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**OFFICE OF THE
CITY ATTORNEY**

JAMES P. JACKSON
CITY ATTORNEY

THEODORE H. KOBAY, JR.
ASSISTANT CITY ATTORNEY

**CITY OF SACRAMENTO
CALIFORNIA**

March 5, 1987

812 TENTH STREET
SACRAMENTO, CA
95814-2694

916-449-5346

DEPUTY CITY
ATTORNEYS:
SAMUEL L. JACKSON
WILLIAM P. CARNAZZO
LAWRENCE M. LUNARDINI
GARLAND E. BURRELL, JR.
DIANE B. BALTER
RICHARD F. ANTOINE
TAMARA MILLIGAN-HARMON
LINDA M. GONZALES

Honorable Mayor Anne Rudin
and City Council Members
City of Sacramento
Sacramento, California 95814

Re: **Elvas-Richards Connector EIR -
Conflict of Interest**

Dear Mayor Rudin and Council Members:

QUESTION PRESENTED

Is there any legal conflict of interest prohibition of Omni-Means preparing a traffic study for the Elvas-Richards connector based on its prior traffic analysis work on the same subject for a property owner? (The property owner would benefit if the connector was built.)

ANSWER

Under the facts stated below, no legal conflict of interest exists.

BACKGROUND

The Public Works Department has recommended that Omni-Means Ltd. be selected as the consultant to do the traffic analysis for the EIR on the proposed Elvas-Richards connector. Omni-Means has done work for the Lennanes, owners of 48 acres of vacant property immediately south of Business 80, which would directly be affected and benefited by the Elvas-Richards connector. This work, which was paid for partly by the Lennanes and partly by the City, consisted of a study entitled "Business 80 Interchange and Elvas-Richards Connector Study", and is dated June 18, 1986. Subsequently, the Lennanes requested the City to prepare a more-detailed feasibility study and environmental review of the Business 80 interchange and the

Honorable Mayor and
City Council Members
March 5, 1987
Page - 2 -

Elvas-Richards connector. The Lennanes are willing to pay \$30,000.00 of the estimated \$90,000.00 cost.

Omni-Means is not now working for the Lennanes, and hasn't worked for them since September, 1986. However, I am informed by the Lennane's attorney that the Lennanes want Omni-Means to continue working for them, if possible.

With this background, concern has been expressed about the legality, from a conflict of interest standpoint, of Omni-Means preparing the traffic study portion of the EIR. This concern is based on the fact that Omni-Means has done traffic consulting work for the Lennanes, who would benefit from the interchange and the Elvas-Richards connector.

The main issue presented is whether Omni-Means is a "public official" under Government Code §87100. Section 87100 states:

87100. Public Officials; State and Local. No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

Section 82048 defines public official to include consultants as follows:

82048. Public Official. "Public official" means every member, officer, employee or consultant of a state or local government agency...." (emphasis added)

California Administration Code 18700 defines consultant:

(2) "Consultant" shall include any natural person who provides, under contract, information, advice, recommendation or counsel to a state or local government agency, provided, however, that "consultant" shall not include a person who:

(A) Conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation or counsel independent of the control and direction of the agency or of any agency official, other than normal contract monitoring; and

Honorable Mayor and
City Council Members
March 5, 1987
Page - 3 -

(B) Possesses no authority with respect to any agency decision beyond the rendition of information, advice, recommendation or counsel.

In 3 FPCC Opinions 69, the Fair Political Practices Commission was asked to determine whether a County Engineer-Surveyor had a conflict of interest when he performed engineering work for the County as a private engineer on a contract basis. The Commission said no, stating:

The only terms in Section 82048 that might arguably apply to this situation are "consultant" and "employee." Our regulation defining the term "consultant," however, excludes a person who does no more than provide advice, information, recommendation or counsel to an agency and whose advice is provided independent of the agency's control or discretion. 2 Cal. Adm. Code Section 18700(a)(2). The preparation of surveys and engineering studies would appear to fall within this exclusion. When performing these services, the county surveyor-engineer is not involved in any official decision making. He is merely carrying out the terms of a contract just as any vendor of goods or services to the county might. He is not subject to the control or discretion of the county when he performs his work, but is governed only by the provisions of his contract.

Nor is this a normal employer-employee relationship. The county surveyor-engineer is not eligible for workmen's compensation or other typical employee benefits by virtue of his contractual relationship with the county. In addition, the fact that his work is not subject to the control of the county suggests he is acting more in the role of an independent contractor than an employee. See Tieberg v. Unemployment Ins. App. Bd., 2 Cal.3d 943 (1970). Thus, the county surveyor-engineer is not a public official within the meaning of the Act when his firm performs engineering and surveying work for the county. Participation in these activities does not subject him, therefore, to the disqualification provisions of Sections 87100 and 87103.

Honorable Mayor and
City Council Members
March 5, 1987
Page - 4 -

In 2 FPPC Opinions 120, the Commission, in discussing the same regulation, observed:

If [a person providing consulting services] is truly an independent contractor who functions independently of the [government] agency and does not possess authority with respect to agency decisions, he is not an agency official.

Thus, whether a person acting in a consulting capacity is a "consultant" and hence a public official subject to conflict of interest disqualification turns on whether that person is an "independent contractor" or an employee. As observed in 1 Witkin, Summary of California Law (8th Ed.), Agency & Employment §12, p. 651:

The most significant factor tending to show employment is the right of the employer to control the details of the work; and conversely, freedom from such control tends to establish the relationship of independent contract. (emphasis in original) (citations omitted)

The general supervisory control of any owner is quite different from control over details of the work. '[T]he owner may retain a broad general power of supervision and control as to the results of the work so as to insure satisfactory performance of the independent contract -- including the right to inspect..., the right to stop the work..., the right to make suggestions or recommendations as to details of the work..., the right to prescribe alterations or deviations in the work... -- without changing the relationship from that of owner and independent contractor....' (McDonald v. Shell Oil Co. (1955) 44 C.2d 785, 790, 285 P.2d 902.)

Here, there seems no question that Omni-Means operates as an independent contractor. The City routinely enters into contracts for services such as traffic engineering services in connection with the preparation of EIRs on City projects such as the Elvas-Richards connector. The draft contract with Omni-Means is typical of contracts entered into by the City; it simply does not provide for detailed City control of Omni-Means in the performance of the traffic study. Instead, Omni-Means is given the latitude one would expect in contracting for such services as is demonstrated by the

following provision, which is included in the general provisions of such contracts:

1. INDEPENDENT CONTRACTOR. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement; however, City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement.

Thus, under the Political Reform Act, Omni-Means is not a public official within the prohibition of Government Code §87100.

Other support for the conclusion that there is no conflict of interest is found in Old Town Dev. Corp. v. Urban Renewal Agency (1967) 249 Cal.App.2d 313. Here, the court refused to set aside the selection of a private redeveloper. The private redeveloper employed one Faustman as a traffic engineer. At the same time, Faustman served on the agency review panel which recommended the selection of his employer. It was clear that the governing board of the redevelopment agency knew of Faustman's employment when it selected the redeveloper. The court stated:

The decision of the agency to qualify only Custom House Associates was made by it. The review panel only offered recommendations, which the agency was free to adopt or reject in the exercise of its own discretion. Faustman's alleged dual interest as consultant for the city and the developer was known to the agency, and it must be deemed that his opinions were weighed in the light of that knowledge. (249 Cal.App.2d, 328)

The court went on to hold that Faustman's dual employment was not sufficient to vitiate the selection of the redeveloper (249 Cal. App.2d, 328-329).

There is not a problem with the interested property owner (Lennane) paying for part of the cost of the EIR. Here, the City will exercise its own discretion and judgment on the EIR. As long as it does so, it is acceptable for a private developer's consultant to prepare the draft EIR at the developer's sole expense (see City

Honorable Mayor and
City Council Members
March 5, 1987
Page - 6 -

of Poway v. City of San Diego (1984) 155 Cal.App.3d 1037, 1043.
Here, it is proposed that the City pay for two-thirds of the cost.

For all of the foregoing reasons, we believe that there is no legal conflict of interest in Omni-Means preparing the traffic analysis portion of the draft EIR for the Elvas-Richards connector. Whether the Council wants to retain Omni-Means under these circumstances is a policy matter.

JAMES P. JACKSON, City Attorney

By:



THEODORE H. KOBAY, JR.
Assistant City Attorney

THK/jmv



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CONTINUED
TO 3-10-87

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 300
915 I STREET
SACRAMENTO, CA
95814-2608

CITY MANAGER'S OFFICE 916-449-5307
RECEIVED
FEB 19 1987
THOMAS M. FINLEY
ENGINEERING DIVISION
MANAGER

February 24, 1987

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Elvas-Richards Connector - Fund Allocation, Consultant Selection and Preparation of an EIR

SUMMARY

Preparation of an EIR for the proposed Elvas-Richards Connector and connection of this road to Business 80 is recommended. A project budget of \$90,000 and selection of the consulting firms of LSA, Inc. and Omni Means Ltd. is also recommended. This item was heard and approved for Council action by the Budget and Finance Committee at its meeting of February 17, 1987.

BACKGROUND

Please see the attached Budget and Finance Committee report for background on this item.

FINANCIAL

The total cost of this EIR will be \$90,000. An interested land owner has agreed to fund \$30,000. The remaining \$60,000 is proposed to be appropriated from the Major Street Tax Fund balance.

FROM THE HOUSE SELECT COMMITTEE

REPORT TO THE HOUSE JANUARY 1892. THE COMMITTEE HAS THE HONOR TO ANNOUNCE THAT THE TOTAL COST OF THE NEW BUILDING IS \$2,000,000. THE HOUSE HAS

APPROVED

THE PLAN

PLEASE SEE THE ATTACHED REPORT AND FINANCE COMMITTEE REPORT FOR PARTICULARS ON

THE SUBJECT

THE FINANCE COMMITTEE OF THE HOUSE OF REPRESENTATIVES IN 1891

RECOMMENDS THAT THE HOUSE SHOULD APPROPRIATE FOR THE CONSTRUCTION OF THE BUILDING THE SUM OF \$2,000,000. THE HOUSE SHOULD ALSO APPROPRIATE FOR THE CONSTRUCTION OF THE BUILDING THE SUM OF \$2,000,000. A BUDGET REPORT OF \$2,000,000 AND THE PROVISIONS OF THE NEW BUILDING HAVE BEEN REFERRED TO THE FINANCE COMMITTEE AND COLLECTION

RECOMMENDS

PROVISIONS OF THE NEW BUILDING

SUBJECT: HOUSE-BUILDING COMMITTEE - HOUSE APPROPRIATION COMMITTEE REPORT AND

HOUSE-BUILDING COMMITTEE REPORT

RECOMMENDS' COMMITTEE

HOUSE COMMITTEE

REPRESENTATIVE 1892

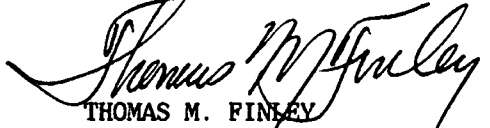
RECEIVED
JAN 18 1892
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON

City Council
Elvas-Richards Connector - Fund Allocation,
Consultant Selection and Preparation of an EIR
February 24, 1987
Page 2

RECOMMENDATION

It is recommended that the attached resolution which establishes a project budget for the Elvas-Richards EIR of \$90,000, approves the consultant selection of Omni Means Ltd. and LSA, Inc., increases revenue estimates for the Capital Grants-Private Fund, approves the allocation of funds for the project study from the Major Street Tax Fund balance and from Capital Grants-Private Fund, and authorizes the City Manager and City Clerk to enter into all necessary agreements for the study, be approved.

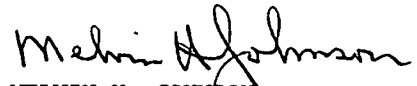
Respectfully submitted,


THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:


for: WALTER J. SLIPE
City Manager

Approved:


MELVIN H. JOHNSON
Director of Public Works

JB:vr
TD3-09.B
02.1787.1

February 24, 1987
District Nos. 1 & 3

Attachment

RESOLUTION

It is recommended that the attached resolution which authorizes a transfer of funds from the River Bridge Fund of \$200,000, approved by the Commission on January 14, 1987, be approved. The resolution also authorizes the allocation of funds for the project to the River Bridge Fund approved by the Commission on January 14, 1987. The resolution also authorizes the City Manager and City Clerk to enter into any necessary agreements for the study, as approved.

Copy of this resolution submitted.

THOMAS M. WILSON
Engineering Division Manager

Approved:

Recommendation Approved:

WALTER H. JOHNSON
Director of Public Works

WALTER H. JOHNSON
City Manager

February 24, 1987
District Nos. 1 & 2

February 24, 1987
FD3-031
02-787

Attachment

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RESOLUTION NO. 87-169 (as amended)

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVING ELVAS-RICHARDS E.I.R. BUDGET, INCREASING REVENUE ESTIMATES
FOR CAPITAL GRANTS-PRIVATE, TRANSFERRING MAJOR STREET
TAX FUND, APPROPRIATING CAPITAL GRANTS-PRIVATE, CONSULTANT
SELECTION AND EMPOWERING CITY MANAGER AND CITY CLERK

APPROVED
BY THE CITY COUNCIL

MAR 10 1987

OFFICE OF THE
CITY CLERK

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

1. That a project budget of \$90,000, for the Elvas-Richards connector is hereby approved.
2. That the revenue estimates in Capital Grants-Private (2-48) be increased by \$30,000 is hereby approved.
3. That the appropriation of \$30,000, from Capital Grants-Private (2-48) to the Project Budget (248-500-XXXX-4800) is hereby approved.
4. That the appropriation of \$60,000, from the Major Street Tax Fund (2-09) to the Project Budget (209-500-XXXX-4800) is hereby approved.
5. That the selection of the consulting firm of LSA, Inc. and Omni Means, Ltd. is hereby approved.
6. That the City Manager and the City Clerk are hereby empowered to enter into and execute all agreements and contracts necessary for this study.

MAYOR

ATTEST:

CITY CLERK

TD3-09.b

103 03 P

CITY CIVIL

VALUES:

VALUES

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- 19. CITY CIVIL
- 20. CITY CIVIL

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF BIRMINGHAM:

APPROVED AND FORTHWITH THE MAYOR AND CITY CIVIL
 AND THE CITY COMMISSIONERS OF THE CITY OF BIRMINGHAM
 AND THE CITY COMMISSIONERS OF THE CITY OF BIRMINGHAM
 AND THE CITY COMMISSIONERS OF THE CITY OF BIRMINGHAM

87-169

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVING ELVAS-RICHARDS E.I.R. BUDGET, INCREASING REVENUE ESTIMATES FOR CAPITAL GRANTS-PRIVATE, TRANSFERRING MAJOR STREET TAX FUND, APPROPRIATING CAPITAL GRANTS-PRIVATE, CONSULTANT SELECTION AND EMPOWERING CITY MANAGER AND CITY CLERK

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

1. That a project budget of \$90,000, for the Elvas-Richards connector is hereby approved.
2. That the revenue estimates in Capital Grants-Private (2-48) be increased by \$30,000 is hereby approved.
3. That the appropriation of \$30,000, from Capital Grants-Private (2-48) to the Project Budget (248-500-XXXX-4800) is hereby approved.
4. That the appropriation of \$60,000, from the Major Street Tax Fund (2-09) to the Project Budget (209-500-XXXX-4800) is hereby approved.
5. That the selection of the consulting firm of LSA, Inc. and Omni Means, Ltd. is hereby approved.
6. That the City Manager and the City Clerk are hereby empowered to enter into and execute all agreements and contracts necessary for this study.

MAYOR

ATTEST:

CITY CLERK

TD3-09.b



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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

ENGINEERING DIVISION

February 17, 1987

CITY HALL
ROOM 300
915 I STREET
SACRAMENTO, CA
95814-2608

916-449-5307

THOMAS M. FINLEY
ENGINEERING DIVISION
MANAGER

Budget and Finance Committee
Sacramento, California

Honorable Members In Session:

SUBJECT: Elvas-Richards Connector - Fund Allocation, Consultant Selection and
Preparation of an EIR

SUMMARY

It is proposed that an EIR be prepared for the proposed Elvas-Richards Connector and connection of this road to Business 80. A project budget of \$90,000, and selection of the consulting firms of LSA, Inc. and Omni Means Ltd. is recommended.

BACKGROUND

On September 23, 1986 the Budget and Finance Committee heard a proposal to prepare a request for proposals for an E.I.R. on the proposed Elvas-Richards Connector. The Committee requested that staff return with consultant recommendations and a project budget once the proposals had been reviewed and interviews held. The Committee further recommended that the additional alternatives, or phases, to the Elvas-Richards Connector be included in the scope of the project. The Committee report of September 23, 1986 is attached for your additional information.

The Request for Proposals was circulated on October 20, 1986 and interviews were conducted on November 21, 1986. As a result of these interviews, staff is recommending that the consulting firm of LSA, Inc. be retained to prepare the E.I.R. The staff also proposes that the consulting firm of Omni Means Ltd. be retained to prepare the transportation analysis for the proposed connector. Omni Means has previously prepared studies in the area for the City and the land owner on the south side of Business 80.

As part of the study, the consultant will consider the following phases or potential alternatives to the project:

1. The Elvas-Richards Connector with an interchange at Business 80 (proposed project).
2. The Elvas-Richards Connector without an interchange at Business 80.

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3. An interchange at Business 80 and a connection to Richards Blvd. only.
4. An interchange at Business 80 and a connection to Elvas Ave. only.
5. No-build alternative.

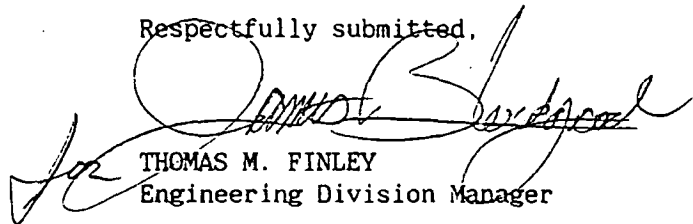
FINANCIAL

Staff had originally estimated that the project budget would be approximately \$60,000. With the increased scope of work the total cost of the E.I.R. will be \$90,000. The interested land owner (Mr. Lenane) has agreed to pay \$30,000. The additional \$60,000 is proposed to be appropriated from the Major Street Tax Fund Balance. The study will not proceed until funding is received from the private sector.

RECOMMENDATION

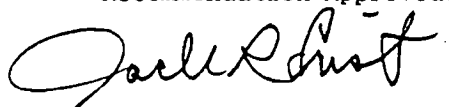
It is recommended that the attached resolution which approves a project budget for the Elvas-Richards EIR of \$90,000, approves the consultant selection of Omni Means Ltd. and LSA, Inc., increases revenue estimates for the Capital Grants-Private Fund, approves the allocation of funds for the project study from the Major Street Tax Fund balance and from Capital Grants-Private Fund, and authorizes the City Manager and City Clerk to enter into all necessary agreements, be forwarded to the City Council for their approval.

Respectfully submitted,




THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:



WALTER J. SLIPE
City Manager

Approved:



MELVIN H. JOHNSON
Director of Public Works

JB:ls
TD3-09.B
02.0687.2

February 17, 1987
District Nos. 1 & 3

Attachment



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DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 300
915 I STREET
SACRAMENTO, CA
95814-2608

916-449-5307

THOMAS M. FINLEY
ENGINEERING DIVISION
MANAGER

September 23, 1986

Transportation and Community Development Committee
Budget and Finance Committee
Sacramento, California

Honorable Members In Session:

SUBJECT: The Proposed Elvas-Richards Connector - Preparation of a Feasibility
Study and EIR, and Consultant Selection

SUMMARY

The Elvas-Richards Connection is an identified transportation corridor in the Central City Community Plan. A property owner located in the corridor wishes to develop. Limited access to the property required the developer to consider a new interchange on Business 80 and a connection to Elvas Avenue. To properly locate these facilities with future extension in mind, staff recommends that the entire Elvas-Richards alignment be identified at this time.

BACKGROUND

The 1980 Central City Community Plan designated "the connection of Richards Boulevard and Elvas Avenue as a potential transportation corridor that may be considered in the future for various modes of travel". The concept of an Elvas-Richards Connector would be to connect 65th Street at U.S. 50 to I-5 at Richards Boulevard by constructing a new roadway between the Elvas and C Street intersection and the Richards and S.R. 160 intersection, thereby connecting the existing Elvas and Richards roadways. New interchanges at S.R. 160 and at Business 80, as well as reconstruction of the Elvas Avenue and 56th Street intersection, would be required. The City Council has previously requested the new interchanges through the RTIP process.

The owner of the 48 vacant acres, M-2 zoned parcel bounded by Business 80 and the S.P.R.R. has limited existing access. Access to this parcel is available from 28th Street via the A Street Bridge over Business 80. Development of this parcel using the existing access could adversely impact the Stanford Park neighborhood. The property owner commissioned a traffic study to assess alternative access for the parcel. The study concluded that a new interchange at Elvas-Richards and Business 80 would provide primary access to the property

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as well as provide additional access to Central City and East Sacramento Community Plan areas. In addition, the study found a substantial redistribution of traffic resulting in improvements to areawide circulation.

As the result of this preliminary study, the property owner requested the City to start the next step, which is to prepare a detailed feasibility and environmental assessment. Since the preliminary study indicated improved areawide circulation, staff proposes to retain a consultant team to prepare a feasibility and environmental assessment for the proposed Elvas-Richards Connector. This study would assess potential impacts to include, but not be limited to: traffic and circulation; land use; air; noise; water quality; public services; aesthetics; and a cost/revenue analysis. The selected consultant would be responsible for organizing public hearings that would:

1. Assist in scoping of the environmental concerns;
2. Explain the Draft EIR;
3. Explain the Final EIR.

The public hearings would be held in East Sacramento, the Stanford/Grant Park neighborhood of the Central City, and in the Richards Boulevard area.

The proposed study of the Elvas-Richards Connector is not in the Department of Public Works' program, however, the potential benefit of improved areawide circulation, as indicated by the preliminary traffic study, and the willingness of a property owner to financially assist in the preparation of a feasibility study and EIR, warrants the City's consideration of preparing the study at this time.

Attached for the Committee's information is a letter from the property owner with a vicinity map of the connector route (Exhibit A) and a copy of the Council's previous action pertaining to the proposed interchanges (Exhibit B).

Staff proposes that the consultant selection committee should consist of the Councilmembers whose districts the proposed connector would traverse (Councilmember Pope and Councilmember Shore), a City Planning Commissioner, the City Public Works Director, and the City Planning Director.

FINANCIAL

Once the consultant is selected, staff will recommend to Council a budget allocation. At this time, staff estimates the feasibility study and EIR will cost approximately \$60,000. The interested property owner has indicated a willingness to contribute a portion of the study cost.

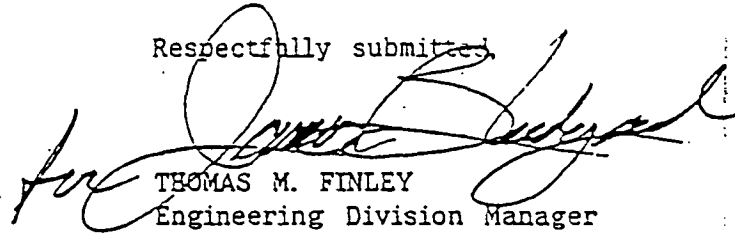
Transportation and Community Development Committee
Budget and Finance Committee
The Proposed Elvaš-Richards Connector
September 23, 1986
Page 3

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RECOMMENDATION

It is recommended that staff return to the Budget and Finance Committee with a consultant recommendation and a project budget once the Requests for Proposals have been reviewed.

Respectfully submitted,


THOMAS M. FINLEY
Engineering Division Manager

Recommendation Approved:

Approved:

SOLON WISHAM, JR.
Assistant City Manager

MELVIN H. JOHNSON
Director of Public Works

JHB:vr
TD2-12.B
09.1586

September 23, 1986
District Nos. 1 and 3

Attachments

REMY and THOMAS

ATTORNEYS AT LAW

801 12TH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

(916) 443-2745

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SONOMA COUNTY OFFICE:

P.O. BOX 319

SEBASTOPOL, CALIFORNIA 95472

(707) 823-3248

RECEIVED
SEP 15 1986
Planning and Development

CHAEH R. REMY
THOMAS
DUGGAN
ERICKINSON
HAEL R. JENCKS
OF COUNSEL

September 15, 1986

Mr. Walter Slipe
City Manager
City of Sacramento
915 "I" Street
Sacramento, California 95814

RE; ELVAS/RICHARDS CONNECTOR AND BUSINESS 80 INTERCHANGE

Dear Mr. Slipe:

Wait

This office represents Jim and Sue Lennane in their efforts to develop their property for office/industrial use. The location of the proposed property is indicated on the attached map. (Attachment A).

In September, 1985, OMNI-MEANS was commissioned to conduct a traffic analysis on the feasibility of an Elvas/Richards Connector and Business 80 Interchange. In June of this year, the study was completed and concluded that such improvements would be extremely beneficial to the City's downtown and East Sacramento circulation and to the Lennane office/industrial project. As we have discussed, given the high visibility of the site, my client is committed to construct a quality project that would be beneficial to the site and to the City. In addition, quality access to the project that would not impact existing neighborhood areas, such as the 28th Street neighborhood is equally important. Consequently, the Business 80 interchange and Elvas/Richards connection is extremely important to all parties involved.

This letter is to formally request the City to commence feasibility reports and environmental review. Since the feasibility reports and environmental review will benefit our project, Mr. Lennane, my client, is willing to fund a portion of those studies.

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Mr. Walter Slipe
September 15, 1986
Psage Two

I will be in contact with you to establish a date and time for a meeting to discuss expediting this process. We look forward to working with you on these issues.

Very Truly Yours,
REMY AND THOMAS

Tina A. Thomas
Tina A. Thomas

TAT:bg

cc: Jim Lennane
Sue Lennane

Attachment

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RESOLUTION NO. 86-095

Adopted by The Sacramento City Council on date of

FEB 04 1986

RESOLUTION FOR ESTABLISHING CITY OF SACRAMENTO 1986 REGIONAL TRANSPORTATION PROGRAM PRIORITY RECOMMENDATIONS

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SACRAMENTO
recommends the following priority for the interstate and non-interstate
1986 Regional Transportation Improvement Program:

INTERSTATE

1. I-5 and North Market Boulevard Interchange
2. I-80 and Norwood Avenue On/Off Ramp Signals
3. I-5 and S Street Partial Interchange
4. I-5 from Garden Highway to I-80 - Highway Planting
5. I-80 from I-5 to 0.2 Miles East of Winters Street -
Highway Planting

NON-INTERSTATE

1. Exposition Boulevard to S.R. 160 Connection
- * 2. Elvas-Richards and Business 80 Interchange
3. Exposition Boulevard to Eastbound Business 80 On Ramps
- * 4. S.R. 160 and Richards Boulevard Interchange
5. U.S. 50 Sound Walls
6. Business 80 near River Park (S.R. 51 2.4/2.6) Soundwalls
7. U.S. 50 Westbound Sidewalk on H Street Bridge
8. S.R. 99 at Mack Road - Signalization and Landscaping

ANNE RUDIN

MAYOR

ATTEST:

JANICE BEAMAN
CITY CLERK

CERTIFIED AS TRUE COPY
of Resolution No. 86-095

FEB 10 1986

DATE CERTIFIED

Deputy Janice Beaman
CITY CLERK, CITY OF SACRAMENTO

RESOLUTION No. 86-095

FEB 04 1986

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVING ELVAS-RICHARDS E.I.R. BUDGET, INCREASING REVENUE ESTIMATES FOR CAPITAL GRANTS-PRIVATE, TRANSFERRING MAJOR STREET TAX FUND, APPROPRIATING CAPITAL GRANTS-PRIVATE, CONSULTANT SELECTION AND EMPOWERING CITY MANAGER AND CITY CLERK

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

1. That a project budget of \$90,000, for the Elvas-Richards connector is hereby approved.
2. That the revenue estimates in Capital Grants-Private (2-48) be increased by \$30,000 is hereby approved.
3. That the appropriation of \$30,000 from Capital Grants-Private (2-48) to the Project Budget (101-500-XXXX-4800) is hereby approved.
4. That the appropriation of \$60,000, from the Major Street Tax Fund (2-09) to the Project Budget (101-500-XXXX-4800) is hereby approved.
5. That the selection of the consulting firm of LSA, Inc. and Omni Means, Ltd. is hereby approved.
6. That the City Manager and the City Clerk are hereby empowered to enter into and execute all agreements and contracts necessary for this study.

MAYOR

ATTEST:

CITY CLERK

TD3-09.b

CITY CLERK

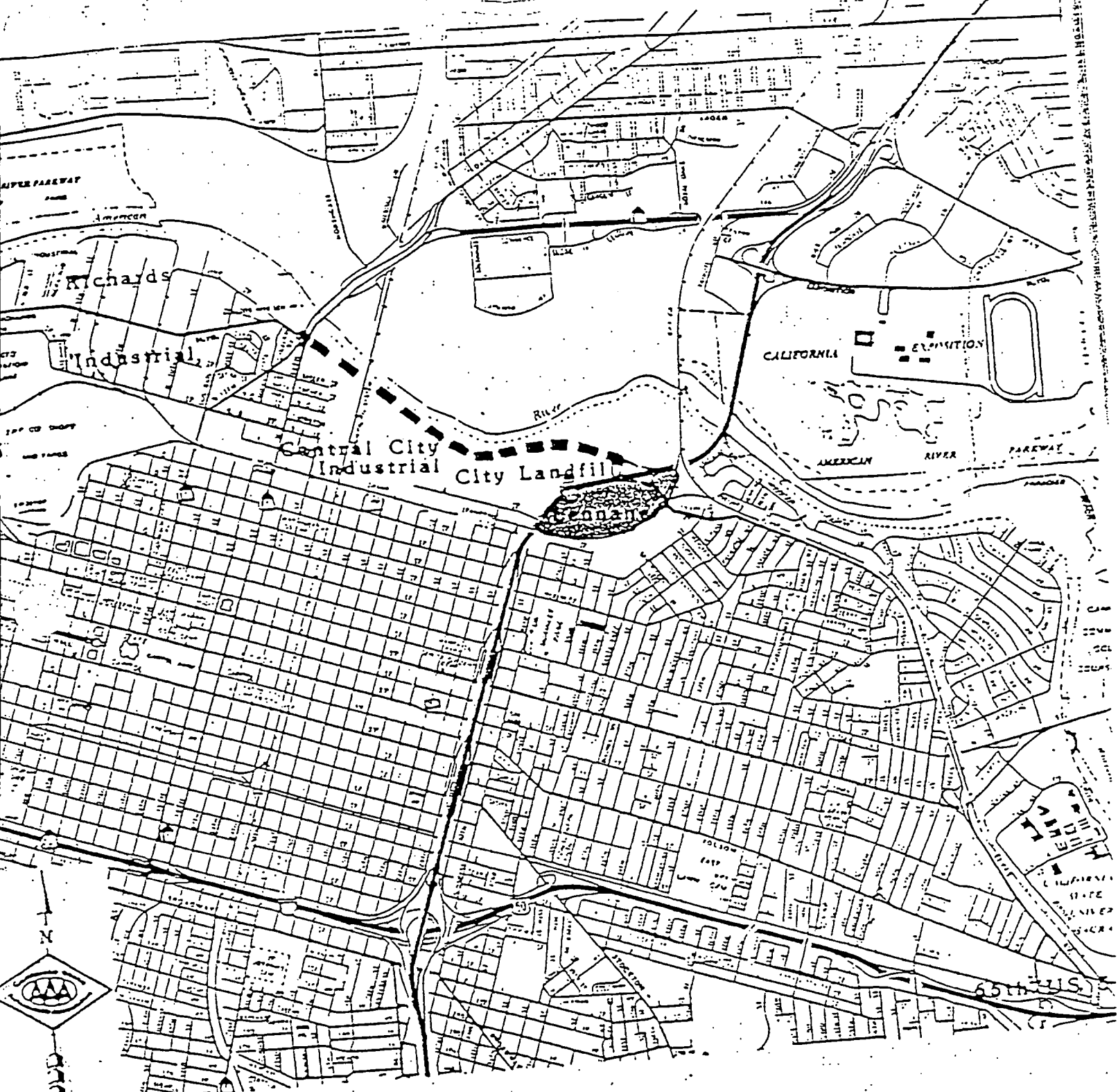
RESOLUTION

MAY 1968

- 1. That the City Manager and the City Clerk are hereby authorized to enter into and execute all agreements and contracts necessary for this study.
- 2. That the City Manager and the City Clerk are hereby authorized to accept and execute all agreements and contracts necessary for this study.
- 3. That the selection of the consulting firm of T.S. Inc. and (S-48) to the project budget (101-200-XXXX-4800) is hereby approved.
- 4. That the appropriation of 200,000 from the Major Street Tax Fund (S-48) to the project budget (101-200-XXXX-4800) is hereby approved.
- 5. That the appropriation of 200,000 from Capital Grants-Private (S-48) to the project budget (101-200-XXXX-4800) is hereby approved.
- 6. That the revenue estimates in Capital Grants-Private (S-48) be increased by 200,000 is hereby approved.
- 7. That a project budget of 200,000 for the Glass-Richards connector is hereby approved.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO:

REJECTION AND EMPLOYING CITY MANAGER AND CITY CLERK
 THE CITY MANAGER, APPROVING CAPITAL GRANTS-PRIVATE CONNECTION
 FOR CAPITAL GRANTS-PRIVATE, TRANSFERRING MAJOR STREET
 APPROVING GLASS-RICHARDS E.I.E. BUDGET, INCREASING REVENUE ESTIMATES



PROPOSED ELVAS/RICHARDS CONNECTOR



1555 River Park Drive, Suite 204
Sacramento, CA 95815
916/929-6127

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Joseph M. Peters, President
California Farm Bureau Federation

Edward R. Swotek, First Vice
President, *California Federal*

Pilar Juergenson, Second Vice
President, *Allen & O'Hara
Development, Inc.*

Thomas W. Carr, Treasurer
Thomas W. Carr, C.P.A.

David M. Zancanaro, Immediate
Past President, *Sacramento
Valley Insurance*

Michael D. Baer
Deloitte Haskins & Sells

Boyd W. Cahill
Hiff, Thorn & Company

Ronald J. Carissimi
Carissimi-Robrer Associates

C. Robert Chapman
Chapman & Gravelle, C.P.A.s

Robert E. Clifford
Paper Tree Stationers

Fillmore P. Crank, Jr.
Beverly Garland Hotel

William R. Dunk, *C.L.U.*

Charles W. Gray
CalFarm Insurance

Mark Hefner
Brown, Stevens, Elmore & Sparre

Laura C. Mason-Smith
Point West Bank

Michael W. Novitz
Sir Speedy Printing Center

Thayer T. Prentice
Point West Bank

Walter W. Rohrer
Carissimi-Robrer Associates

F. Brett Stauffer
F. Brett Stauffer Companies

Chrisman I. Swanberg
Dennis, Schottky & Swanberg

Catherine I. Templeton
The Templeton Company

Frank D. Vincent, *C.L.U.*
Darracq & Vincent

Karen J. Wall
Action Secretarial Services, Inc.

March 10, 1987

Mr. Douglas Pope
Council Member
City of Sacramento
915 I Street, Room 205
Sacramento, California 95814

RE: Elvas Avenue/Richards Boulevard Connector

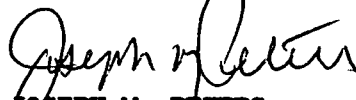
Dear Mr. Pope:

The Point West Area Business Association (PWABA) represents its members' interest in improving the business environment in Sacramento's Point West Area. Our association represents in excess of 100 businesses that are providers of financial, retail and other professional services.

The purpose of this letter is to call to your attention our keen interest in the Elvas-Richards Connector. This potential traffic corridor would provide benefits to the Point West and Cal Expo business areas. This connector, combined with the possible widening of business 80 (Exposition Boulevard to E Street), would alleviate rush hour traffic congestion.

The Point West Area Business Association strongly favors efforts to study all aspects of the Elvas-Richards Connector before a final decision on this matter.

Very truly yours,


JOSEPH M. PETERS
President

JMP:nd

cc: Sacramento City Council

Clerk of the Board

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**BUSINESS 80 INTERCHANGE
AND ELVAS-RICHARDS CONNECTOR
ANALYSIS STUDY**

Prepared for:

JAMES P. LENNANE

AND

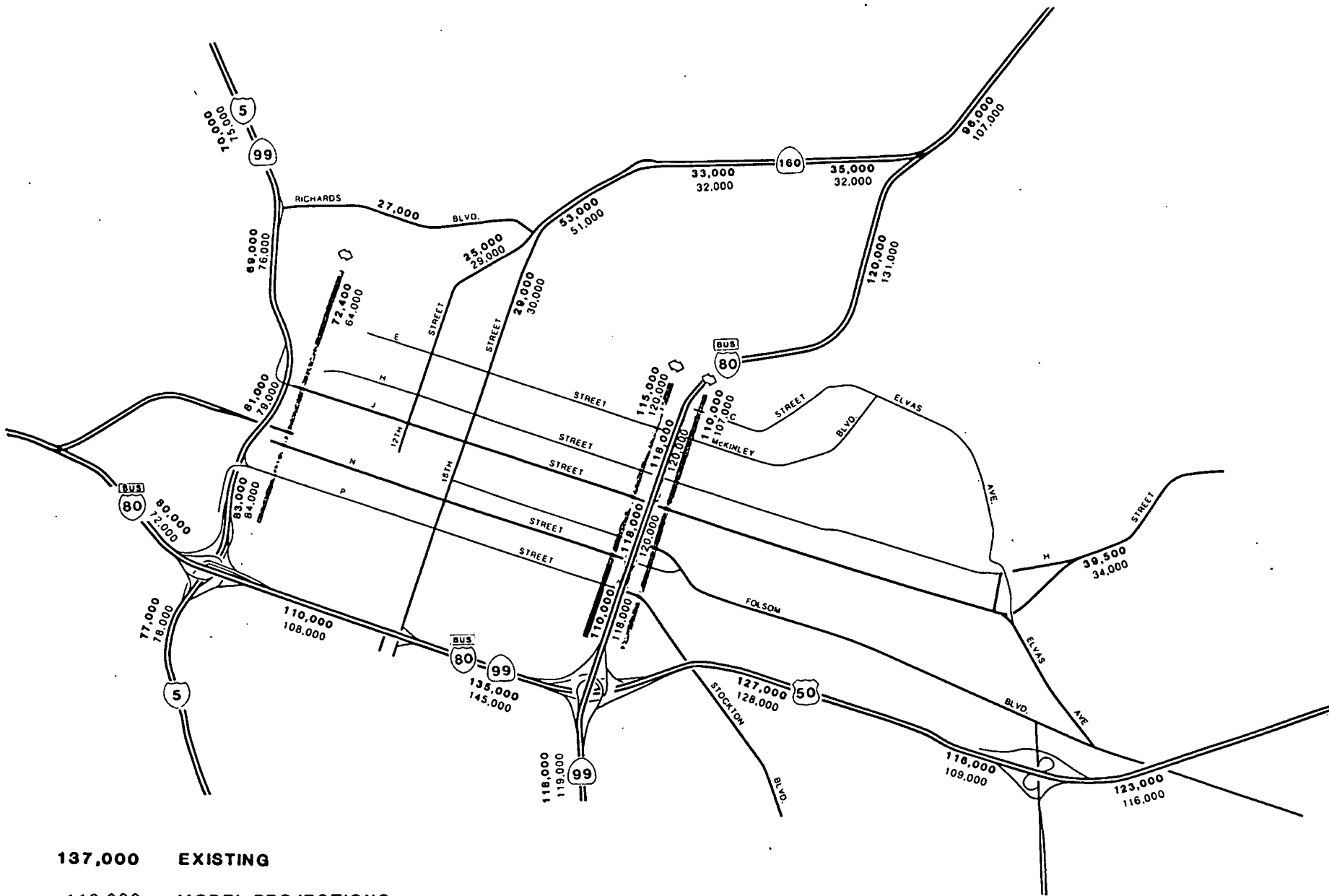
**THE CITY OF SACRAMENTO
PUBLIC WORKS DEPARTMENT**

Prepared by:

**OMNI-MEANS, Ltd.
Engineers & Planners
7509 Madison Ave., Suite 120
Citrus Heights, CA 95610**

June 18, 1986

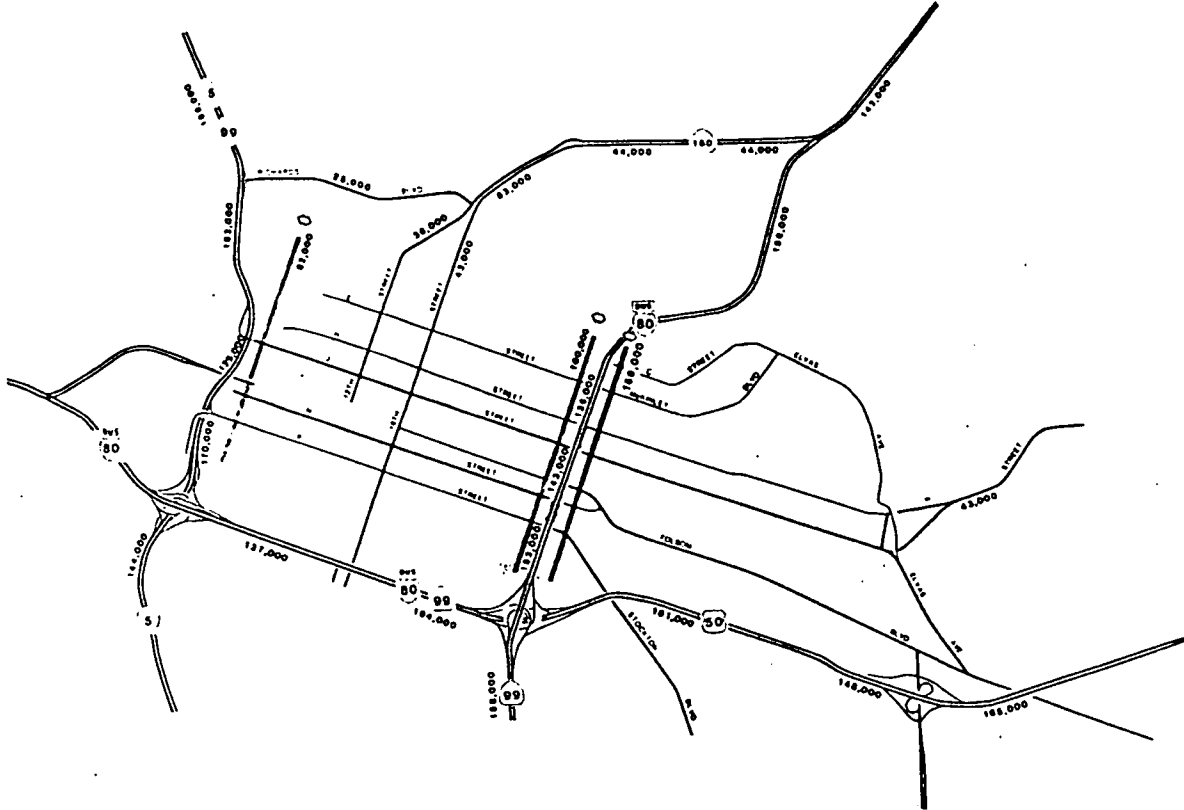
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137,000 EXISTING
 110,000 MODEL PROJECTIONS

Existing (1984) ADT's and Transportation Model Projections



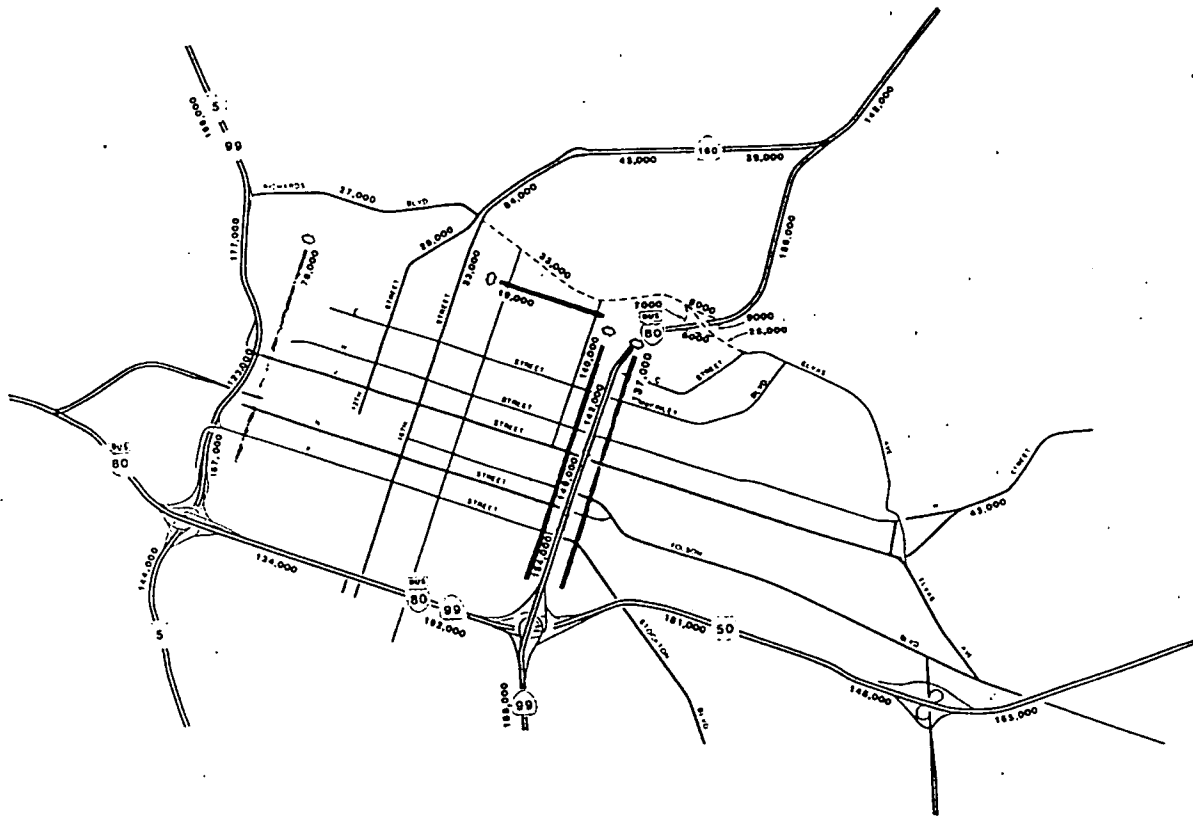


Alternative 2 Projected ADT's



OMNI-MEANS, Ltd. Engineers & Planners

Figure 10



Alternative 5 Projected ADT's



OMNI-MEANS, Ltd. Engineers & Planners

Figure 13



DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 300
915 I STREET
SACRAMENTO, CA
95814-2608

916-449-5307

October 20, 1986

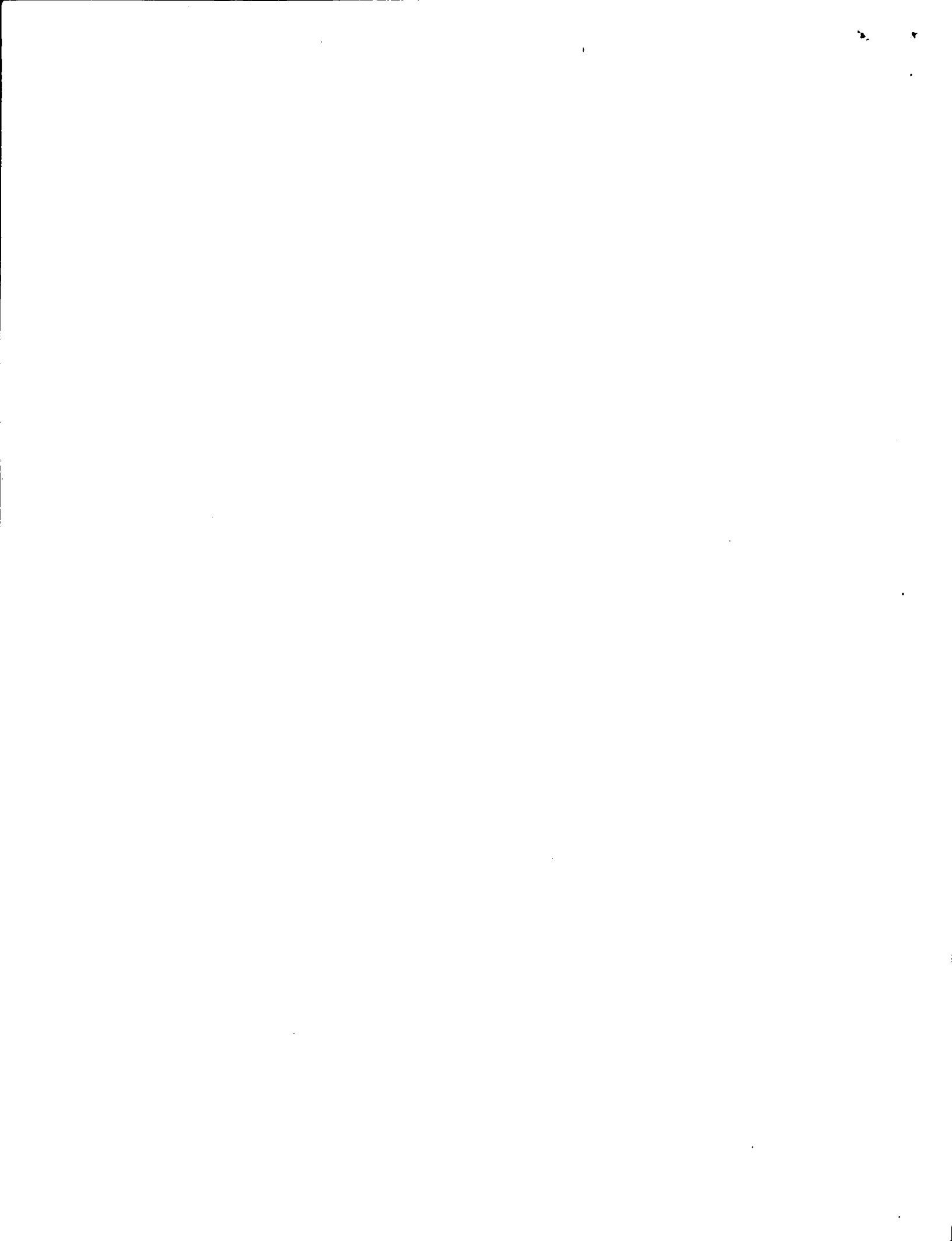
THOMAS M. FINLEY
ENGINEERING DIVISION
MANAGER

Interested Consultants:

The Sacramento City Public Works Department, as Lead Agency, is requesting proposals from qualified Consultants to prepare an Environmental Impact Report (EIR) on a proposed Elvas-Richards Connector. The EIR should assess potential impacts associated with the project pursuant to California Environmental Quality Act (CEQA) and the City EIR Guidelines. The selected Consultant must prepare a legally adequate EIR as well as attend and make presentations of the EIR at probably 16 public meetings and hearings. Consultant selection and EIR processing schedules are outlined on Attachment A. Staff estimates the EIR's cost, without traffic assessments, to be approximately \$20,000.

The proposed Elvas-Richards Connector would connect 65th Street/U.S. 50 to I-5/Richards Boulevard by construction of a new roadway between, Elvas/C Street and Richards Boulevard/SR160. A new interchange at Elvas-Richards with Business Interstate-80 is also proposed (see Attachment B). Potentially significant traffic impacts may occur in East Sacramento, Central City and Richards Industrial areas of the City of Sacramento as a result of this proposed connector. Project assessment would include localized impacts as well as potential cumulative environmental impacts associated with traffic from built-out land use designations. A recent traffic feasibility study has been completed that assessed the possible improvements to areawide circulation. As the results of this study, the City is preparing to start the next step which is a more specific feasibility study and EIR. An environmental assessment pursuant to the National Environmental Policy Act (NEPA) is not necessary at this time.

A proposed EIR outline and scope is included as Attachment C. A list of pertinent resource documents is described in Attachment D. Staff considers potentially significant impacts to include, but not limited to: traffic and circulation, land use, air and water quality, noise, public services, and aesthetics. A typical cost/revenue analysis should be included to assess potential financial impacts on the City. The Consultant will print and distribute both the Draft and Final EIRs.



City Staff intends to have a briefing session on October 31, 1986 at 2:00 p.m. in Room 300 conference room at 1231 I Street, Sacramento, California, 95814. Please RSVP at (916) 449-2037 by October 29, 1986. The procedure for submitting a Proposal is outlined below:

1. Sealed proposals (original and seven copies) must be submitted to the office of the City Clerk, 915 I Street, Room 203, by 10:30 a.m., Tuesday, November 11, 1986. Proposals will be opened at 10:30 a.m., Tuesday, November 11, 1986.
2. The Proposal should contain the following information:
 - A. Detailed outline of scope of services and methodology to be used for the EIR.
 - B. Preliminary cost estimate with breakdown of expenses similar to Attachment E. In preparing the cost estimate, the Consultant should anticipate attendance at public meetings.
 - C. Indicate ability to comply with proposed scheduling.
 - D. Summary of firm's experience with similar projects.
 - E. Background and qualification of personnel to be assigned to prepare Draft and Final EIR.
 - F. Reference (name, address and telephone number) of persons who may be contacted to verify qualifications and previous performance.
3. Submit two examples of similar major arterial/interchange and mixed land use EIR's prepared by your firm. These will be returned upon request.

Staff is not opposed to a joint Proposal from two or more consulting firms. The City encourages proposals from minorities and women-owned firms as well as minority and women-owned firms participating as subconsultants. To be considered by the City as a minority or women-owned business you must:

1. Complete and file a Bidder's List Application with the City's Purchasing Office (916) 449-5551.
2. Complete and file Minority and Women's Business Enterprise Self Certification Questionnaire with the City's Economic Development Office (916) 449-5381.

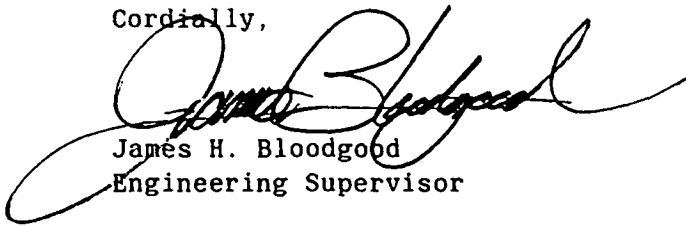
October 20, 1986

The proposals will be evaluated on the basis of comprehensiveness, detail of analysis, workability of methodology, and the estimated cost.

The firms submitting the best Proposals will be invited for a personal interview prior to the selection of a Consultant. The interviews are tentatively scheduled for November 21, 1986.

Please call Steve Dee or Clif Carstens of the City's Planning Division at (916)449-2037 if you have any questions concerning this matter.

Cordially,

A handwritten signature in black ink, appearing to read "James H. Bloodgood", written over a large, stylized flourish that loops around the text.

James H. Bloodgood
Engineering Supervisor

JHB:CC:SD:lr:jg
Attachments

ATTACHMENT A

ELVAS-RICHARDS CONNECTOR EIR
TENTATIVE PROJECT PROCESSING TIME SCHEDULE

<u>PROCEDURE</u>	<u>TIME</u>	<u>DATE</u>
Public Works Prepares Report to Transportation and Community Development on Project and Consultant Selection Process		
Transportation and Community Development Reviews Consultant Selection Process		9-23-86
City Sends Notice of Interest for Consultant Services		9-9-86
City Prepares and Distributes RFP		10-20-86
City Conducts Briefing Session		10-31-86
City Distributes Notice of Preparation (30 days*) (Mailing, Newspaper) Transportation and Community Development and Planning Commission Review NOP within 30 Day Comment Period NOP Public Review Period Closes (Before Contract Signed)		
Consultants Prepare Proposals - Due		11-11-86
Interview/Selection of Consultant - Completed	2 weeks	
City Prepares and Process Contract (Incorporates NOP Comments)	2 weeks	
Consultant Prepares Administrative Draft EIR	9 weeks	
Consultant conducts One Introductory NOP Meeting in Each of Three Neighborhoods		
City Reviews Administrative Draft EIR	1 week	
Consultant Makes Revisions	2 weeks	
City Reviews Administrative Draft EIR	1 week	
Consultant Makes Revisions	2 weeks	
City Reviews Revisions	1 week	
Consultant Publishes and Distributes Draft EIR	1 week	
Consultant Files Notice of Completion and Ten Draft EIRs with OPR Which Starts Draft EIR Public Review Period City Advertise, Availability of Draft EIR (Mailing, Newspaper)	45 days	
Consultant Conducts One Draft EIR Findings Meeting in Each of Three Neighborhoods		

<u>PROCEDURE</u>	<u>TIME</u>	<u>DATE</u>
City Publishes Notice of Transportation and Community Development Draft EIR Hearing		
Transportation and Community Development Hearing to Receive Comments Within Review Period		
Draft EIR Public Review Period Closes		
City Transmits all Written Comments to Consultant		
Consultant Prepares Administrative Final EIR	2 weeks	
City Review of Administrative Final EIR	1 week	
Consultant Makes Revisions	1 week	
Consultant Publishes and Distributes Final EIR	1 week	
Public Works Request City Clerk Reserve a Hearing Date		
Final EIR Public Review Period (Seven Days*) Starts	2 weeks	
Consultant Conducts One Final EIR Findings Meeting in Each of Three Neighborhoods		
Final EIR Public Review Period Closes		
Planning Sends Public Notice 14 Days Before CPC Hearing (Mail, Newspaper)		
Receive Comments and Public Works Prepares Staff Report and Transmit to Planning	2 weeks	
City Planning Commission Hears Proposed Project for Advisory Recommendations		
Public Works Sends Public Notice 14 Days Before Transportation and Community Development Hearing (Mail, Newspaper)		
Transportation and Community Development Hearing on Final EIR and Project (Recommendation)	2 weeks after CPC	
Public Works Request City Clerk set Hearing Date Next Day After Transportation and Community Development Action		
City Clerk Sends Public Notice Ten Days Before Hearing (Mail, Newspaper)		
Public Works Forwards Staff Report on Final EIR and Project on Wednesday to City Manager and then to City Clerk for the Tuesday Hearing		

PROCEDURE

TIME

DATE

Council Hearing on Final EIR and Project Final Action

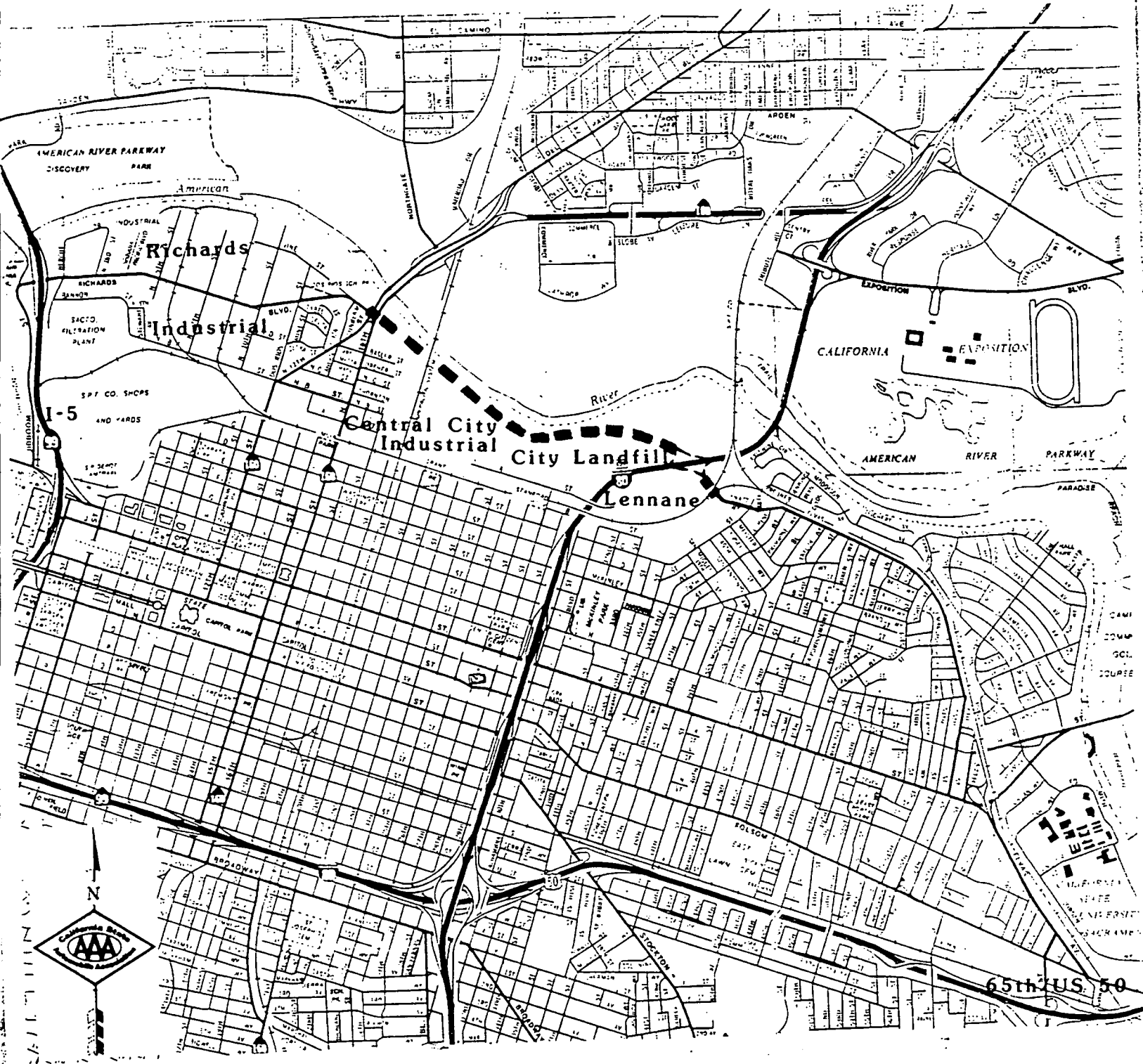
3 weeks
after T&CD

City Files Notice of Determination within Five Days* After Action with
County Clerk and State

41 weeks

* Mandatory Minimum Time Frame

CC:lr:jg
Revised 8/27/86



PROPOSED ELVAS/RICHARDS CONNECTOR

ATTACHMENT C

OUTLINE AND SCOPE FOR THE
ELVAS-RICHARDS
CONNECTOR EIR

PREFACE

Summary of the project's planning process, why the EIR is being prepared, and the purpose of the EIR.

PROJECT DESCRIPTION

Description of the proposed Elvas-Richards/Connector including objectives.

SUMMARY OF FINDINGS

Discussion of the seven questions required by CEQA, Section 15126:

1. The significant environmental effects of the proposed project.
2. Any significant environmental effects which cannot be avoided if the proposed plan is implemented.
3. Feasible mitigation measures to reduce the significant effects to a less than significant level. Provide other mitigation measures for impacts identified as less than significant. NOTE: Develop and evaluate mitigation measures that could reasonably be expected to reduce potential adverse impacts associated with traffic generation, air quality, development of vacant land, plant and animal species, noise, public service capacities, and cumulative impacts. Reductions to impacts projected in the EIR should be quantified.
4. Alternatives to the proposed action:
 - o No project (existing conditions).
 - o Existing adopted General Plan land use and zoning designations for all vacant land in the vicinity of the proposed connector with and without a connector.
 - o An increased intensity and density land use scenario for major vacant lands in the vicinity of the connector.

Alternatives will compare key impacts such as roadway capacity, traffic generation and circulation, air quality, noise, public services and major costs and revenues. The Consultant will develop the land use data for each alternative subject to City staff approval prior to analysis.

5. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
6. Any significant irreversible environmental changes which would be involved in the proposed project should it be implemented.
7. The growth-inducing impact of the proposed project.

Each of the following subject areas will be assessed utilizing the existing condition or no project situation as the base. The analysis will be either a qualitative or quantitative level for the existing adopted City General Plan, City Zoning Ordinance, 1965 Industrial Park, 1965 East Sacramento Community Plans, 1980 Central City Community Plan, 1984 Parks Master Plan, and 1985 American River Parkway Plan.

LAND USE

Compare the proposed project with adopted City growth policies, General and Community Plans and zoning. Evaluate the extent to which the goals, objectives, and policies of these plans and Ordinance are met. Discuss the role of the Elvas-Richards Connector in achieving the City's planning objectives. The Elvas-Richards Connector is an adopted policy in the 1980 Central City Community Plan.

Compare the proposed project to the Sacramento County's Solid Waste Management Plan (COSWMP) including the landfill's heavy industrial-parkway corridor zoning designation and solid waste/open space/parks land use designation. Land use analysis should consider the 1985 American River Parkway Plan and parkway corridor land use constraints (height, etc.). Briefly describe recent development trends in the project area including the Lennane high tech/research and development/office park and Richards Boulevard-Industrial Park Community Plan area.

Identify all potential real property acquisitions and business relocations by the City for the proposed Elvas-Richards connector right-of-way.

Discuss and evaluate the beneficial and adverse implications of the proposed project on existing land use patterns, zoning, and commercial, industrial and residential areas. Consider impacts associated with industrial-commercial-residential land use interfaces and established transitional zoning principles to minimize land use conflicts.

POPULATION, EMPLOYMENT AND HOUSING

Briefly describe the existing population in the project area in terms of total population, household size, age by sex, ethnic mix, education, the distribution of household income, employment by land use, and level of location of employment.

Briefly describe past trends and recent projections of population growth by age, household size, household income, education and employment by land use.

Discuss and evaluate how the proposed project will affect future population growth in terms of total population, age, household size, education, household income levels, employment by land use, and levels of unemployment.

Evaluate the balance between housing and future job opportunities in the project area.

TRANSPORTATION/CIRCULATION

The City and a property owner located within the proposed alignment of The Elvas-Richards Connector retained Omni-Means Transportation Consultants to prepare a Preliminary Connector feasibility study. The study indicated that the proposed connector would improve local and areawide circulation. The City proposes to retain Omni-Means to provide further traffic analyses for the EIR. Omni-Means will be responsible for engineering, roadway cost, geometrics and alignments including but not limited to the following tasks: completing an updated traffic analysis based on 1985 land use data; determining preliminary geometric designs for the following critical intersections and interchanges (U.S. 50/65th Street, 65th/Folsom, 65th/Elvas, Elvas/J, Elvas/H, Elvas/56th, Elvas\C, Elvas/I-80, Richards/12th and Richards/16th Streets, Richards/Bercut Drive, Richards/I-5, 21st/SPRR, 28th/SPRR); preliminary engineering designs for grade separations at Elvas/I-80, Elvas/SPRR, Richards/WPRR, Richards/12th and Richards/16th Streets; realignment of Elvas/56th and Elvas/65th Streets; traffic volumes for all alternatives and at build-out of the City's General Plan in the year 2005 for air quality analysis. Omni-Means will be under a separate contract with the City to complete this traffic analysis. The selected EIR consultant will coordinate with Omni-Means as necessary to prepare the draft and Final EIRs including the soils and geology sections relative to the preliminary engineering designs. City Traffic Engineering staff shall review and approve the computer model, roadway network, traffic zones, traffic generation factors and other assumptions for the project and its alternatives prior to running the traffic alternatives for A.M. and P.M. Peak Traffic Volumes. Some traffic counts will be necessary for Richards Boulevard, I-80 and I-5 ramps, and Elvas Avenue.

Describe the existing transportation system in terms of roadways, bikeways, public transit, and the existing and planned light rail system. Discuss methodologies used to estimate future traffic volumes and estimates of trip generation and distribution. Analyze shifts in traffic patterns caused by development of the proposed connector. Identify which portions of the connector will be needed to reduce congestion.

Analyze the circulation impacts of the proposed project and its alternatives on existing and proposed major streets including intersection and interchange capacities, delays, safety hazards, and loss of privacy (i.e., North 16th and 12th Streets/Richards Boulevard, I-5/Richards Boulevard all ramps, I-80/Elvas-Richards Connector, Lanatt Way-Elvas Avenues, 56th Street/H and J Streets, 28th Street/A and C Streets, American River Parkway). Determine potential impacts on adjacent collector streets, especially in residential areas. Identify the location of potential traffic congestion and define future lane requirements on all of the major roadways in the project area. Determine the vehicular and load capacity of the A Street Bridge and other ingress/egress points that may serve as an interim secondary or emergency routes for both the City landfill and Lenanne sites.

Assess the capability of the proposed I-80/Elvas-Richards Interchange to accommodate the cumulative build-out of properties adjoining the Elvas-Richards connector (i.e., City landfill site, Lennane property, other vacant industrial zoned parcels) and its ability to provide safe and efficient traffic flows in terms of level of service, and A.M./P.M. peaks.

Assess the potential impacts on the Elvas-Richards connector with and without grade separations at the WP and SP railroad tracks and north 12th and 16th Streets.

Assess the potential impacts of secondary access at 28th and 21st Streets with and without grade separations.

Assess possible interference with an emergency response plan or an emergency evacuation plan resulting from inadequate or impacted circulation patterns, neighboring industrial activities, vehicular or railroad accidents, etc.

Determine the project's impact on bus travel and the existing and planned Regional Transit system in terms of being consistent with the objectives of these programs and the interaction between the Regional Transit system and vehicular volumes. NOTE: Mitigation strategies of traffic impacts may consider traffic signal installation, intersection and roadway improvements, roadway signing and striping changes, and changes in the scope of the proposed project, including, but not limited to, Elvas/Richard Connector without an interchange at I-80, completing just the Richards to Interchange at I-80, completing just

the Elvas to interchange at I-80. In addition, determine when the project, portions of the project, and respective mitigation measures are necessary. If recommended mitigation is determined to be costly, interim measures should be suggested to minimize identified impacts. In addition, transportation system management measures (TSM), including transit incentive, carpooling and bicycle/pedestrian programs, should be considered as potential alternative mitigation measures for vacant properties.

AIR QUALITY

Predict carbon monoxide levels for the year 2005 under worst-case assumptions for traffic and meteorology and at major intersections using the CALINE-3 model at varying distances from the roadway. Identify sensitive receptors (schools, convalescent facilities, hospitals) affected by the proposed project and identify carbon monoxide impacts at these locations.

Compare predicted carbon monoxide levels with the State and Federal standards; identify effects on Non-Attainment Plan for carbon monoxide.

Calculate regional carbon monoxide, hydrocarbon, and oxide of nitrogen emissions generated by traffic using State-of-the-Art models (i.e., URBEMIS) for the proposed project and alternatives for the year 2005. Analyze land use assumptions contained in the Sacramento Non-Attainment Plan (NAP) to determine the incremental emissions changes assumed in the NAP. Compare predicted project emissions to assumed emissions in the NAP.

Estimate area-wide smog precursor emissions (hydrocarbons and oxides of nitrogen) at build-out under alternative projects using VMT estimates from the State of the Art model and vehicle emission rates from EMFAC6D and EMFAC7.

Use CALINE3 to model carbon monoxide levels at build-out conditions for the 12 identified major intersections and interchanges which show potentially significant congestion and high traffic volumes. Modeling of alternative project conditions will be done only if warranted by significant differences in traffic conditions. Compare extrapolation of modeling results to other congested intersections in the project area.

Develop mitigation measures to eliminate or improve any carbon monoxide "hot spots" identified.

Develop effective mitigation measures to reduce regional air quality impacts (i.e., light rail, TSM), including measures included in the NAP. Describe the effectiveness and feasibility of each measure.

NOISE

Review existing noise data on I-5, North 12th and 16th Streets, WP and SP railroad tracks, IB-80 and U.S. 50. Quantify the impact of future noise levels as compared to the City Noise Element, State, and Federal standards. This assessment should pay particular attention to potential noise impacts affecting sensitive receptors (i.e., hospitals, schools, etc.) and residential areas adjoining the proposed project site.

Evaluate the compatibility of future land uses with the future noise environment using the guidelines presented in the Noise Element of the City's adopted General Plan and the purpose of the American River Parkway Corridor in the City's Zoning Ordinance.

Prepare contour maps of calculated build-out noise levels for the proposed project and any alternatives having significantly different noise contours. Summarize noise level changes and differences in tabular form.

Outline effective mitigation measures to reduce potentially significant noise impacts on sensitive receptors and residential areas to a less than significant level.

PUBLIC SERVICES

Water, Sewer and Drainage

Briefly analyze how water will be supplied to large vacant properties in the vicinity of proposed connector and discuss existing and proposed improvement plans for extending surface water to these sites.

Briefly analyze the existing sewer system and discuss planned improvements for sanitary sewers. Evaluate the capacity of interceptors, local service lines, and the treatment plant to support the build-out of large vacant properties in the vicinity of the proposed connector.

Briefly describe the existing stormwater drainage infrastructure in the vicinity of the proposed connector. Discuss planned stormwater improvements in the project area and additional improvements which will be needed to support the proposed project.

Assess potential impacts to water, sewer, and drainage lines resulting from differential settling of landfill material.

Discuss the role of the City to provide water, sewer, and drainage facilities. Assess and evaluate various financial mechanisms available to fund these improvements.

Solid Waste

Assess existing solid waste removal services and disposal of additional solid waste from the build-out of vacant lands within the vicinity of the proposed connector.

Determine if the proposed Connector will effect the operation of the City's landfill and the disposal of future solid waste.

Emergency Services

Briefly describe existing fire and police protection systems in the project's vicinity including the location of fire stations, police patrol districts, response times, the amount of personnel and equipment, and strategies to reduce police and fire protection problems.

Assess future police and fire protection needs in terms of the location of stations, patrol districts, and the amount of personnel and equipment.

Schools

Briefly describe how the project may impact the local school district(s).

Parks and Open Space

Briefly describe the existing park and recreation program in the project area and the amount of parks and recreational facilities needed to serve the proposed development. Assess the future use of the City landfill as a regional park as defined in the City's 1984 Parks Master Plan.

Evaluate the proposed project's effect on planned parks and recreational facilities for the City landfill site.

Assess potential impacts on the quality or quantity of existing or proposed recreation opportunities. Particular attention should be given to the planned City regional park at the City's landfill site and its relationship with the American River Parkway.

Libraries

Briefly summarize the existing library service program in the project area and how the project may affect such facilities.

Medical Facilities

Briefly describe the location of medical facilities in the vicinity of the proposed Connector.

Cultural Resources

Identify possible areas containing cultural resources including potential impacts which may affect a structure or archaeological site. Assessment of cultural resources should be coordinated with the Native American Heritage Commission (NAHC) to ensure adequate inventory and mitigation measures.

Soils and Geology

Briefly describe the geological characteristics of the project area giving particular attention to the location of areas affected by geological hazards.

Assess potential subsidence, non-uniform or differential settlement of solid waste landfill materials. This assessment should consider the external forces of road vibration, hydrologic pressures and project construction on the landfill's containment systems (i.e., clay cap, liner, berms).

Express geologic characteristics of City landfill area in terms of bearing capacity for the proposed I-80/Elvas-Richards Connector/Interchange and future construction of structures and related infrastructure on land fill material.

Outline effective mitigation measures to reduce potential impacts to a less than significant level.

Water/Hydrology

Assess potential impacts to the water quality of the American River resulting from construction, operation and maintenance of the proposed Connector. This analysis should include the effects of project on the landfill's containment system (i.e., clay liner, leachate collection, and closure design).

Discuss the proposed project's potential impact on State requirements for water percolation and low-infiltration rates for landfill sites.

Define the relationship between the City landfill closure plan and the proposed project in terms of the permit requirements set forth by the Regional Water Quality Control Board and California Waste Management Board.

Compare forecast models of hydrologic and water quality conditions associated with the proposed project to existing data.

Generally describe areas which lack adequate drainage and, after contacting the City's Engineering Department, summarize past drainage studies and drainage improvements which have been installed in the project area. Assess how the project affects the overall drainage issue.

Briefly summarize the ability of existing and planned drainage improvements to accommodate the proposed project.

Outline effective mitigation measures that will reduce potentially significant impacts to a less than significant level.

Public Health

Outline the authorities that may be involved with possible public health and safety aspects associated with the project.

Assess potential health impacts associated with possible excavation of buried solid and infectious wastes at the City landfill site.

Evaluate potential leachate migration impacts to the American River and ground water supplies resulting from possible clay liner disruption, percolation, settlement, etc.

Determine the potential impacts associated with the City's landfill which may result from methane gas. (i.e., migration and ignition, asphyxiation, methane gas recovery, and road or building settlement during project construction and future use).

Discuss the potential of odors, dust, and vectors from the City landfill impacting both on and off-site properties.

Outline effective mitigation measures to reduce potential impacts to a less than significant level.

General

Assess the additional City services that will be required to maintain public facilities and infrastructure associated with the project.

Outline effective mitigation measures to reduce potential impacts to a less than significant level.

PLANT AND ANIMAL COMMUNITIES

Briefly summarize the location of important wildlife habitats and evaluate the impact of the proposed plan on the habitats. Describe animal and plant species which will be effected. Reduction in habitats should be evaluated.

Consult with the U.S. Department of Fish and Wildlife, State Fish and Game, as well as local experts at the University of California - Davis to determine the location and potential impact of the proposed project on rare, threatened and endangered plant and animal species. This analysis should give particular attention to any existing on-site trees (i.e., size, species, condition) that may have to be removed as a result of the Connector.

Outline effective mitigation measures to reduce potential impacts to a less than significant level.

AESTHETICS

Evaluate the aesthetic character of the proposed Elvas/Richards Connector and Interchange, especially as it relates to the 1985 American River Parkway Plan and the Parkway Corridor (PC) zone. Visual aspects of the proposed Connector and interchange should be compared to the height, bulk, color, and lighting requirements of Section 24 (American River) in the City's Zoning Ordinance. Indicate how these requirements would effect the aesthetics of future construction of structures within the PC corridor.

Prepare a total of thirteen photo montages: one from each cardinal direction to the Elvas/SP overcrossing (4), one of each directional flow for IB-80/Elvas interchange (2), and one southerly view from State Route 160/American River bridge to Richards/12th and 16th Streets intersections (1), grade and underpass for SPRR/Elvas, SPRR/28th Street, SPRR/21st Street (6). A map illustrating the perspective of each composite picture shall be provided.

Light and Glare

Assess light and glare impacts associated with the proposed project resulting from automobiles, street lighting, signage, billboards, and reflective surfaces relative to nearby residential areas, the American River Parkway, Parkway Corridor, and vehicular safety on the proposed connector/interchange.

Outline effective mitigation measures to reduce potentially significant adverse environmental impacts to a less than significant level.

UTILITIES

Evaluate the proposed project's need for new systems, or substantial alterations to utilities such as electricity, natural gas, water, sewer, etc.

Outline effective mitigation measures to reduce potentially significant adverse environmental impacts to a less than significant level.

PERMITS, ENTITLEMENTS, AGREEMENTS

Discuss the necessary permits or entitlements required to implement the proposed project, especially the California Water Quality Control Board (CRWQCB), California Waste Management Board (CWMB), CalTrans, California Public Utilities Commission, etc. Attention should be given to potential property acquisition(s) or encroachment(s) and business relocation(s) by the City for public right-of-way purposes. Lease and easement arrangements (i.e., billboards, access, etc.) should be evaluated in terms of potential adverse environmental and fiscal impacts associated with project development.

FISCAL ANALYSIS

Estimate the project's cost/revenue including possible land acquisition(s) or encroachment(s) and business relocation(s), potential ultimate land use build-out revenues to the City, or to special districts based on appropriate formulas and socio-economic factors. The methodology shall be submitted to the Planning Division for review before revenues are calculated.

Determine at ultimate build-out the future costs of public facilities and services outlined in the Public Services Section. Assess the ability of the City, and any special districts, to provide and continue their services. These costs should be broken down into capital, operation, and maintenance costs. Appropriate governmental agencies shall be contacted in order to develop realistic assumptions of costs and revenue.

Outline the fiscal impacts of the proposed project on the City, special districts, and any other affected governmental agencies including the estimated cost to existing and future residents and businesses in the project area. Consideration should be given to existing City agreements that may be effected as a result of this project (i.e., methane gas, billboards, etc.). Identify and evaluate effective financial mechanisms available to fund these improvements including but not limited to, Federal and State highway funds, local taxes, and assessment districts.

ALTERNATIVES

The Consultant shall formulate and assess the three identified conceptual land use alternatives. Alternatives shall be subject to City staff approval prior to analysis. The Consultant shall prepare a schematic diagram and general outline of each alternative. Phased development of the Elvas/Richards Connector, relative to build-out of vacant parcels in the Study Area, shall be provided for each alternative.

The following table summarizes the possible conceptual land uses for each alternative.

<u>LARGE VACANT PROPERTIES</u>	<u>EXISTING GENERAL PLAN</u>	<u>HIGH ALTERNATIVE</u>
Richards Boulevard Area	25% Office 75% Warehouse	50% Office 50% Warehouse
North Central City Industrial Area	25% Office 75% Warehouse	Labor Intensive
City Land Fill	Solid Waste Facility/ Office Space/Park	General Plan Designation
Lenanne (48 acres)	25% Office 75% Warehouse	900,000 sq ft Office

The purpose of the alternatives is to provide the decision-makers with a summary assessment of the comparative effects of the alternatives focusing on the significant short/long term impacts including effective mitigation measures. Phased development shall be included as part of the comparative assessment and the mitigation measures.

The evaluations of the three alternatives shall compare, in summary form, key impacts such as roadway capacity, traffic, circulation, air and water quality, employment, public service capacities, and major costs and revenues to the City including relevant special districts. Evaluation of the three alternatives should consider all aspects associated with the proposed project including:

- o Connector/Interchange Public ROWs with project and alternatives accessing proposed connector.
- o American River Parkway-Parkway Corridor (PC) Overlay Zone
- o Potential Development Constraints at City Landfill

The Consultant shall provide a comprehensive summary table with a comparative quantification of why individual aspects of the assessed alternatives are better or worse than others. The Consultant shall complete the comparative quantification utilizing adopted City policies on an order-of-magnitude basis.

Qualified assessments shall be made to complete the summary alternative table based on the quantified data prepared for the project. (i.e., aesthetics, utilities, hydrology, noise, air quality, and public health).

CC:SD:lr:jg

ATTACHMENT D

RESOURCE DOCUMENTS

CITY (AVAILABLE AT CITY PLANNING - SECOND FLOOR, SUITE 200)

1. Vacant Land Study - Part I and II, Sacramento City Planning Department, 1981. This report determined the amount of vacant land in the City and estimated future residential holding capacity. (\$2.50)
2. Growth Policy - Conclusions and Recommendations, Steve Jenkins and Jim Harnish, March 18, 1982. This report describes the consequences of future growth and recommends how it should be accomplished. (\$3.00)
3. More Numbers, More Background, More Information - Accelerated General Plan Update, Steve Jenkins and Jim Harnish, February 18, 1982. This report supported the Growth Policy report and describes population projections, land use strategies, vacant land, transit and transportation, air quality, the high tech industry, and land use scenarios. (\$3.00)
4. The 1974 Sacramento City General Plan. (\$9.00)
5. City Comprehensive Zoning Ordinance. (\$9.00)
6. Draft EIR and Final EIR for the North Natomas Community Plan (\$27.00 + \$11.40 respectively - City Environmental Planning, Third Floor, Suite 300).
7. 1985 American River Parkway Plan (\$6.13).
8. Arden-Garden Connector EIR, 1986 (Public Works).
9. Richards Boulevard Industrial Area Economic Analysis, 1977 (\$5.00).
10. Elvas/Richard Traffic Study, 1986 (Omni-Means).
11. 1963 East Sacramento Community Plan (\$1.50).
12. 1965 Industrial Park Area Plan (\$1.50).
13. 1980 Sacramento Central City Community Plan (\$4.00).

COUNTY

14. The Sacramento Region in 1990 - Economic Growth and Demand for Industrial Land, Sacramento County Planning Department, February 1982. This report examines the range of employment growth which could occur in the County and the underlying trends which will determine new employment.

Planning for Jobs and Housing Balance, Sacramento County Planning Department, August 1982. This study analyzes the balance between future jobs and housing in Sacramento County.

SACOG

15. Sacramento Area Transportation Study and 1982-1987 Regional Travel Demand, SACOG, 1981. These studies project traffic volumes and demand for different modes of transportation for 1982-1987 by traffic zones.
16. 1982 and 1987 Air Quality Plan, SACOG. This plan quantifies trip generation and air quality impacts of future population and employment growth.

LAFCO

17. City of Sacramento Sphere of Influence and Appendices, Sacramento Local Agency Formation Commission, October 21, 1981.

CC:SD:lr:jg

PERSONNEL (HOURS)

ASKS	PERSONNEL (HOURS)													TOTAL HOURS
Project Management	4	20												24
Project Details		8												8
Project Description		4												4
Interagency Coordination	8	24												32
Affected Environment														
5.1 Water Quality									46					46
5.2 Hydrology								39						39
5.3 Erosion								38						38
5.4 Soils, Geology										16				16
5.5 Flora & Fauna		24												24
5.6 Land Use	4	8			33									45
5.7 Traffic										22				22
5.8 Aesthetics			24											24
5.9 Public Services							20							20
5.10 Utilities				24										24
5.11 Fiscal							10							10
5.12 Population							3							3
5.13 Employment							3							3
5.14 Energy							6							6
5.15 Noise												14		14
5.16 Air Quality													17	17
Preliminary DEIR	4	27												31
DEIR	4	15												19
Preliminary FEIR	4	10	3	3	5	3	5	13	11	9	4	2	4	76
FEIR	4	5												9
Public Hearings	9	12												21
TOTAL HOURS	41	157	27	27	38	15	35	90	57	31	20	16	21	575
Hourly Rate	\$70	\$50	\$50	\$50	\$40	\$40	\$40	\$30	\$35	\$45	\$60	\$50	\$40	
FEE	\$2870	7850	1350	1350	1520	600	1400	2700	1995	1395	1200	800	840	

Total Fee

EXAMPLE OF COST BREAKDOWN

ATTACHMENT E