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DEPARTMENT  
OF UTILITIES

CITY OF SACRAMENTO  
CALIFORNIA

1395 35<sup>th</sup> AVENUE  
SACRAMENTO, CA  
95822-2911

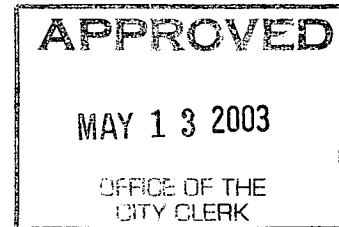
ENGINEERING  
SERVICES DIVISION

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April 17, 2003

City Council  
Sacramento, California

AG 2003 - 084



Honorable Members in Session:

**SUBJECT: HOUSTON ESTATES DETENTION BASIN LAND ACQUISITION (PN: WJ76);  
RATIFICATION OF THE NEGATIVE DECLARATION, ADOPTION OF THE  
MITIGATION REPORTING PLAN, AND AUTHORIZATION OF FEE SIMPLE LAND  
ACQUISITION**

**LOCATION AND COUNCIL DISTRICT:**

The subject detention basin is located in Council District 8. See vicinity map (Attachment 1).

**RECOMMENDATION:**

Staff recommends that City Council ratify the project Negative Declaration, adopt the mitigation reporting plan, and authorize the City Manager and the City Clerk to execute an Acquisition Agreement with Sycamore Ventures, LLC, to purchase the land as necessary for the project.

**CONTACT PERSON:** David L. Brent, Engineering Services Manager, 264-1420  
Andy Hunt, Supervising Engineer, 264-1408

**FOR THE COUNCIL MEETING OF:** May 13, 2003

**SUMMARY:**

Two Capital Improvement Projects (CIP's WJ76 & WJ96) pertain to the planned detention basin: the more general one, for land acquisition, is PN:WJ76, and the one for construction and improvements of the Houston Estates Detention Basin is PN:WJ96. Land acquisition for several different detention basins around the City are included in PN:WJ76. The Houston Estates



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property, however, is the only one currently ready to be acquired, and thus is the sole subject of this report to Council.

**COMMITTEE/COMMISSION ACTION:** None.

**BACKGROUND INFORMATION:**

This detention basin is a CIP project that has been proposed by the Department of Utilities to address flooding problems in the Sump 33 watershed. The Sump 33 pumping plant, located approximately  $\frac{5}{8}$  mile southwest from the subject property, lifts drainage up into the Freeport Drainage Canal. The Drainage Canal flows to the Sump 34 pumping plant, which discharges to the Sacramento River.

Areas within the Sump 33 watershed have experienced repeated localized flooding due to capacity limitations of the drainage facilities. The proposed detention basin would temporarily store runoff during peak storm events, thus helping to reduce localized flooding. At present, the site is a vacant 5.38-acre parcel. It is very near to sites previously identified for detention in studies and Storm Drainage Master Plans for the Sump 33/Sump 34 area dating back to at least June of 1991. Several of the other potential sites have been lost due to subsequent development. Sycamore Ventures, LLC, was in the early stages of development permitting when City staff entered into negotiations to acquire the subject site.

The proposed acquisition is for a joint use detention basin and neighborhood park. When completed, the detention basin will encompass approximately 5 acres of a 5.38 acre site, and will provide temporary storage for up to 30 acre-feet of stormwater. Detained water will be automatically released back into the storm drain system as the storm subsides. The basin will be constructed so as to facilitate the eventual use of the area as an active use park. Though the Park's Department doesn't have a specific plan for the park improvements, Utilities will grade the site so as to facilitate construction of baseball fields and other park amenities.

An agreement has been reached with Sycamore Ventures, LLC, wherein the City of Sacramento, Department of Utilities, will purchase the 5.38 acre parcel to construct the joint-use detention basin. The vacant parcel, identified as APN: 048-0012-001, is located north of Casa Linda Drive and west of 24<sup>th</sup> Street in the Airport-Meadowview Community Plan area (see Attachment 1). The negotiated purchase price, based on an appraisal of the fair market value of fee simple interest, is \$520,000.

A project Initial Study was prepared in 2002, then circulated for public review in accordance with CEQA requirements. Public comments have been reviewed and responded to by City staff, and ratification of the Negative Declaration is considered appropriate for this project. Ratification of the Negative Declaration and adoption of the Mitigation Reporting Plan will allow a Notice of Determination (NOD) to be filed with the County Clerk.

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**FINANCIAL CONSIDERATIONS:**

As of April 14, 2003, the unobligated balance of funds available in the Detention Basin Land Acquisition CIP (425-500-WJ76) is \$873,120. There are sufficient funds available to acquire the property.

**ENVIRONMENTAL CONSIDERATIONS:**

City of Sacramento Environmental Planning Services staff have determined that the subject project, as proposed, will not have a significant impact to the environment. A Mitigated Negative Declaration was prepared, and was available for public review from May 30, 2002 thru June 18, 2002. No comments were received during the public review period.

In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, the City has incorporated mandatory mitigation measures into the project to avoid identified impacts or to mitigate such impacts during construction to a point where no significant impacts will occur. These mitigation measures are included in Attachment 2 (Mitigation Reporting Plan). Attachment 2 addresses impacts to air quality, hazards, noise, and cultural resources.

Staff recommends that the City Council ratify the Mitigated Negative Declaration and adopt the Mitigation Reporting Plan for the subject project.

**POLICY CONSIDERATIONS:**

This project is consistent with the City's Strategic Plan Goals of enhancing and preserving neighborhoods and supporting economic vitality of the area.

**ESBD CONSIDERATIONS:** None.

Respectfully submitted,



David L. Brent  
Engineering Services Manager

RECOMMENDATION APPROVED:



Robert P. Thomas  
City Manager

APPROVED:

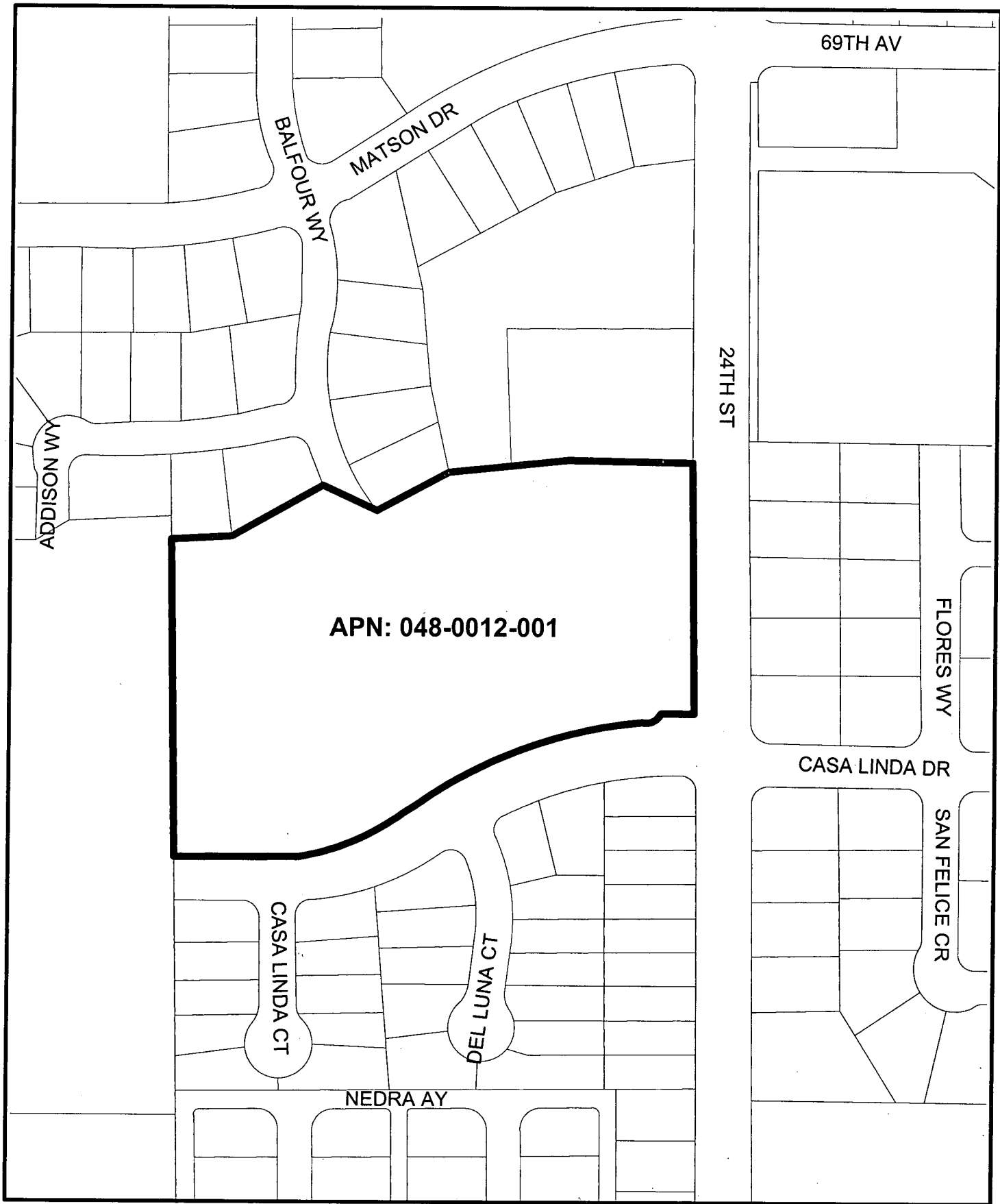


Gary A. Reents  
Director of Utilities

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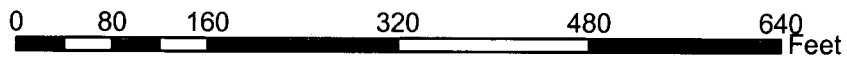
- (1) Vicinity Map (Attachment 1) - pg. 4
- (2) Mitigation Reporting Plan (Attachment 2) -pg's. 5 thru 13
- (3) Resolution (2 pages) - pg. 14

# Attachment 1



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## Houston Estates Detention Basin



## **Attachment 2**

### ***Mitigation Reporting Plan***

## Land Acquisition/Houston Estates Detention Basin Mitigation Reporting Plan

In January 1989, Assembly Bill 3180 went into effect requiring the City to monitor all mitigation measures included in this Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento Department of Utilities in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Reporting Plan is being prepared by the Planning and Building, Environmental Planning Services, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-5375, pursuant to the California Environmental Quality Guidelines, Section 21081.

The Department of Utilities will submit its completed Reporting Plan to the Environmental Planning Services for inclusion in the annual report to the City Council.

**Project Number:** CIP #WJ76

**Project Name:** Land Acquisition/Houston Estates Detention Basin

**Project Location:** The project is located north of Casa Linda Drive and west of 24<sup>th</sup> Street in the Airport-Meadowview Community Plan area of the City of Sacramento. The project is situated on APN 048-0012-001.

**Project Description:** The City of Sacramento, Department of Utilities proposes to construct an approximate five acre joint-use detention basin on APN 048-0012-001. The project site is located north of Casa Linda Drive and west of 24<sup>th</sup> Street. The detention basin will be approximately six to ten feet deep and will store up to 30 acre-feet of storm water. Other improvements include a Little League baseball field, slowpitch softball field, a volleyball court, landscaping, fenced play area, picnic area, a bench, and a paved pathway surrounding the site. The primary purpose of the project is to alleviate local flooding in adjacent streets. A secondary purpose of the project is to provide recreation for the neighborhood.

**MITIGATION REPORTING PROGRAM CHECKLIST FOR THE LAND ACQUISITION/HOUSTON ESTATES DETENTION  
BASIN NEGATIVE DECLARATION (CIP# WJ76)**

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
<b>AIR QUALITY</b>					
1. Water exposed soil with adequate frequency to keep soil moist at all times.	During construction	Dept. of Utilities and Contractor			
2. Cover load of haul/dump trucks securely.	During construction	Dept. of Utilities and Contractor			
3. Construction activities shall comply with Sacramento Metropolitan Air Quality Management District rule 405 on dust and condensed fumes, so that emissions do not exceed hourly levels as regulated per processing weight.	During construction	Dept. of Utilities and Contractor			
4. The Contractor shall follow the Sacramento Metropolitan Air Quality Management District's Fugitive Dust 403 Rule in order to ensure that dust is reduced to a level of less-than-significant.	During construction	Dept. of Utilities and Contractor			
5. Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions and odors and increase fuel efficiency.	During construction	Dept. of Utilities and Contractor			
6. Equipment idling shall be kept to a minimum when equipment is not in use. No piece of equipment shall be left to idle in one place for more than 30 minutes.	During construction	Dept. of Utilities and Contractor			
7. Enclose, cover or water twice daily all soil piles.	During construction	Dept. of Utilities and Contractor			
8. Water all haul roads twice daily.	During construction	Dept. of Utilities and Contractor			

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Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
AIR QUALITY (continued from previous page)					
9. The prime contractor shall provide a plan for approval by the City of Sacramento demonstrating that replacement heavy-duty (>50 horsepower) off-road vehicles to be used in the mining of the project and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average.	Prior to construction	Dept. of Utilities and Contractor			
10. The prime contractor shall submit to the City of Sacramento a comprehensive inventory of all off-road equipment used in the mining operation, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction period. The inventory shall be updated and submitted monthly throughout the duration of the construction period, except that an inventory shall not be required for any 30-day period in which no activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the prime contractor shall provide SMAQMD with the anticipated mining activity timeline including start date, and name and phone number of the project manager and on-site foreman.	During construction	Dept. of Utilities and Contractor			



Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
AIR QUALITY (continued from previous page)					
11. The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Sacramento shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall superceded other SMAQMD or state rules or regulations.	During construction	Dept. of Utilities and Contractor			
12. All heavy-duty diesel-powered off-road construction equipment used for excavation and grading of the project site shall have reduced emission engines.	During construction	Dept. of Utilities and Contractor			

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
<b>HAZARDS</b>					
1. Construction contractor shall follow all necessary precautions, according to the California Health and Safety Codes, to prevent any spill of a toxic or hazardous substance, which includes preparation of a spill prevention plan to maintain safety of the drainage waterways. The construction contractor shall ensure proper labeling, storage, handling, and use of hazardous materials in accordance with best management practices and Occupational Safety and Health Administration's HAZWOPER requirements.	Before, during, and after construction	Dept. of Utilities and Contractor			
2. Strict on-site handling rules shall be implemented to minimize spills and keep potentially contaminated materials out of the drainage waterways.	Before, during, and after construction	Dept. of Utilities and Contractor			
3. Wastes and petroleum products used during construction shall be collected and removed from the project site in accordance with the Resource Conservation and Recovery Act regulations and Fed/OSHA standards.	During and after construction	Dept. of Utilities and Contractor			
4. If contaminated soil and/or groundwater is encountered or if suspected contamination is encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. A qualified professional, in consultation with the appropriate federal, state, and/or local regulatory agencies shall then develop an appropriate method to remediate the contamination.	During construction	Dept. of Utilities and Contractor			
5. The construction contractor shall ensure that employees are properly trained in the use of handling of these materials and that each material is accompanied by a material safety data sheet.	Before construction	Dept. of Utilities and Contractor			

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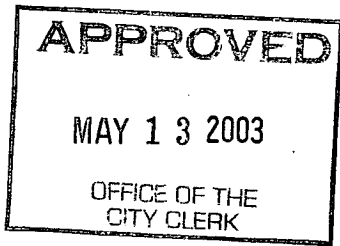
Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
HAZARDS (continued from previous page)					
6. All reserve fuel supplies and hazardous materials shall be stored on pallets within fenced and secured construction areas and protected from exposure to weather. Incompatible materials shall be stored separately, as appropriate.	During construction	Dept. of Utilities and Contractor			
7. Equipment refueling and maintenance shall take place only within staging areas.	During construction	Dept. of Utilities and Contractor			

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks
NOISE					
1. Equipment shall have sound-control devices no less effective than those provided on the original equipment.	Prior and during construction	Dept. of Utilities and Contractor			
2. Equipment shall have muffled exhausts.	Prior and during construction	Dept. of Utilities and Contractor			

Mitigation Measure	Reporting Milestone	Reporting/Responsible Party	VERIFICATION OF COMPLIANCE		
			Initials	Date	Remarks

**CULTURAL RESOURCES**

<p>1. If subsurface archaeological or historical remains are discovered during construction, work in the area shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.</p>	<p>During construction</p>	<p>Dept. of Utilities and Contractor</p>			
<p>2. If human burials are encountered, all work in the area shall stop immediately and the Sacramento County Coroner's office shall be notified immediately. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA Section 15064.5); Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and 5097.98.</p>	<p>During construction</p>	<p>Dept. of Utilities and Contractor</p>			



**RESOLUTION NO. 2003-284**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**RESOLUTION RATIFYING THE PROJECT NEGATIVE DECLARATION, ADOPTING THE MITIGATION REPORTING PLAN, AND AUTHORIZING EXECUTION OF THE AGREEMENT FOR ACQUISITION OF REAL PROPERTY IN FEE FOR HOUSTON ESTATES DETENTION BASIN, APN: 048-0012-001, NEAR CASA LINDA DRIVE AND 24<sup>TH</sup> STREET (PN:WJ76)**

**WHEREAS**, the City of Sacramento has determined the need for the Houston Estates Detention Basin, hereinafter called the "Project", and has conditionally included the Project in the City of Sacramento Capital Improvement Program, and

**WHEREAS**, the City of Sacramento has conducted an initial study to determine if the Project may have a significant effect on the environment, and

**WHEREAS**, the Initial Study concluded that the Project will not cause any significant adverse effects on the environment, and a Mitigated Negative Declaration was therefore prepared for the Project, and

**WHEREAS**, a Mitigation Reporting Plan was prepared for ensuring compliance and implementation of the mitigation measures as prescribed in the Initial Study, and

**WHEREAS**, the Initial Study and proposed Mitigated Negative Declaration were circulated for public review in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15073, and

**WHEREAS**, the City of Sacramento has negotiated in good faith with the land owner for fee simple interest in the land required for the project,

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL THAT:**

1. The City Council hereby ratifies the Mitigated Negative Declaration prepared for the Project, finding on the basis of the Initial Study that there is no substantial evidence that the Project, including the identified mitigation measures, will have any significant effect on the environment.

**FOR CITY CLERK USE ONLY**

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

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

2. The City Council hereby approves and adopts the Mitigation Reporting Plan prepared for the Project, to ensure compliance with identified mitigation measures during Project implementation.
3. The City Manager is hereby authorized and directed to execute an Agreement for Acquisition of Real Property in Fee with Sycamore Ventures, LLC, for the fee simple interest in APN: 048-0012-001, which Agreement is on file with the City Clerk.
4. The City Manager is hereby authorized to execute such additional documents and to take such additional actions as necessary to implement the Agreement.

\_\_\_\_\_  
MAYOR

ATTEST:

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

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**FOR CITY CLERK USE ONLY**

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

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