFICE OF THE  
CITY CLERK

1.12

CO 98-144

DEPARTMENT OF  
UTILITIES  
ENGINEERING SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

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September 1, 1998

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: NORTH NATOMAS BASIN 5 COMMON DRAINAGE FACILITIES IMPROVEMENTS PROJECT: RATIFY THE ADDENDUM TO THE ADOPTED NEGATIVE DECLARATIONS, AUTHORIZE SUSPENSION OF COMPETITIVE BIDDING, AND EXECUTE AN AGREEMENT WITH KIEWIT PACIFIC COMPANY FOR THE CONSTRUCTION OF COMMON DRAINAGE FACILITIES IN NORTH NATOMAS BASIN 5 (JN 4825)**

**LOCATION AND COUNCIL DISTRICT:**

The North Natomas Basin 5 common drainage facilities serve the drainage needs of the Del Paso Road Planned Unit Development, Office Building on Parcel #6 - Del Paso Road PUD, Arena Corporate Center, Natomas Crossing PUD, and the city's 100 acres stadium parcel. (Attached Map). District 1

**RECOMMENDATION:**

Staff recommends that the City Council take the following actions:

- Ratify the Addendum to the Adopted Negative Declarations by adoption of the attached resolutions for the Del Paso Road PUD, Arena Corporate Center, Natomas Crossing PUD and Office Building on Parcel #6 - Del Paso Road PUD projects, in that the environmental impacts of the proposed construction of the Basin 5 common drainage facilities are within the scope of analysis contained in the Negative Declaration.
- Suspend competitive bidding and authorize the City Manager and City Clerk to execute an agreement with Kiewit Pacific Company. to cover the \$2.1 million construction cost that will be realized between September and November 1998, and to execute, after the bond revenues have been received, the full contract with Kiewit Pacific Company. The total construction cost is \$4,405,858.00. (TWO THIRDS VOTE REQUIRED)

City Council  
September 2, 1998  
North Natomas Basin 5 Common Drainage (JN:4825)

**CONTACT PERSON:** Gary A. Reents, Engineering Services Manager, 264-1433  
Terry L. Paxton, Supervising Engineer, 264-1459

**FOR COUNCIL MEETING OF:** September 15, 1998

**SUMMARY:**

The common drainage facilities for Basin 5 were initially planned to be constructed by the owners, who would recover their cost through the proceeds of the recently formed Community Facility District (CFD) # 2. Although the property owners all agreed to the formation of the CFD, they could not come to consensus on a cooperative agreement for sharing the construction cost during the period of time when construction needed to begin, September 1998, and when bond proceeds would be available, November 1998. To resolve this issue the owners have requested the Department of Utilities to take the lead in constructing the common drainage facilities and awarding \$2.1 million of the \$4.41 million contract to Kiewit Pacific Company. The Department of Utilities will make a loan for the 100 acres owned by the City and for one third (1/3) of the Arena property. This amount will cover the construction cost until the proceeds of the bonds become available in November 1998.

**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION**

- Owners Engineer on December 12, 1997 completed the Master Drainage Plan for Basin 5 & 6.
- On June 9, 1998 the City Council adopted a resolution of formation creating CFD # 2 for the purpose of financing the common drainage for Basin 5&6 in North Natomas. Selling bonds, at the earliest, is expected to occur toward the end of November 1998.
- Owners' Engineer in early July 1998 completed plans and specification for common drainage facilities for Basin 5.

City Council  
September 2, 1998  
North Natomas Basin 5 Common Drainage (JN:4825)

- Owners advertised for bids on July 7 and again July 8, 1998. The advertisements were placed in the Daily Construction Service and the Daily Recorder. Plans and specifications were distributed to the Builders Exchange and 29 Plan Holders.
- Owners conducted a pre-bid conference on July 16, 1998.
- Owners received and publically opened bids on July 31, 1998. Utility staff was present at the bid opening. Four bids were received and are summarized below:

Kiewit Pacific	\$4,405,858.00
Yubacon Incorporated	\$4,972,454.00
G.S.E. Construction	\$5,468,219.00
Shimmick Construction	\$6,459,581.00

- In early August 1998 owners failed to negotiate an agreement between themselves that would finance the construction of the common drainage during the period of time when construction needed to began, September 30, 1998 and when bond proceeds would be available, November 1998.
- On August 10, 1998 owners requested the City take over the construction contract and award \$2.1 million of the \$4.41 million contract to Kiewit. The award at this time is essential since grading, according to the Habitat Conservation Plan, cannot occur from September 30 through April each year.

## **ENVIRONMENTAL CONSIDERATIONS**

The Planning Division has reviewed the project for compliance with the requirements of the California Environmental Quality Act (CEQA). The project is determined to fall within the scope of the Del Paso Road PUD (P95-028, adopted August 29, 1995), the Office Building on Parcel #6 - Del Paso Road PUD (P95-096, adopted August 29, 1995), the Arena Corporate Center (P94-089, adopted August 29, 1995), and the Natomas Crossing PUD (P96-082, adopted June 24, 1997) Negative Declarations, and the North Natomas Comprehensive Drainage Plan Environmental Impact Report (EIR) (May 20, 1997). Accordingly, the City has prepared an Addendum to the adopted Negative Declaration to provide updated information regarding the specific design features of the detention basin and verifying the adequacy of the existing

City Council  
September 2, 1998  
North Natomas Basin 5 Common Drainage (JN:4825)

Negative Declarations. The Addendum to the adopted Negative Declarations and the aforementioned project Negative Declarations, together serve as the project specific analysis required for the Basin 5 common drainage facilities in the Comprehensive Drainage Plan EIR.

The Negative Declarations and the EIR identified that the construction and operation of detention basins will result in potentially significant impacts to wildlife, water quality and cultural resources. Mitigation measures are specified in the Negative Declarations, EIR and are incorporated into the attached Mitigation Reporting Program for the construction of the Basin 5 common drainage facilities. The Addendum to the adopted Negative Declarations describes the proposed Basin 5 common drainage facilities, identifies the description of mitigation measures required for this project, and evaluates the potential environmental effects of the proposed project. This analysis concludes that the construction of the project will not result in new impacts or greater levels of impact than those identified in the Negative Declarations or the North Natomas Comprehensive Drainage Plan EIR.

Therefore, it is recommended that the City Council adopt the attached resolution considering the Addendum to the Negative Declarations, finding that this document adequately addresses the impacts of the project and finding that no subsequent environmental documentation is required.

### FINANCIAL CONSIDERATIONS

The money to pay the \$2.1 million dollar contract prior to receiving the proceeds of the bond sale will come from three sources as follows:

Dept. of Utilities loan	33%	\$700,000
Buzz Oates	33%	700,000
Cambay	33%	<u>700,000</u>
Total		\$2,100,000

Both Buzz Oats and Cambay have issued letters of credit for their share. The letters of credit name the City as the benefactor and have been approved by the City Attorney. Staff recommends that the progress payments be made from an advance from the Storm Drainage Fund, which will be paid back with interest from the proceeds of the proposed bond sale which are anticipated this year towards the end of November. Additionally, the advance by the Department of Utilities will be further secured by the 100 acres owned by the City.

If bond proceeds are not available, another means of financing the drainage improvement will need to be secured by the property owners. This will be a condition of the drainage agreement for Basin 5 that will need to be signed by the property owners prior to approval of a master

City Council  
September 2, 1998  
North Natomas Basin 5 Common Drainage (JN:4825)

parcel or subdivision map.

**POLICY CONSIDERATIONS**

The award of the construction contract is consistent with the City Council's adoption of the North Natomas Comprehensive Drainage Plan and the goal of North Natomas Community Plan to promote development in North Natomas.

**MBE/WBE**

Since the contract was designed, advertised and bid by the property owners, the MBE/WBE procedures used by the City to award a capital improvement project were not incorporated into the process. Kiewit Pacific Co., Northern California District, does have an extensive in-house database of subcontractors and material suppliers. This information includes DBE, WBE, MBE and DVBE firms. This database is used in soliciting quotes from all types of subcontractors and material suppliers for all different types of work.

In addition to the frequently used direct mail solicitations, advertisements were placed in local and trade publications. These ads indicate Kiewit is an equal opportunity employer and request that all parties interested in bidding on the advertised project contact our district office for specific information.

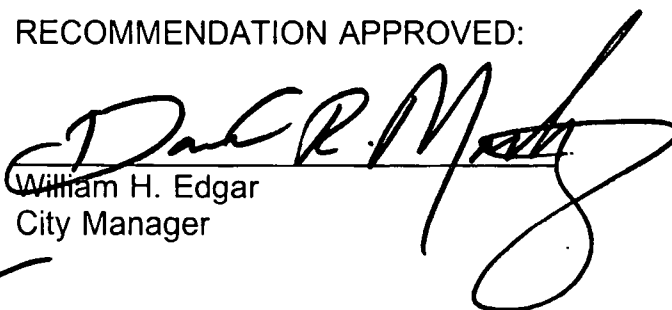
The North Natomas Basin 5 project was bid with a total of 10.1% of the work being performed by subcontractors. Of these low bid subcontractors 38.6% are City of Sacramento certified W/MBE's. This equates to W/MBE representation of 4.2% for the entire project.

Respectfully submitted,



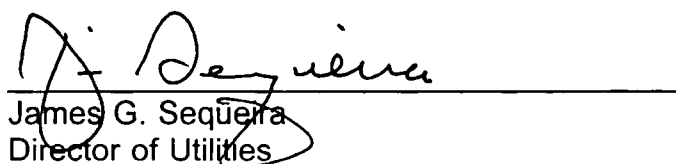
Gary A. Reents  
Engineering Services Division Manager

RECOMMENDATION APPROVED:



William H. Edgar  
City Manager

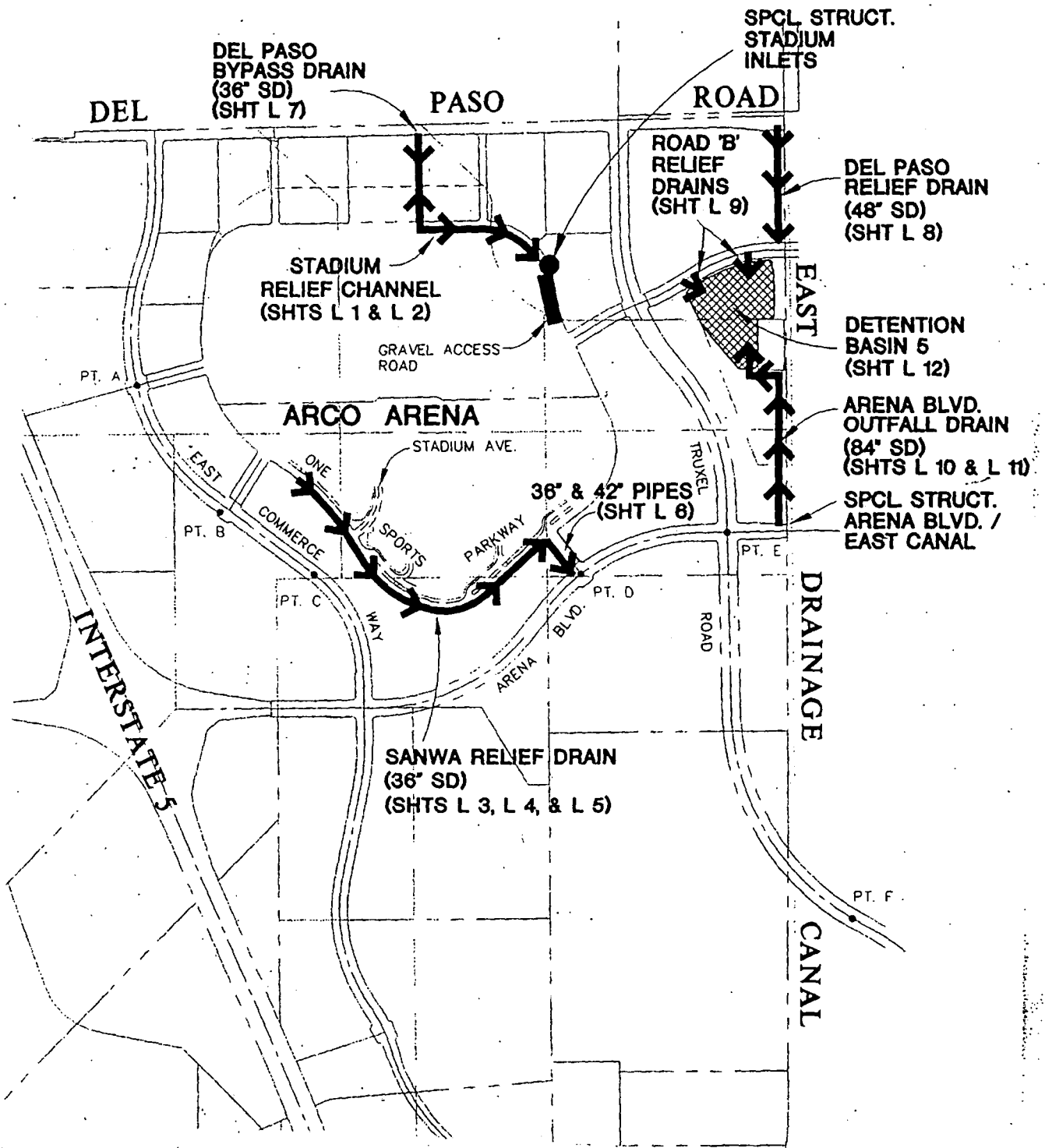
APPROVED:



James G. Sequera  
Director of Utilities

*fn:*

# City of Sacramento, California



APPROVED  
BY THE CITY COUNCIL

SEP 15 1998

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-470**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION ADOPTING FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS INVOLVED IN APPROVING THE CONSTRUCTION OF BASIN 5 COMMON DRAINAGE FACILITIES (JN: 4825) AS PART OF THE NORTH NATOMAS COMPREHENSIVE DRAINAGE PLAN**

WHEREAS, on August 29, 1995, the City Council adopted the Del Paso Road Planned Unit Development, Office Building on Parcel #6 - Del Paso Road PUD and the Arena Corporate Center Negative Declarations, With mitigation measures;

WHEREAS, on May 20, 1997, the City Council adopted the North Natomas Comprehensive Drainage Plan, certified the adequacy of the Final Environmental Impact Report prepared in connection with the Plan (Final EIR), adopted Findings of Fact and a Statement of Overriding Considerations, and approved a Mitigation Reporting Program for the project;

WHEREAS, on June 24, 1997, the City Council adopted the Natomas Crossing PUD Negative Declaration, With mitigation measures;

WHEREAS, the City Council awarding a contract for the construction of Basin 5 common drainage facilities as identified in the Basin 5 Drainage Master Plan which is consistent with the North Natomas Comprehensive Drainage Plan, which would implement drainage needs for this drainage basin within the North Natomas Community Plan area;

WHEREAS, the environmental impacts of the proposed drainage agreement and detention basin construction are within the scope of analysis contained in the Negative Declaration and Final EIR.

THEREFORE BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

1. The City Council hereby adopts the Findings which are attached as Exhibit A;

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

## EXHIBIT A

### FINDINGS

#### Introduction

Pursuant to the California Environmental Quality Act (Public Resources Code Section 21000)(CEQA) and Section 15153 of the CEQA Guidelines, the City has concluded that the Del Paso Road PUD Negative Declaration(P95-028), the Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration (P95-096), the Arena Corporate Center Negative Declaration (P94-089), and the Natomas Crossing PUD (P96-082) Negative Declaration adequately describes the environmental effects of the Proposed Project (construction of detention basin 5). The proposed project reflects the program facilities identified in the North Natomas Comprehensive Drainage Plan and analyzed in the North Natomas Comprehensive Drainage Plan Environmental Impact Report (SCH #96042030), certified on May 20, 1997, and reflects the land use plan for the Del Paso Road Planned Unit Development (P95-028), Office Building on Parcel #6 - Del Paso Road PUD (P95-096) and the Arena Corporate Center (P94-089) projects, approved on August 29, 1995 and the Natomas Crossing Planned Unit Development (P96-082) project, approved on June 24, 1997 and incorporates the mitigation measures that have been identified in these prior project approvals. Therefore, the City of Sacramento has prepared an Addendum to adopted Negative Declarations to address the project specific environmental effects of the construction of the detention basin. This Addendum to the Negative Declarations provides: (1) a description of the Proposed Project, (2) an update of the environmental analysis and mitigation measures identified by the City and proposed for the proposed project, and (3) an evaluation of the environmental effects of the Proposed Project.

#### Relationship of the Proposed Project to the North Natomas Comprehensive Drainage Plan EIR

The EIR comprehensively evaluates the impacts of the construction of certain parts of the Comprehensive Drainage Plan and the impacts of certain program features of the plan, including the construction of detention basins, drainage trunk lines, and pump stations and thus serves as both a project specific and a programmatic document. The EIR concludes that the Drainage Plan will result in significant impacts to wildlife and water quality, but that mitigation measures are available to reduce these impacts to less-than-significant levels. In addition, the EIR concludes that the construction of the drainage plan may result in significant and unavoidable impacts to cultural resources, but that site specific surveys will verify whether mitigation measures will reduce each specific component's impact to less-than-significant levels. In the case of Detention Basin 5, site specific research included in the Del Paso Road Planned Unit Development, Office Building on Parcel #6 - Del Paso Road PUD, the Arena Corporate Center, and the Natomas Crossing Planned Unit Development Negative Declarations and Addendum indicates that the mitigation incorporated into the Negative Declarations and EIR will reduce this impact to less-than-significant levels.

The Addendum to the Negative Declarations addressing Detention Basin 5 concludes that the impacts likely to result from the Proposed Project are well within the scope of the analysis contained in the Negative Declarations. Thus, no supplemental or subsequent environmental documentation is required. By reviewing all available site specific information and by incorporating all applicable mitigation measures as identified in the Negative Declarations and the EIR, the Proposed Project will reduce the extent of potential impacts, including air quality, flooding, wildlife, water quality and cultural resources impacts to less-than-significant levels. Therefore, no new findings with respect to the impacts of the Proposed Project are warranted.



Decision not to Prepare Subsequent Negative Declaration / Conclusion

CEQA Section 15162 requires the preparation of a Subsequent Negative Declaration when substantial changes to a project will require revisions to a previous Negative Declaration due to involvement of new significant environmental effects, a substantial increase in the severity of previously identified environmental effects, or new information shows any of these conditions, including the identification of new mitigation measures or alternatives which would substantially lessen previously identified environmental effects, but project proponents decline to adopt them. Under the proposed project, the City will adopt a drainage agreement as specified by Mitigation Measure #2 of the Natomas Crossing Planned Unit Development Negative Declaration to regulate the manner of construction of the detention basin and will include all required mitigation measures as identified in the Negative Declarations and the EIR.

With adoption of the Negative Declarations and EIR, the City found that a significant impact would result regarding potential effects to cultural resources. The proposed project will not result in increased impacts or greater impacts than those identified in the Negative Declarations or the EIR. The project will include all mitigation required for projects developed as part of the PUD and the comprehensive drainage plan, will conform to the development plans approved for the Planned Unit Development, and will require implementation of physical measures to reduce all anticipated environmental effects as identified in the Negative Declarations and in the North Natomas Comprehensive Drainage Plan EIR.

Accordingly, the City Council hereby finds that the potential for the proposed Detention Basin 5 to result in increased environmental effects beyond those identified in the Negative Declarations and EIR is not substantial and is well within the scope of the Findings adopted in connection with the aforementioned Negative Declarations and the North Natomas Comprehensive Drainage Plan EIR.

**APPROVED**  
BY THE CITY COUNCIL

**SEP 15 1998**

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-471**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

ON DATE OF \_\_\_\_\_

**A RESOLUTION ADOPTING THE MITIGATION REPORTING PROGRAM FOR THE BASIN 5 COMMON DRAINAGE FACILITIES OF THE NORTH NATOMAS COMPREHENSIVE DRAINAGE PLAN**

WHEREAS, the City Council has certified the adequacy of the Negative Declarations for the Del Paso Road PUD Negative Declaration(P95-028), the Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration (P95-096), the Arena Corporate Center Negative Declaration (P94-089), and the Natomas Crossing PUD (P96-082) Negative Declaration, and of the Addendum to the Negative Declaration, and of the Final Environmental Impact Report prepared in connection with the construction of the North Natomas Comprehensive Drainage Plan, including Basin 5 common drainage facilities;

WHEREAS, a Mitigation Monitoring Plan was prepared and adopted for the Del Paso Road PUD Negative Declaration(P95-028, adopted August 29, 1995), the Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration (P95-096, adopted August 29, 1995), the Arena Corporate Center Negative Declaration (P94-089, adopted August 29, 1995), and the Natomas Crossing PUD (P96-082, adopted June 24, 1997) Negative Declarations and a Mitigation Reporting Plan has been prepared and adopted for the North Natomas Comprehensive Drainage Plan (adopted 5/20/97) which are designed to ensure compliance with the mitigation measures identified in the Del Paso Road PUD, the Office Building on Parcel #6 - Del Paso Road PUD, the Arena Corporate Center, and the Natomas Crossing PUD Negative Declarations and Addendum and in the EIR for the Comprehensive Drainage Plan applicable to construction of Basin 5 common drainage facilities (including, but not limited to, all mitigation measures listed in the Addendum to the adopted Negative Declarations; and North Natomas Comprehensive Drainage Plan Measures # 3-1, 3-2, 3-3, 3-4, 4-1, 4-2, 5-1, 5-2);

WHEREAS, the above-referenced Mitigation Monitoring Plan and Mitigation Reporting Plan are attached to this resolution and identify the mitigation measures required for the construction of the Basin 5 Common Drainage Facilities project.

THEREFORE BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

The City Council hereby adopts the attached Mitigation Monitoring Plan for the Del Paso Road PUD, the Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration, the Arena Corporate-Center Negative Declaration, and the Natomas Crossing PUD Negative Declaration and the Mitigation Reporting Program for the North Natomas Comprehensive Drainage Plan as the Mitigation Reporting Program for the Basin 5 common drainage facilities project to ensure compliance with all incorporated mitigation measures during project implementation.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**MITIGATION MONITORING PLAN  
FOR THE ADDENDUM TO THE ADOPTED NEGATIVE DECLARATIONS FOR  
DEL PASO ROAD PUD, ARENA CORPORATE CENTER, NATOMAS CROSSING PUD AND  
OFFICE BUILDING ON PARCEL #6 - DEL PASO ROAD PUD PROJECTS**

1. Prepare and implement erosion control and restoration plan (CDP EIR May 1997, Table 4-1).
2. Pay per-acre fees prescribed for loss of Swainson's hawk foraging habitat as indicated in the adopted habitat conservation plan (HCP) (CDP EIR May 1997, Table 4-1; Del Paso Road Master Parcel Map Negative Declaration, Mitigation Measure 3; Arena Corporate Center Master Parcel Map Negative Declaration, Mitigation Measure 3; Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration, Mitigation Measure 1; and Allegheny #1 PUD Mitigation Measure 5).
3. Protect the giant garter snake during construction and other ground disturbances (CDP EIR, May 1997, Table 4-1).
4. Stop work if subsurface cultural resources are encountered (CDP EIR, May 1997, Table 4-1; Del Paso Road Master Parcel Map Negative Declaration, Mitigation Measure 5; Arena Corporate Center Master Parcel Map Negative Declaration, Mitigation Measure 8; Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration, Mitigation Measure 9; and Allegheny #1 PUD Mitigation Measure 8).
5. Submit a plant/animal survey before any future development (Del Paso Road Master Parcel Map Negative Declaration, Mitigation Measure 4; Arena Corporate Center Master Parcel Map Negative Declaration, Mitigation Measure 4).
6. Comply with short-term construction mitigation to protect plant and animal species (Del Paso Road Master Parcel Map Negative Declaration, Mitigation Measure 5; Arena Corporate Center Master Parcel Map Negative Declaration, Mitigation Measure 5; and Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration, Mitigation Measure 2).
7. Participate in mosquito abatement program (Del Paso Road Master Parcel Map Negative Declaration, Mitigation Measure 7; Arena Corporate Center Master Parcel Map Negative Declaration, Mitigation Measure 7; Office Building on Parcel #6 - Del Paso Road PUD Negative Declaration, Mitigation Measure 4; and Allegheny #1 PUD Mitigation Measure 7).
8. Test for hazardous substances in basin sediments and, if necessary, basin sediments should be removed and disposed of properly (CDP EIR, May 1997, Table 4-1).

With the mitigation measures above, the proposed detention basin facilities would create no new significant environmental effects beyond what has been previously disclosed in the Del Paso Road Master Parcel Map, Arena Corporate Center Master Parcel Map, Office Building on Parcel #6 - Del Paso Road PUD, and Allegheny #1 PUD Negative Declarations and CDP EIR.

Full text of the mitigation monitoring plans are available at the Neighborhoods, Planning, and Development Services Department.

## **Chapter 4. Mitigation Monitoring and Reporting Program**

### **INTRODUCTION**

#### **Background**

Assembly Bill (AB) 3180, adopted January 31, 1989, as part of CEQA, requires a public agency to adopt a mitigation monitoring program when it approves a project that is subject to preparation of an EIR. The purpose of a monitoring program and reporting plan is to ensure that measures adopted to mitigate or avoid significant impacts are implemented.

To comply with AB 3180, the City Council of the City of Sacramento (City Council) has prepared this monitoring and reporting program to ensure that each mitigation measure adopted by the City Council is implemented.

#### **Plan Adoption Process**

The mitigation monitoring and reporting plan will be adopted by the City Council at the time the final EIR is certified. The City Council will also make findings explaining how it has addressed each significant impact identified in the EIR.

### **ROLES AND RESPONSIBILITIES**

As lead agency, the City of Sacramento Department of Utilities, Engineering Division (City), is responsible for implementing the monitoring program. As the monitoring agency, the City is responsible for ensuring full compliance with the provisions of the program. The City may delegate duties or responsibilities for monitoring to other city designees or departments, and some monitoring responsibilities may be assumed by other agencies. The City may also carry out its monitoring duties with the assistance of an outside consultant selected by the department.

Written documentation of the monitoring effort is a necessary and important part of the mitigation program. Documentation provides the City and the public with a written record of the mitigation program. It also provides an opportunity to review the success of the conditions applied to the project so that the City can refine the conditions as necessary to achieve the desired mitigation. All reports shall be available for public review.

## MITIGATION MONITORING AND REPORTING PROGRAM

Table 4-1 summarizes the mitigation monitoring program. This monitoring program contains a brief statement of each mitigation measure and recommendation included in the draft EIR, identifies the party responsible for implementing each mitigation measure and when the measure should be implemented. Refinements to details of the monitoring program, including the frequency of monitoring activities, may be made at the discretion of City staff. This table should be used by the City to track the phasing and implementation of mitigation measures and the timing of inspections.

Table 4-1. Mitigation Monitoring and Reporting Program for the North Natomas Comprehensive Drainage Plan, Levee Improvements, Canal Widening, and Additional Pumping Capacity

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance		
			Initials	Date	Remarks
3-1 Protect giant garter snakes during project construction	Before and during construction	City of Sacramento or RD1000			
3-2 Compensate for the loss of giant garter snake and waterbird habitat	Before construction	City of Sacramento or RD1000			
3-3 Compensate for the loss of Swainson's hawk foraging habitat	Before construction	City of Sacramento or RD1000			
3-4 Conduct surveys for and avoid nesting burrowing owls	Before and during construction	City of Sacramento or RD1000			
3-5 Remove cliff swallow nests before eggs are laid OR	Before construction	City of Sacramento or RD1000			
3-6 Avoid disturbing nesting cliff swallows and restrict cliff swallow nesting during construction	During construction	City of Sacramento or RD1000			
3-7 Compensate for loss of wooded riparian habitat according to the Natomas Basin HCP	Before construction	City of Sacramento or RD1000			
3-8 Avoid or compensate for loss of VELB habitat according to the requirements in the Natomas Basin HCP	Before and during construction	City of Sacramento or RD1000			
3-9 Conduct surveys for and avoid disturbance to Swainson's hawks	Before and during construction	City of Sacramento or RD1000			
3-10 Comply with California Department of Fish and Game's and Natomas Basin HCP's giant garter snake mitigation guidelines	Before, during, and after construction	City of Sacramento or RD1000			
4-1 Prepare and implement a detailed erosion control and restoration plan	Before and during construction	City of Sacramento or RD1000			
4-2 Basin sediments should be tested biennially for hazardous substances and, if necessary, basin sediments should be removed and disposed of properly	After construction	City of Sacramento or RD1000			

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	Verification of Compliance		
			Initials	Date	Remarks
4-3 Obtain an encroachment permit from the State Reclamation Board before beginning construction	Before construction	City of Sacramento or RD1000			
5-1 Prepare and implement a cultural resources inventory, significance evaluation, impact analysis, and mitigation plan	Before and during construction	City of Sacramento or RD1000			
5-2 Prepare and implement a plan for the unanticipated discovery of cultural resources	Before and during construction	City of Sacramento or RD1000			

**APPROVED**  
BY THE CITY COUNCIL

**SEP 15 1998**

OFFICE OF THE  
CITY CLERK

last  
**RESOLUTION NO. 98-472**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**RESOLUTION TO AUTHORIZING THE CITY MANAGER AND CITY CLERK TO WAIVE COMPETITIVE BIDDING AND EXECUTE A CONTRACT WITH KIEWIT PACIFIC FOR CONSTRUCTING COMMON DRAINAGE FACILITIES IN BASIN 5 OF NORTH NATOMAS (JN4825) FOR AN AMOUNT NOT TO EXCEED \$2,100,000.**

**BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:**

1. In the best interests of the City, competitive bidding is hereby suspended for the constructing the common drainage facilities in Basin 5 of North Natomas (JN4825). The City Manager and Clerk is authorized to execute an agreement with Kiewit Pacific Company. to cover the \$2.1 million construction cost that will be realized between September 1998, and November 1998, and to execute, after the bond revenues have been received, the full contract with Kiewit Pacific Company. The total construction cost is \$4,405,858.00.
2. Progress payments on the contract will be made from an advance in the Storm Drainage Fund up to an amount not to exceed \$700,000. The Department of Utilities will be reimbursed from either proceeds from the bond sale or from proceeds from the sale of the City's 100 acres, which ever occurs first.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_  
DATE ADOPTED: \_\_\_\_\_