

APPROVED
BY THE CITY COUNCIL

APR 27 1999

OFFICE OF THE
CITY CLERK



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DEPARTMENT OF
UTILITIES
ENGINEERING SERVICES

CITY OF SACRAMENTO
CALIFORNIA

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April 12, 1999

AG99-078

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: ADOPTION OF THE DRAINAGE AGREEMENT FOR THE CONSTRUCTION OF
THE NORTH NATOMAS BASIN 8c COMMON DRAINAGE FACILITIES**

LOCATION AND COUNCIL DISTRICT:

The North Natomas Basin 8c Common Drainage Facilities covered by this drainage agreement include only the Basin 8c common facilities that are part of the Gateway West-North Development (Attached Map). District 1

RECOMMENDATION:

Staff recommends that the City Council take the following actions:

- Authorize the City Manager and City Clerk to execute the drainage agreement between the City of Sacramento and Marchbrook Building Company, requiring Marchbrook Building Company to design, finance and construct all facilities required for drainage pursuant to the North Natomas Comprehensive Drainage Plan.

CONTACT PERSON: Gary A. Reents, Engineering Services Manager, 264-1433
Andrew A. Hunt, Senior Engineer, 264-1408

FOR COUNCIL MEETING OF: April 27, 1999

SUMMARY

On May 3, 1994, the City Council approved the revised North Natomas Community Plan and certified the Supplemental EIR. On May 20, 1997, the City Council approved the North Natomas Comprehensive Drainage Plan for North Natomas and certified the project EIR. On August 18, 1998, the City Council approved the then named Gateway West - North (now called Gateway West-North) Planned Unit Development (P98-046) and ratified a Negative Declaration for the project. The Drainage Master Plan for Basin 8c has been accepted by the Department of Utilities, and the Drainage Agreement has been signed by the land owner. Staff recommends the City Council adopt the Drainage Agreement.

BACKGROUND INFORMATION

Basin 8c, one of the watersheds identified in the North Natomas Comprehensive Plan, is located in the North Natomas area west of Interstate 5. The proposed project will drain approximately 414 acres and is bounded on the south by Stadium Boulevard, on the west by El Centro Road, and on the east by Interstate 5. All runoff within the Basin 8c area will be collected in pipes and drain to the Gateway North Lake/Detention Basin and then into the West Drain Canal. The Basin 8c Common Drainage Facilities covered by this drainage agreement include the following improvements:

- Outfall weir structure to limit outflow from the lake to 42 cfs during storm events;
- Lake / Water Quality / Detention Basin to provide water quality and storm water detention for extreme rainfall events;
- Drainage Pipes to serve The Gateway North Development, the EC property and the Proposed Gateway West Apartments.

The North Natomas Comprehensive Drainage Plan identified the necessary drainage improvements required to remove the area within Basin 8c from the 100-year flood plain. The proposed Basin 8c improvements satisfy the requirements to meet this goal.

The Basin 8c common drainage improvements covered by this drainage agreement, will be designed, financed and constructed by Marchbrook Building Company. All improvements will be constructed in accordance with plans and specifications approved by the City Department of Utilities Department, and will be subject to normal inspection by the City.

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The drainage agreement is to ensure the provision of storm water drainage for the basin and is a requirement (Mitigation Measure 2) of the Mitigation Monitoring Plan. The agreement covers design and construction of the common drainage facilities associated with the Gateway West-North development, City review and inspection of the common drainage facilities, conveyance and dedication of the common drainage facilities to the City, and completion and acceptance of the common drainage facilities by the City. The drainage agreement also provides financial assurances that the drainage facilities will be completed.

FINANCIAL CONSIDERATIONS

Marchbrook Building Company has agreed to pay all costs associated with the design and construction of the Basin 8c common drainage facilities covered in this drainage agreement. There is no cost to the City.

ENVIRONMENTAL DETERMINATION

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 North Natomas Comprehensive Drainage Plan Environmental Impact Report (EIR), adopted in May 1997 and the Negative Declaration (Negative Declaration) for the Gateway West-North Project. The Gateway West-North project has not changed appreciably since the environmental document was approved therefore no further environmental document is required. The Negative Declaration adequately describes the environmental effects of the proposed detention basin construction.

The Negative Declaration identified that the construction and operation of the detention basin will result in potentially significant impacts to wildlife, water quality and cultural resources. Mitigation measures to reduce these impacts to less than significant levels are specified in the Negative Declaration and are incorporated into the attached Mitigation Reporting Program for the construction of the detention basin. This analysis concludes that the proposed drainage agreement and construction of the detention of the basin will not result in new impacts or greater levels of impact than those identified in the Gateway West-North Negative Declaration.

POLICY CONSIDERATIONS

The Drainage Agreement 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.

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ESBD CONSIDERATIONS

Not applicable since no goods or services are being purchased.

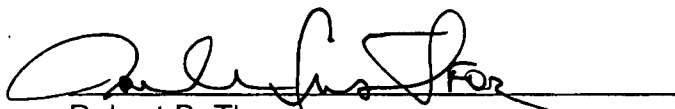
Respectfully submitted,



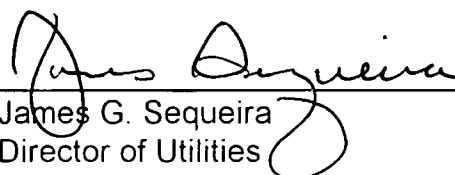
Gary A. Reents
Engineering Services Manager

RECOMMENDATION APPROVED:

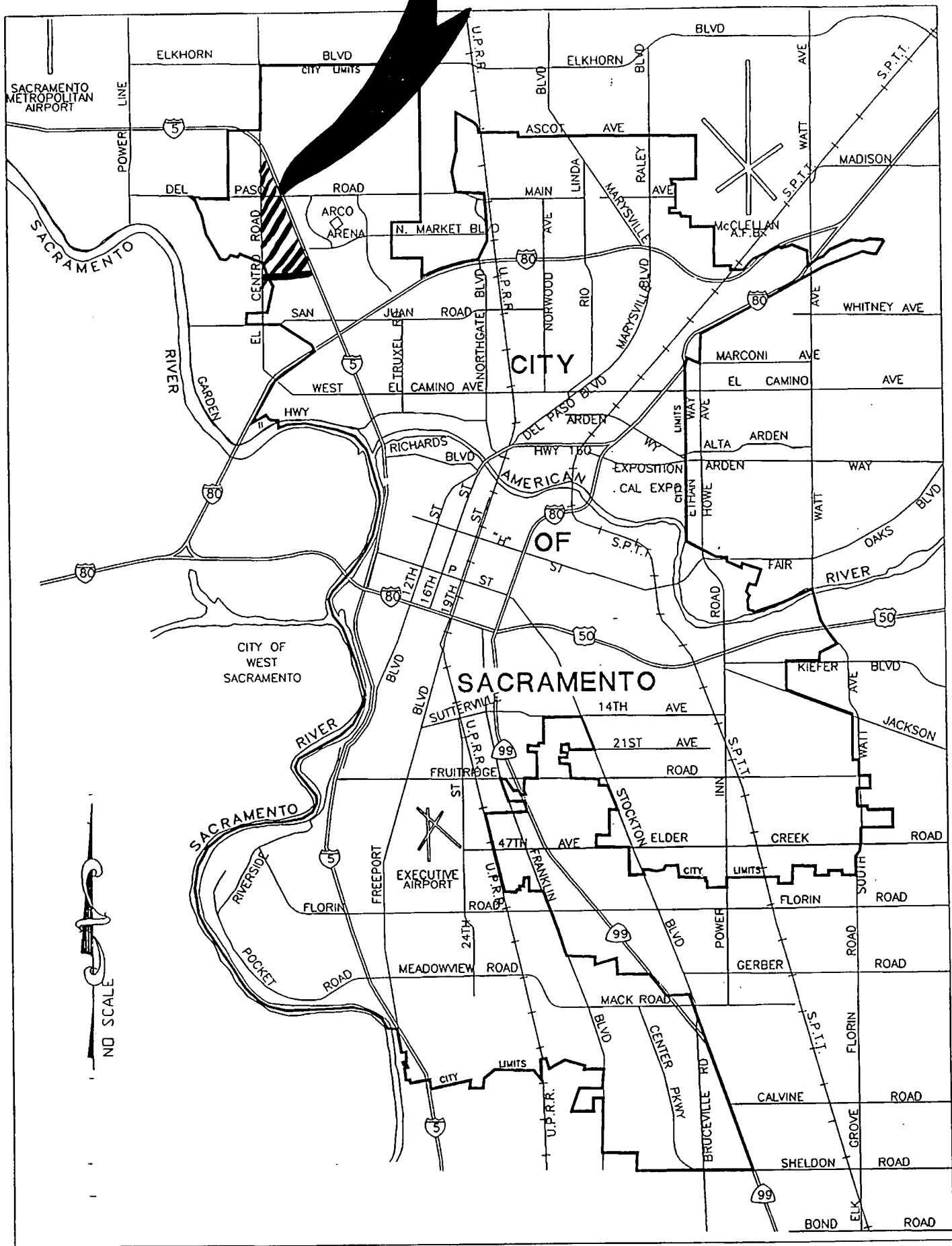
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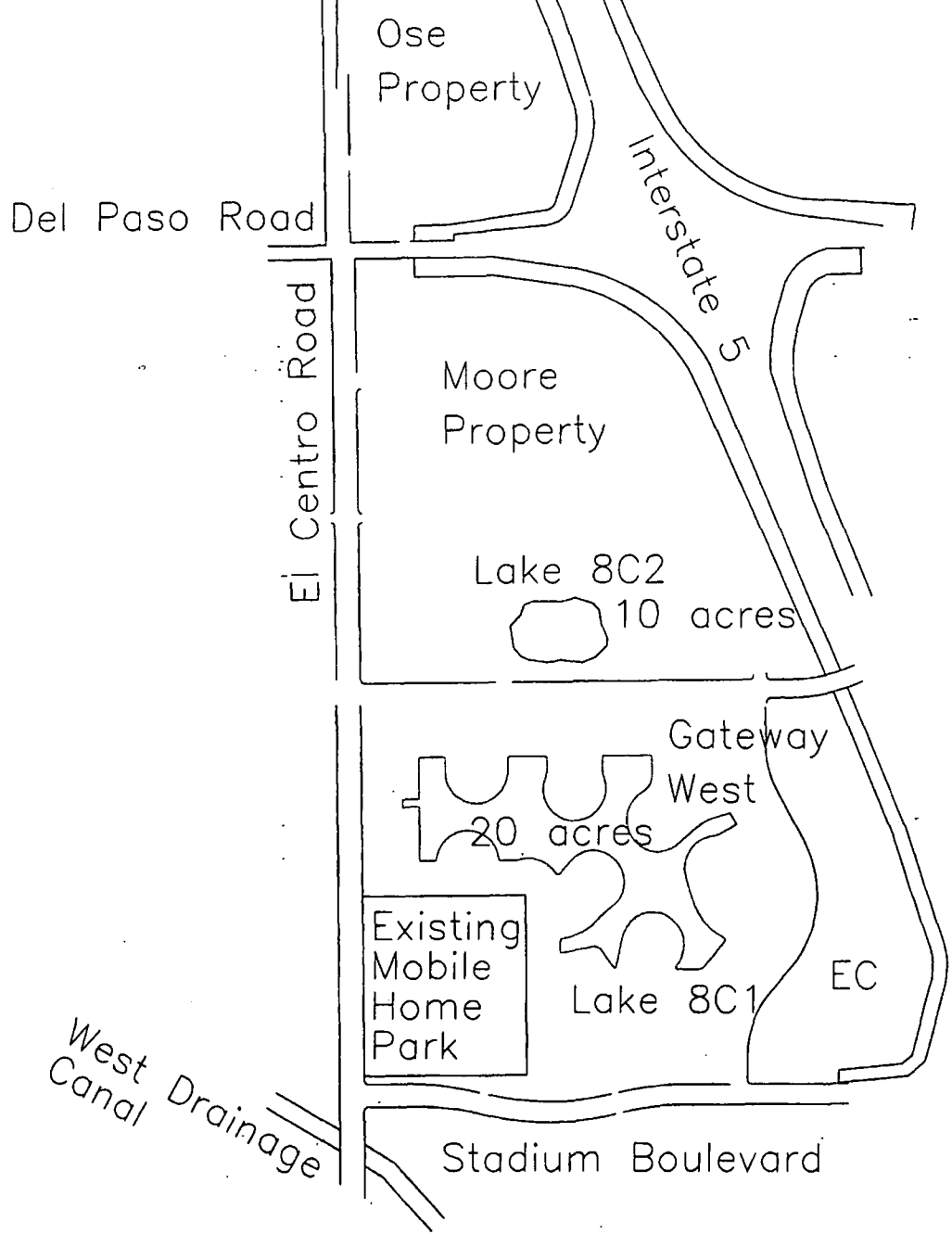
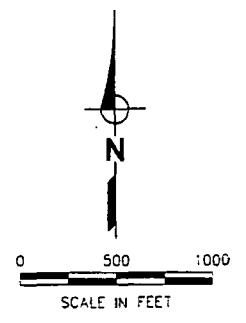
Robert P. Thomas
City Manager



James G. Sequeira
Director of Utilities



VICINITY MAP



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LEGEND: _____

Figure 1

**City of Sacramento
Basin 8C Drainage Master Plan
VICINITY & ORIGINAL OWNERSHIP**



APPROVED
BY THE CITY COUNCIL

APR 27 1999

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99-197

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION ADOPTING FINDINGS RELATING TO THE ENVIRONMENTAL
IMPACTS ASSOCIATED WITH APROVAL OF THE NORTH NATOMAS DRAINAGE
BASIN 8c DRAINAGE AGREEMENT, AND APPROVING THE DRAINAGE
AGREEMENT**

WHEREAS:

1. On May 20, 1997, the City Council adopted the North Natomas Comprehensive Drainage Plan, certified the adequacy of the Final Environmental Impact Report ("FEIR") prepared in connection with that Plan, and adopted Findings of Fact and a Statement of Overriding Considerations, and approved a Mitigation Monitoring Plan; and
2. The drainage agreement for North Natomas Basin 8c implements the Comprehensive Drainage Plan, by providing for the construction of the Basin 8c Common Drainage Facilities as identified in the Basin 8c Drainage Master Plan; and
3. The Basin 8c Drainage Master Plan and the drainage agreement are consistent with the North Natomas Comprehensive Drainage Plan, and provide complete drainage for properties located within this basin; and
4. All of the environmental impacts associated with the Master Plan and the drainage agreement, and the construction of the Common Facilities, were fully analyzed and considered in the FEIR; and
5. There are no changed circumstances which would require new or further environmental review; and
6. There is no need for further environmental review in order to approve the drainage agreement.

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

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NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

1. The findings set forth above are true and correct.
2. Subject to the following conditions, the Basin 8c Drainage Agreement ("Agreement") is approved, and the City Manager is authorized to execute that agreement:
 - a. No Final Master Parcel Map, Subdivision Map, or other map shall be recorded on the land subject to the Agreement, unless and until the provisions of Section 7 of the Agreement, relating to posting of security, have been fully satisfied.
 - b. No person shall be permitted to occupy any structure located on the property subject to the Agreement unless and until the Landowner has formed a homeowners' association in accordance with the requirements of Section 3.B.(5) of the Agreement, and said association is in existence and in good standing.
 - c. No bonds shall be issued in North Natomas Community Facilities District No. 5 unless and until the community facilities district or similar financing mechanism has been fully and completely formed and is in existence, pursuant to Section 3.B.(6) of the Agreement.
 - d. The Landowner shall execute an acquisition and shortfall agreement relating to Community Facilities District #5 prior to the approval of a Resolution of Formation relating to the said district.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO. _____

DATE ADOPTED: _____