



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
October 27, 2009

Honorable Mayor and
Members of the City Council

Title: Agreement: Robert T. Matsui Waterfront Park

Location/Council District: Between Jibboom Street and the Sacramento River /
Council District 1

Recommendation: Adopt a **Resolution:** 1) authorizing the City Manager or City Manager's designee to execute an agreement, and any amendments thereto, with the Sacramento Museum of History, Science and Technology for park planning and development services related to the Robert T. Matsui Waterfront Park; 2) establishing a new Capital Improvement Program (CIP) project (L19911002) for associated City staff costs related to the preparation of an amendment to the Robert T. Matsui Waterfront Park Master Plan; 3) accepting payment of up to \$12,795 from Sacramento Museum of History, Science and Technology pursuant to the agreement to be deposited into Fund 3702; and 4) appropriating up to \$12,795 from Fund 3702 to CIP L19911002.

Contact: Mary de Beauvieres, Principal Planner, 808-8722;
J.P. Tindell, Park Planning and Development Manager, 808-1955

Presenters: Not applicable

Department: Parks and Recreation

Division: Park Planning & Development Services

Organization No: 19001121

Description/Analysis

Issue: Robert T. Matsui Waterfront Park is an 8.0 acre park located between Jibboom Street and the Sacramento River, overlooking the City's Sacramento River Intake Facility. Development of the southern area of the park was completed in 2007; the northern area of the park situated around the former Jibboom Street Pacific Gas and Electric (PG&E) Power Station, remains undeveloped.

In June 2007, the City entered into an Exclusive Right to Negotiate (ERN) Agreement with the Sacramento Museum of History, Science and Technology (SMHST) for the Jibboom Street Power Station Site. The SMHST is proposing to develop the former PG&E Power Station and the undeveloped northern portion of the park as a science center, planetarium and restaurant to enliven the Sacramento riverfront and provide an exciting new state-of-the-art educational center for the region's youth. The SMHST has developed a concept plan for the site and has been working with Economic Development Department staff under the terms of the existing ERN Agreement.

Because the Robert T. Matsui Waterfront Park Master Plan was adopted prior to the City's ERN Agreement with SMHST, the Master Plan must be amended before the SMHST proposal could be implemented. In order to complete the work necessary to amend the master plan, staff is recommending that Council approve an agreement with SMHST to allow the City to receive payment from SMHST for the Park Planning and Development Services Division estimated staff costs of \$12,795. The funds will be placed in the City's CIP Reimbursable Fund, Fund 3702.

A summary of the Robert T. Matsui Waterfront Park project history is included as Attachment 1 (page 5) and a location map as Attachment 2 (page 6).

Policy Considerations: As stated in City Council Resolution No. 2009-406, Section 10.2, City Council approval is required to establish CIP projects.

Any significant development in a City park must be consistent with that park's adopted master plan. Because the SMHST proposal to construct a science center, planetarium and restaurant in Robert T. Matsui Waterfront Park entails new improvements not contemplated when the park master plan was adopted in 2005, an amendment to the park master plan is necessary.

City staff is supportive of the SMHST proposal, but significant staff time is necessary to prepare the amended park master plan for City consideration and adoption. The action recommended in this report will allow the City to be compensated for providing staff services that would not otherwise be undertaken at this time. SMHST has agreed to pay for the associated staff costs needed to amend the park master plan. The City Council retains contracting authority over the provision of staff services.

Environmental Considerations:

California Environmental Quality Act (CEQA): The action of approving an agreement with the SMHST to allow the City to recoup staff costs associated with the review and approval of an amendment to the park's master plan

does not have the potential for causing a significant effect on the environment and is therefore exempt under CEQA Guidelines, Categorical Exemption Section 15061(b)(3), of the California Environmental Quality Act. However, any subsequent actions for implementing the plan will require subsequent CEQA review.

Sustainability Considerations: The agreement with SMHST has been reviewed for consistency with the goals, policies and targets of the City Sustainability Master Plan (SMP) and the Parks and Recreation Sustainability Plan (PRSP). If approved, the recommended actions will advance the goals, policies, and targets of these plans by allowing for improved public access to parks and open space, particularly along the Sacramento River.

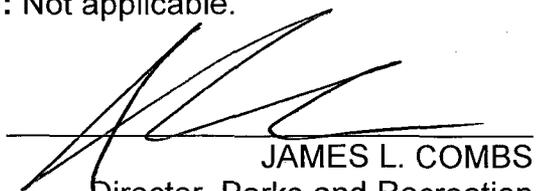
Committee/Commission Action: Not applicable.

Rationale for Recommendation: The agreement with SMHST will allow the City to recoup its staff costs associated with the review and approval of a master plan amendment for Robert T. Matsui Waterfront Park to allow possible development of the Powerhouse Science Center. Because the master plan for the park was completed in 2005, City staff would not be processing a master plan amendment for this park at this time, were it not for the SMHST proposal.

Financial Considerations: The Sacramento Museum of History, Science and Technology will provide a total of \$12,795, which is the amount estimated to cover staff costs associated with the review and approval of a master plan amendment for Robert T. Matsui Waterfront Park, and the review of construction drawings and inspections related to construction of park improvements. The first payment of \$5,000 will be used to establish a new Capital Improvement Program project (L19911002) for the associated City costs. When the balance of the initial deposit has been spent, City staff will request the remainder of the total be provided. Any funds remaining in the CIP upon completion of development of the park improvements will be returned to the SMHST.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by:


JAMES L. COMBS
Director, Parks and Recreation

Recommendation Approved:


RAY KERRIDGE
City Manager

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Attachment 1

Background Information

On March 22, 2005, the City Council adopted Resolution 2005-180, approving the Jibboom Street Park Master Plan. (The park was renamed Robert T. Matsui Waterfront Park in 2008). The Resolution also authorized City staff to seek a qualified developer for development of a 'destination attraction' at the historic powerhouse building based upon the following principles: a) the project must ensure public access to the Sacramento River; b) preference will be given to projects that do not require public funds or have a limited need for public funding; and c) preference will be given to projects that do not use space beyond the powerhouse building's footprint.

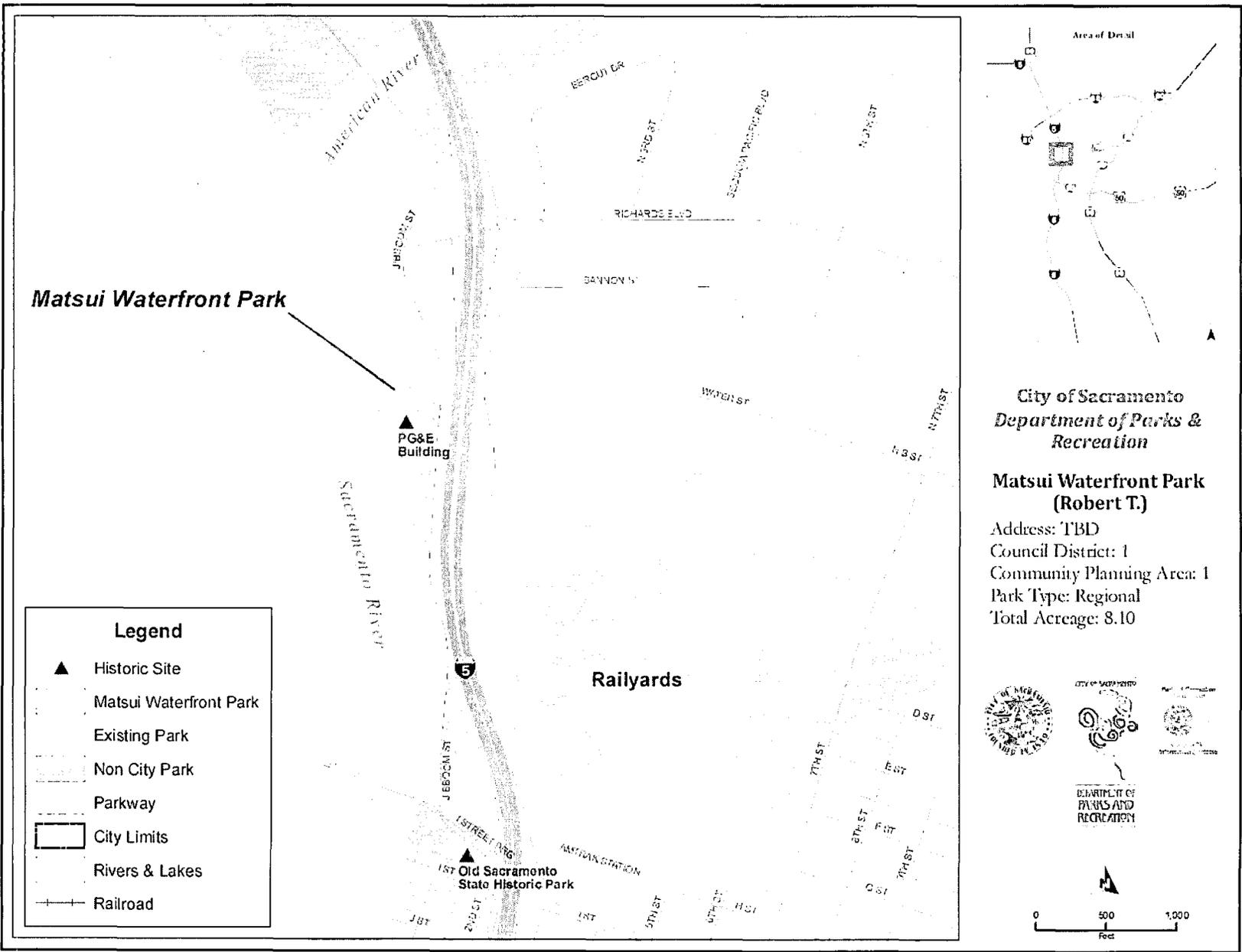
In June 2005, the City circulated a request for proposals for redevelopment of the Jibboom Street Power Station. Five proposals were received and the top proposal was selected by City Council in February 2006. Shortly thereafter, that developer withdrew its proposal.

On June 20, 2006, the City Council authorized the development of Phase I park improvements affecting the southern half of Jibboom Street Park. The improvements included landscaping, benches, walkways, a drinking fountain, and an interactive water feature. The park development was completed in early 2007.

In June 2007, the City entered into an Exclusive Right to Negotiate (ERN) Agreement with the Sacramento Museum of History, Science and Technology for redevelopment of the Jibboom Street Pacific Gas and Electric Power Station into a science and space museum with an adjacent restaurant and parking structure. In order to implement the SMHST proposal, the park master plan must first be amended. Were it not for the SMHST proposal, City staff would not be amending the park master plan at this time. Therefore, SMHST has been asked to pay for the staff costs associated with Park Planning and Development Services review and approval of the amended master plan and subsequent construction drawings and inspections.

Any unspent funds will be returned to SMHST upon completion of the project.

Attachment 2



RESOLUTION NO. 2009-

Adopted by the Sacramento City Council

October 27, 2009

ESTABLISHING ROBERT T. MATSUI WATERFRONT PARK CAPITAL IMPROVEMENT PROGRAM AND APPROVING THE PARK PLANNING AND DEVELOPMENT SERVICES AGREEMENT

BACKGROUND

- A. Robert T. Matsui Waterfront Park is an 8.0 acre regional park located along the Sacramento Riverfront at the City's water intake facility.
- B. On March 22, 2005, the City Council adopted Resolution 2005-180, approving a master plan, mitigated negative declaration and mitigation monitoring plan for Jibboom Street Park; and authorizing staff to seek a qualified developer for development of a 'destination attraction' at the historic powerhouse building in the park while ensuring the project preserves public access to the Sacramento River.
- C. On June 20, 2006, the City Council adopted Resolution 2006-449, awarding a construction contract to develop Phase I of the Jibboom Street Park. Improvements included landscaping, benches, walkways, a drinking fountain, and an interactive water feature. The park development was completed in 2007.
- D. On February 26, 2008, the City Council adopted Resolution 2008-113 to rename Jibboom Street Park and the Sacramento River Intake Facility as the Robert T. Matsui Waterfront Park in honor of the late City Councilman and Congressman Robert T. Matsui.
- E. The Sacramento Museum of History, Science and Technology (SMHST) proposes to develop a destination attraction science center, planetarium and restaurant on the undeveloped portion of Robert T. Matsui Waterfront Park, including adaptive reuse of the historic former Pacific Gas and Electric Powerhouse. Pursuant to City Agreement 2007-0632, City has entered into an Exclusive Right to Negotiate Agreement with SMHST for use of the site. Before the proposal may be considered by the City Council, the park master plan must be amended.
- F. The SMHST has agreed to pay for the Park Planning and Development Services Division staff costs associated with amending the master plan for the Robert T.

Matsui Waterfront Park, recognizing that the park master plan would not need to be amended at this time were it not for the SMHST proposal.

- G. As stated in City Council Resolution No. 2009-406, Section 10.2, City Council approval is required to establish CIP projects.

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

- Section 1. The City Manager or City Manager's designee is authorized to execute an agreement, and any amendments thereto, with the Sacramento Museum of History, Science and Technology for park planning and development services related to the Robert T. Matsui Waterfront Park.
- Section 2. A new Capital Improvement Program (CIP) project is established for associated City costs related to the preparation of an amendment to the Robert T. Matsui Waterfront Park Master Plan as L19911002.
- Section 3. Payment of up to \$12,795 from Sacramento Museum of History, Science and Technology is accepted and shall be deposited into Fund 3702, the CIP Reimbursable Fund.
- Section 4. That up to \$12,795 is appropriated from Fund 3702 for L19911002.