



APPROVED  
BY THE CITY COUNCIL

JUL 27 1999

OFFICE OF THE  
CITY CLERK  
AG 99-128

11.2

JACK CRIST  
DEPUTY CITY MANAGER

NEIGHBORHOODS,  
PLANNING AND DEVELOPMENT  
SERVICES DEPARTMENT

CITY OF SACRAMENTO  
CALIFORNIA

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ROOM 302  
SACRAMENTO, CA  
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ADMINISTRATION  
916-264-7598  
FAX 916-264-8329

July 21, 1999

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** North Natomas City 100 Acres - Status Report and Adoption of Resolutions Authorizing Certain Actions

**RECOMMENDATION:**

This report recommends that the Council receive a staff report on the status of negotiations with Sacramento Stadium Partners (SSP) leading to the construction of various facilities on the City 100 Acre parcel in North Natomas.

This report further recommends that Council adopt the following Resolutions providing for SSP access to the site and for the expenditure of General Funds.

- A Resolution authorizing the City Manager to execute a Right of Entry to Sacramento Stadium Partners to enter upon City property for the purpose of grading and installation of drainage improvements.
- A Resolution authorizing the expending of \$240,000 from the City General Fund to pay for the restoration of the City 100 Acre parcel in North Natomas.

**CONTACT PERSON:** Terence W. Moore, Special Projects Consultant  
264-5530  
Jack Crist, Deputy City Manager  
264-7598

**FOR COUNCIL MEETING OF:** July 27, 1999



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## **SUMMARY:**

City staff is continuing negotiations with SSP for the development of the City owned 100 Acre parcel in North Natomas. A status report will be presented. Adoption of a Resolution authorizing execution of Right of Entry will allow SSP to enter upon the site for further grading and installation of drainage facilities. Also, adoption of a Resolution to expend \$240,000 from the City General Fund to restore the site to original pre-flooding condition is recommended.

**COMMITTEE/COMMISSION ACTION:** None

## **BACKGROUND:**

- A. Negotiation Status Report - Exhibit A outlines the status of negotiations in brief bullet point format. Phase one work has been identified as completion of approximately 15,000 seat multi-purpose stadium, development of community sports/soccer fields and the normal development agreement negotiations that will allow the facilities to be constructed. Phase Two is the conversions of the 15,000 stadium to a Major League Baseball facility and any other land use requiring further City entitlements.

Staff negotiations on the initial activities of Phase One as shown on Exhibit A are proceeding in parallel. It is staff's intent that all three activities be completed by spring 2000.

- B. Right of Entry - One of the major concerns with the proposed stadium design is the below grade surface of the playing field. The field is fourteen feet lower than the grade existing on the site today. The concern is what impact the high ground water table in Natomas will have on the sunken field. Soils reports prepared by Kleinfelder, Inc. estimate that for a 3-4 month period during mid-winter, 1,000 gpm will need to be pumped from wells to prevent the field from flooding. Analysis by Utility Department staff indicates that existing drainage facilities can accommodate 1,000 gpm, but not much more. Likewise, the continuous pumping of more than 1,000 gpm will strain the O&M budget for the operating stadium.

To resolve concerns regarding ground water, SSP desires to enter upon the City property to grade the playing field to its ultimate elevation and install a permanent dewatering system. The goal is to observe and monitor the system during the winter of 1999/2000 to see if groundwater intrusion is manageable. The schedule calls for the facilities to be in place by November 1, 1999.

In order to enter upon City property, SSP will require a right of entry. This report recommends that a Resolution be adopted authorizing the City Manager to execute the Right of Entry document attached to the Resolution.

- C. Site Restoration - Ever since construction ended under the old stadium permits, the owner of the stadium site has operated a series of dewatering pumps to keep the existing sunken field free from groundwater intrusion. Since receiving the site as a gift from Oates, Anderson and Cummings in

December 1995, the City has maintained the pumps through a contract with Viking Drillers, Inc. The yearly cost of pumping and maintenance has ranged from \$31,000 to \$45,000 per year. Also, over the 10 year period since construction ended, a vegetation developed due to a natural groundwater seepage area not controlled by the dewatering pumps. Cottonwood and other marsh trees up to 6 inches in diameter were growing in what was planned to be the right field baseball area.

During the winter of 1998/1999 a period of high groundwater coincided with a period of heavy rainfall and extraordinary runoff from the surrounding site into the field area. The dewatering pumps were not able to handle the volume of water. As a water pond quickly formed, and the water level rose, the electrical panels for the pumps were inundated and one by one the pumps failed. By spring 1998 the playing field area was now a lake covering approximately 5 acres to a depth of six (6) feet.

On May 5, 1999 Deputy City Manager Jack Crist informed the Council by memorandum that Viking would once again commence dewatering activities at the site, so that the site would be ready for construction once negotiations with SSP were complete. As the lake was drained and new dewatering pumps and electrical panels were installed, it became obvious that the vegetation would need to be removed and the seepage brought under control in order to dry the play field area. SSP agreed to include the associated extra costs in their capital budget if Viking could continue to do the work under the existing City contract. Any city payments to Viking would be reimbursed by SSP when stadium funding was available. Staff authorized Viking to do the extra work. Viking has now completed the restoration project. Their total invoiced cost is \$239,902 of which \$207,589 is for the extra work and \$32,313 is for restoration of the dewatering pumps, electrical systems and pumping the lake from the site.

Staff requests authorization by Resolution to expend up to \$240,000 from the City General Fund to pay Viking pending the financing of the stadium project next spring. The City will continue to incur pumping cost of approximately \$5,600/mo until the land is transferred to SSP. Staff will investigate the possibility of reducing this monthly cost by purchasing rather than renting the dewatering pumps.

#### **FINANCIAL CONSIDERATIONS:**

It is recommended that an expenditure not to exceed \$240,000 be made from the City's General Fund to pay Viking Drillers pending reimbursement by SSP.

#### **ENVIRONMENTAL CONSIDERATIONS:**

An EIR was adopted in 1986 that analyzed a Sports Complex land use for the North Natomas Community Plan. After adoption of the EIR, the Capitol Gateway Sports Complex PUD was approved in October, 1986. In 1990, a Negative Declaration was adopted for a Special Permit for the stadium, a component of the Capitol Gateway Sports Complex PUD. Two construction permits were then issued to begin work on the stadium. The developer constructed approximately \$8 million in grading, drainage and foundations. However, construction work ended when the developer was unable to secure further funding.

A Supplemental EIR (SEIR) was prepared in 1994 for the Community Plan Update. The SEIR continued to reflect the Sports Complex land use as originally envisioned in the 1986 EIR. No additional impacts were identified in the SEIR. Infrastructure to mitigate stadium impacts are a part of the approved North Natomas Finance Plan. There are no changed circumstances within the North Natomas Community Plan area since the 1994 revision of the Plan which would require further or additional environmental review in order to approve the Right of Entry agreement and to resume construction work on the stadium site as set forth in the agreement.

**POLICY CONSIDERATIONS:**

The General Fund will be reimbursed from Stadium Partners in order to comply with Council direction to staff "...not to spend City funds on this project".

**ESBD CONSIDERATIONS:** None

Respectfully submitted,



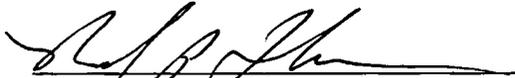
Tefence W. Moore  
Special Projects Consultant

APPROVED:



Jack Crist  
Deputy City Manager

RECOMMENDED APPROVAL:



Robert P. Thomas  
City Manager

Attachments

# Exhibit A

## Brief Status of Negotiations with Sacramento Stadium Partners

### 1. NEGOTIATION STATUS:

#### A. Phase One...Stadium Site Restoration

- Viking Drillers continues to dewater site under City contract.
- Viking repair dewatering pumps and electrical circuits damaged by last year's flooding.
- Viking clear and grub site to remove vegetation as requested by SSP.
- Viking install drainage system to dry seepage as requested by SSP.
- SSP preparing new grading plan for phased grading of playing field.
- Submitted grading plan to City 7/15, permit by 8/2
- Right of Entry to CC by 7/27
- Begin grading on 8/2 to lower field from existing elevation 0, to -5 feet.
- Stop at -5 feet. Kleinfelder to determine permanent drainage design for playfield.
- Obtain permit for system and install
- Lower field to final level, -14 feet.
- Observe functioning of dewatering system this winter
- Prepare plans for structure construction in Spring,2000.

#### B. Phase One...Paper Work

- SSP preparing draft Agreement to Develop (AD) for week of 7/19.
- AD to CC in August.
- AD must address all CC adopted Business Points
- Development Agreement (DA) for Stadium parcel by Spring, but prior to start of stadium construction.
- AD will require full financing plan before start of stadium construction

#### C. Phase One...Soccer/Playfields Planning

- Determine impact of MLB site on 100AC--What areas are left.
- Prepare a plan showing areas for playfields.
- SSP to attend Community meeting on 8/2
- Discuss impact on playfields if area needed when MLB arrives. Relocate? Where?

REVISED

**RESOLUTION NO. 99-432**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

**ON DATE OF JUL 27 1999**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF  
\$240,000 FROM THE CITY GENERAL FUND TO PAY  
FOR THE RESTORATION OF THE CITY 100 ACRE  
PARCEL IN NORTH NATOMAS**

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

**WHEREAS,**

- A. The City is the owner of the 100 Acre parcel of land in North Natomas known as the Stadium Parcel.
- B. The Stadium Parcel was flooded by winter rains and negatively impacted by ten (10) years of vegetative growth in a seepage area.
- C. The City is responsible for mitigating the flood damage and restoring the groundwater dewatering pump system on the site.
- D. The City Council has directed staff to negotiate with Sacramento Stadium Partners for the development of the Stadium site.
- E. Stadium Partners requested that the City contractor remove all vegetative material from the site and dry the seepage area by installing a drainage system.
- F. Stadium Partners have agreed to include the cost of the requested work in their funding for the stadium project and will reimburse the City for the cost of the extra work.
- G. The City therefore authorized the contractor to perform the extra work under their existing City contract.
- H. The contractor has completed said extra work as well as the dewatering and restoration of the dewatering system.

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**FOR CITY CLERK USE ONLY**

Resolution No.: 99-432

Date Adopted: JUL 27 1999

- I. The contractor has submitted invoices in the amounts of \$32,313 for the dewatering and restoration work and \$207,589 for the extra work requested by Sacramento Stadium Partners for a total of \$239,902.
- J. City staff desires to pay the contractor pending funding of the stadium project and reimbursement to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:**

- 1. The City Manager is authorized to pay the City contractor, Viking Drillers, Inc. the exact amount of their invoices for site restoration and the Sacramento Stadium Partners requested extra work, and
- 2. The authorized payment shall, in no case, exceed \$240,000, and
- 3. The City Manager will obtain in writing, within the next 30 days, assurance from Sacramento Stadium Partners that the cost of said extra work is included in the funding of the stadium project and that the City will be reimbursed by Sacramento Stadium Partners for the cost of the extra work, and
- 4. The funds to pay the contractor shall be advanced from the City General Fund, and
- 5. The City's General Fund budget is amended as follows:

Non-department other program support (101-750-7110-4287)	\$240,000
Increase Revenue Budget for Reimbursement of	
Non-Departmental Advance (101-750-7110-3799)	(\$240,000)
- 6. The City Manager will report to Council on a monthly basis, the status of negotiations with Sacramento Stadium Partners.

ATTEST:

*Debra A. Burrows*  
City Clerk

*Joe Sweeney*  
MAYOR

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 99-432

DATE ADOPTED: JUL 27 1999

**RESOLUTION NO. 99-431**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

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

**APPROVED  
BY THE CITY COUNCIL  
JUL 27 1999  
OFFICE OF THE  
CITY CLERK**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
A RIGHT OF ENTRY TO SACRAMENTO STADIUM PARTNERS TO  
ENTER UPON CITY PROPERTY FOR THE PURPOSE OF GRADING  
AND INSTALLATION OF DRAINAGE IMPROVEMENTS**

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

**WHEREAS,**

- A. The City is the owner of the 100 Acre parcel of land in North Natomas known as the Stadium Parcel.
- B. The City Council has directed staff to negotiate with Sacramento Stadium Partners for the development of the Stadium Parcel.
- C. Negotiations are presently under way.
- D. Sacramento Stadium Partners desires to enter upon the stadium site during negotiations to further grade the site and install a permanent dewatering system prior to the start of winter rains.
- E. City staff agrees with the desires of Sacramento Stadium Partners.
- F. In order to enter said site Sacramento Stadium Partners will require a Right of Entry from the City.
- G. Sacramento Stadium Partners have executed a Right of Entry that provides insurance, indemnifies the City and contains other provisions protecting the City.

**FOR CITY CLERK USE ONLY**

Resolution No.: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:**

1. The City Manager is authorized to execute the Right of Entry Agreement attached to this Resolution.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

Resolution No.: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

**RESOLUTION NO. 99-432 as amended**

**ADOPTED BY THE SACRAMENTO CITY COUNCIL**

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

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- 3. The City Manager will assure that the cost of said extra work is included in the funding of the stadium project and that the City is reimbursed by Sacramento Stadium Partners for the cost of the extra work, and
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\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

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