



REPORT TO COUNCIL

City of Sacramento

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

Consent
September 28, 2010

Honorable Mayor and
Members of the City Council

Title: Willowcreek Fee District – Repayment of Funds

Location/Council District: Council District 1

Recommendation: Adopt a **Resolution:** 1) Approving the repayment from the New Traffic Signals Project (S15074300) to the Willowcreek Fee District Project (I22206000) in the amount of \$177,174 (\$150,000 Fund 2001 and \$27,174 Fund 2007).

Contact: Tim Mar, Supervising Engineer, 808-7531

Presenters: None

Department: Transportation

Division: Engineering Services

Organization No: 15001131

Description/Analysis

Issue: In 2004, the City constructed the West River Drive and Orchard Lane Traffic Roundabout using a \$150,000 contribution from the Willowcreek Fee District. Since then, staff with review and concurrence from the City Attorney's Office has determined that the \$150,000 should have been used instead to construct a traffic signal at the intersection to the north, at Barandas Drive and Orchard Lane.

When the Willowcreek Finance Plan/Nexus Study was completed in 1997, Barandas Drive and West River Drive had not yet been named and were referred to as Road A and Road B respectively. The Environmental Impact Report (EIR) required that a traffic signal be constructed at the intersection of Road A (now Barandas Drive) and River Plaza Drive (now Orchard Lane). The Willowcreek Finance Plan/Nexus Study stated that \$150,000 be set aside to construct the signal required in the EIR. The Willowcreek Finance Plan/Nexus Study however, incorrectly called for the new signal to be constructed at the intersection of Road B and River Plaza Drive.

The City Attorney's Office has reviewed all the documents and determined that funding in the Fee District was set aside for Barandas Drive/Orchard Lane and not West River Drive/Orchard Lane and that repayment of funds must be completed.

The amount of the repayment including interest is \$177,174 and will be paid back with local transportation funds by the New Traffic Signals Project (S15074300).

Policy Considerations: The repayment of funds to the Willowcreek Fee District is consistent with the use of funds prescribed in the formation of the District.

Environmental Considerations: Not Applicable

California Environmental Quality Act (CEQA): Not Applicable

Sustainability Considerations: Not Applicable

Other: None

Commission/Committee Action: None

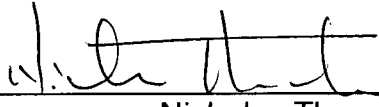
Rationale for Recommendation: The West River Drive and Orchard Lane Roundabout is not a listed project of the Willowcreek Fee District. The recommended repayment is consistent with the use of District funds.


Financial Considerations: On July 27, 2004, per City Council Resolution 2004-598 the Willowcreek Fee District Project (I22206000) transferred \$150,000 of Willowcreek Fee District Funds (Fund 3008) to the West River Drive and Orchard Lane Traffic Roundabout (PSCL_TC16).

It has been determined that the \$150,000 plus interest must be repaid to the Willow Creek District Project (I22206000). The amount of the repayment including interest is \$177,174.

Staff requests an interfund transfer in the amount of \$177,174 (\$150,000 Fund 2001 and \$27,174 Fund 2007) from the New Traffic Signals Project (S15074300) to the Willowcreek Fee District Project (I22206000) to repay the Willowcreek Fee District Funds (Fund 3008).

Emerging Small Business Development (ESBD): Not applicable as no goods or services are being purchased.

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
Jerry Way
Director of Transportation

Recommendation Approved:

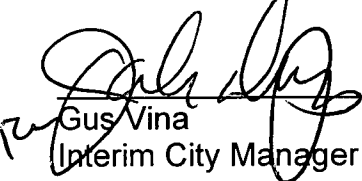

Gus Vina
Interim City Manager

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Attachment 1**Background Information:**

In 2004, the City constructed the West River Drive and Orchard Lane Traffic Roundabout using a \$150,000 contribution for a traffic signal from the Willowcreek Fee District. Since then, staff with concurrence from the City Attorney's Office has determined that the \$150,000 should have been used instead to construct a traffic signal at the intersection of Barandas Drive and Orchard Lane.

When the Willowcreek Finance Plan/Nexus Study was completed in 1997, Barandas Drive and West River Drive had not yet been named and were referred to as Road A and Road B respectively. The Environmental Impact Report (EIR) required that a traffic signal be constructed at the intersection of Road A (now Barandas Drive) and River Plaza Drive (now Orchard Lane). The Willowcreek Finance Plan/Nexus Study stated in the Appendix that \$150,000 be set aside to construct the signal required in the EIR. The confusion and problem lays with an introductory statement in the Willowcreek Finance Plan/Nexus Study which states that funding be for a signal at the intersection of Road B (now West River Drive) and River Plaza Drive (now Orchard Lane).

The City Attorney's Office has reviewed all the documents and determined that funding was set aside for the Barandas Drive/Orchard Lane and not West River Drive/Orchard Lane and that repayment of funds be completed. The amount of the repayment including interest is \$177,174 and will be paid back with local transportation funds within the New Traffic Signals Project (S15074300).

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

WILLOWCREEK FEE DISTRICT – REPAYMENT OF FUNDS

BACKGROUND

- A. In 2004, the City constructed the West River Drive and Orchard Lane Traffic Roundabout using a \$150,000 contribution for a traffic signal from the Willowcreek Fee District. Since then, staff with concurrence from the City Attorney’s Office has determined that the \$150,000 should have been used instead to construct a traffic signal at the intersection of Barandas Drive and Orchard Lane.
- B. When the Willowcreek Finance Plan/Nexus Study was completed in 1997, Barandas Drive and West River Drive had not yet been named and were referred to as Road A and Road B respectively. The Environmental Impact Report (EIR) required that a traffic signal be constructed at the intersection of Road A (now Barandas Drive) and River Plaza Drive (now Orchard Lane). The Willowcreek Finance Plan/Nexus Study stated that \$150,000 be set aside to construct the signal required in the EIR. The Willowcreek Finance Plan/Nexus Study however, incorrectly called for the new signal to be constructed at the intersection of Road B and River Plaza Drive.
- C. The City Attorney’s Office has reviewed all the documents and determined that funding in the Fee District was set aside for the Barandas Drive/Orchard Lane and not West River Drive/Orchard Lane and that repayment of funds must be completed. The amount of the repayment including interest is \$177,174 and will be paid back with local transportation funds within the New Traffic Signals Project (S15074300).

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

- Section 1. The FY10/11 Capital Improvement Program is amended by approving the repayment of Willowcreek Fee District Funds (Fund 3008) by an interfund transfer from the New Traffic Signals Project (S15074300) to the Willowcreek Fee District Project (I22206000) in the amount of \$177,174 (\$150,000 Fund 2001 and \$27,174 Fund 2007).