

# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604

[www. CityofSacramento.org](http://www.CityofSacramento.org)

**CONSENT**

**March 13, 2007**

**Honorable Mayor and  
Members of the City Council**

**Title: Fisherman's Lake Parkway and Open Space Reimbursement/Credit  
Agreement, CIP LW67**

**Location/Council District:** South of Del Paso Blvd. and east of El Centro, Council  
District 1

**Recommendation:** Adopt a **Resolution:** 1) approving the Reimbursement/Credit Agreement for Fisherman's Lake Parkway and Open Space, CIP LW67; 2) establishing a new Capital Improvement Program project, CIP LW67, for associated City costs for the development of Fisherman's Lake Parkway and Open Space; 3) accepting an Unconditional, Standby Letter of Credit in the amount of \$123,685 for Fisherman's Lake Parkway and \$996,377 for Fisherman's Lake Open Space pursuant to Reimbursement/Credit Agreement from K. Hovnanian Forecast Homes Northern, Inc.; 4) appropriating \$287,100 from the Public Facilities Fee Fund (PFF), Fund 780, to Fisherman's Lake Parkway and Open Space, CIP LW67; and 5) appropriating \$575,098 from the Park Development Impact Fee Fund (PIF), Fund 791, Planning Area 10, to Fisherman's Lake Parkway and Open Space, CIP LW67.

**Contact:** J.P. Tindell, Interim Planning and Development Manager, 808-1955

**Presenters:** Not applicable

**Department:** Parks and Recreation

**Division:** Park Planning, Design & Development

**Organization No:** 4727

### **Description/Analysis**

**Issue:** Staff is recommending that Council approve entering into a Reimbursement/Credit Agreement with K. Hovnanian Forecast Homes Northern, Inc., and Natomas Investors, LLC for the development of Fisherman's Lake Parkway and Open Space.

Fisherman's Lake Parkway and Open Space is comprised of 36 acres between Natomas Central Drive and Po River Way in North Natomas; the northern 10 acres comprise the Fisherman's Lake Parkway and the remaining southern acres are open space. The parkway is located between Fisherman's Lake and Natomas Central Lake.

A summary of the Fisherman's Lake project history is included as Attachment 1 (page 5) and an area map as Attachment 2 (page 7).

**Policy Considerations:** Providing parks and recreation facilities is consistent with the City's strategic plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation, and trail facilities throughout the City.

**Committee/Commission Action:** The Fisherman's Lake Parkway name and master plan (Attachment 3, page 8) were reviewed and supported by the Parks and Recreation Commission (PRC) on January 4, 2007,

**Environmental Considerations:** On October 25, 2005, the City Council approved the Negative Declaration and adopted the Mitigation Monitoring Plan for the Natomas Central PUD Project (P04-173). The current request is to approve the Fisherman's Lake Parkway and Open Master Plan. Fisherman's Lake Parkway and Open Space project components were evaluated within the Negative Declaration for the Natomas Central PUD. Therefore, the proposed Master Plan will not result in impacts over and above what was previously evaluated.

Section 15162 of the CEQA Guidelines provides that an additional Negative Declaration need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. As none of the conditions listed above relating to Section 15162 exist; additional environmental review is not required.

The Environmental Services Manager recommends the City Council re-approve the Negative Declaration for the Natomas Central Project and re-adopt the Mitigation Monitoring Plan as it applies to the Fisherman's Lake Parkway and Open Space Master Plan. The report to approve the Master Plan is also going before Council on March 13, 2007 and is recommending that Council re-approve the Negative Declaration and re-adopts the Mitigation Reporting Plan for this project.

**Financial Considerations:** The total cost to develop the Fisherman's Lake Parkway and Open Space is \$2,982,260 - \$1,402,500 for the Parkway and \$1,579,760 for the Open Space.

K. Hovnanian Forecast Homes Northern, Inc. will construct the Fisherman's Lake Parkway under a turn-key agreement at a cost of \$1,123,685. The developer has paid approximately \$1,000,000 in Park Development Impact Fee (PIF) fees when they pulled their building permits in this Planning Area. \$278,815 is to be appropriated from the Park Development Impact Fee Fund (PIF), Fund 791, Planning Area 10, to Fisherman's Lake Parkway and Open Space, CIP LW67, to fund \$215,985 for City share of costs for the Parkway project and \$62,830 for the costs to prepare the Master Plan and construction documents for the Parkway. The City will also accept an Unconditional, Irrevocable Standby Letter of Credit (LOC) in the amount of \$123,685 from K. Hovnanian Forecast Homes Northern, Inc. as security to develop this park.

K. Hovnanian Forecast Homes Northern, Inc. will develop the Open Space, including the bike trail at a cost of \$1,579,760. The developer will develop the open space area under a turn-key agreement at an estimated cost of \$1,283,477. The developer will also prepare the master plan and construction documents for \$53,000. The City will accept an Unconditional, Irrevocable Standby Letter of Credit (LOC) in the amount of \$996,377 from K. Hovnanian Forecast Homes Northern, Inc. as security to develop this open space and the parkway.

\$296,283 is to be appropriated from the Park Development Impact Fee Fund (PIF), Fund 791, Planning Area 10, to Fisherman's Lake Parkway and Open Space, CIP LW67, to fund \$243,283 for City share of costs of this project and \$53,000 for the costs to prepare the Master Plan and construction documents.


The construction of the bike trail is estimated to cost \$359,663. \$287,100 is to be appropriated from the Public Facilities Fee (PFF), Fund 780, and \$72,563 will be covered under the LOC to fund the construction of the bike trail.

In Resolution No. 2006-603, Council established a Capital Improvement Program (CIP) for the enhancement of Fisherman's Lake, CIP LV67, accepted \$1,000,000 pursuant to the Development Agreement with Forecast Homes (City Agreement No. 2005-0190) into the CIP Reimbursable Fund, Fund 248 and appropriated \$1,000,000 from the CIP Reimbursable Fund, Fund 248, for CIP LV67. This \$1,000,000 will also be used towards the development of Fisherman's Lake Parkway.

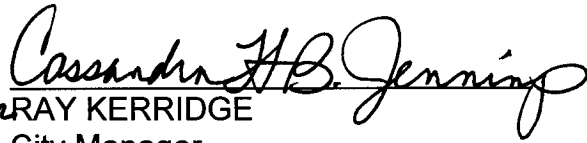
Development of parks creates an ongoing cost for park maintenance and utilities are based on the size of the park. This parkway is not a standard park but consists of 36 acres of passive parkway and open space. It is anticipated that the yearly maintenance costs for approximately 36 acres of open space and parkway will be approximately \$2,500 an acre or \$90,000 per year to maintain. The Neighborhood Park Maintenance Community Facilities District (CFD) #3 will provide funds for this maintenance. The developer shall maintain the park improvements at the developer's expense during the one year warranty period. Thereafter, City shall be responsible for all park improvements and maintenance.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased as a result of this report.

Respectfully Submitted by:

  
for CASSANDRA H. B. JENNINGS  
Assistant City Manager

Recommendation Approved:

  
for RAY KERRIDGE  
City Manager

**Table of Contents:**

Report	pg. 1
<b>Attachments</b>	
1 Background Information	pg. 5
2 Fisherman's Lake Parkway Location Map	pg. 6
3 Fisherman's Lake Parkway Master Plan (2 pages)	pg. 7
4 Resolution	pg. 9

**Attachment 1**

**Background Information**

The Fisherman's Lake area development is in the Natomas Central approved Planned Unit Development (PUD) which consists of low, medium, and high density residential for an active adult community, a lake/detention basin, a private recreation center, parks, a school site, a fire station, and open space on approximately 398 acres between El Centro Road and Del Paso Road. Along the south and east of this development and adjacent to Fisherman's Lake are 36 acres of a passive parkway and open space planned in accordance with the Fisherman's Lake Buffer Resolution, the approved Natomas Central PUD and environmental determination (Mitigated Negative Declaration), and Conditions of Approval.

Fisherman's Lake Parkway and Open Space is comprised of 36 acres between Natomas Central Drive and Po River Way in North Natomas; the northern 10 acres comprise the Fisherman's Lake Parkway and the remaining southern acres are open space. The parkway is located between Fisherman's Lake and Natomas Central Lake.

The parkway serves as a habitat buffer and provides additional habitat for the Swainson's hawk, a California-listed threatened species. During Swainson's hawk breeding season, from late March until early July, the bike trail and western portion of the parkway will be closed to the public if deemed necessary by a biologist if Swainson's hawk are nesting in the vicinity. The parkway includes: an automatic irrigation system with booster pump, controller trees with root watering bubblers, park lighting, ornamental metal fencing, stone pilasters, memorial tree groves and monuments, interpretive areas with seat walls, and California native planting.

Foothill Associates developed the master plan through the public review process. The Natomas Community Association (NCA) reviewed the master plan and was impressed with the planning and consideration that went into the design for Natomas Central Fisherman's Lake Parkway and Open Space including the interpretive signage along the trail informing visitors about the wildlife and Fisherman's Lake history. The Parks and Recreation Commission's (PRC's) Park Planning, Design and Development Committee reviewed and supported the Fisherman's Lake Parkway Master Plan as presented on November 20, 2006. The Fisherman's Lake Parkway name and master plan were reviewed and supported by the PRC on January 4, 2007.

The 36 acres master plan creates a passive use bike trail that connects the southern section along El Centro Road to the northwestern section of the development. This area is comprised of mostly open grassy areas for the giant garter snake habitat. Native trees, grasses and emergent water plants will be planted on this section of the parkway. Along the bike trail there will be a few benches and trash receptacles for people wanting to rest and view Fisherman's Lake. Near the El Centro Road entrance is a small plaza with a tower icon identifier. This area will include benches, a bike rack,

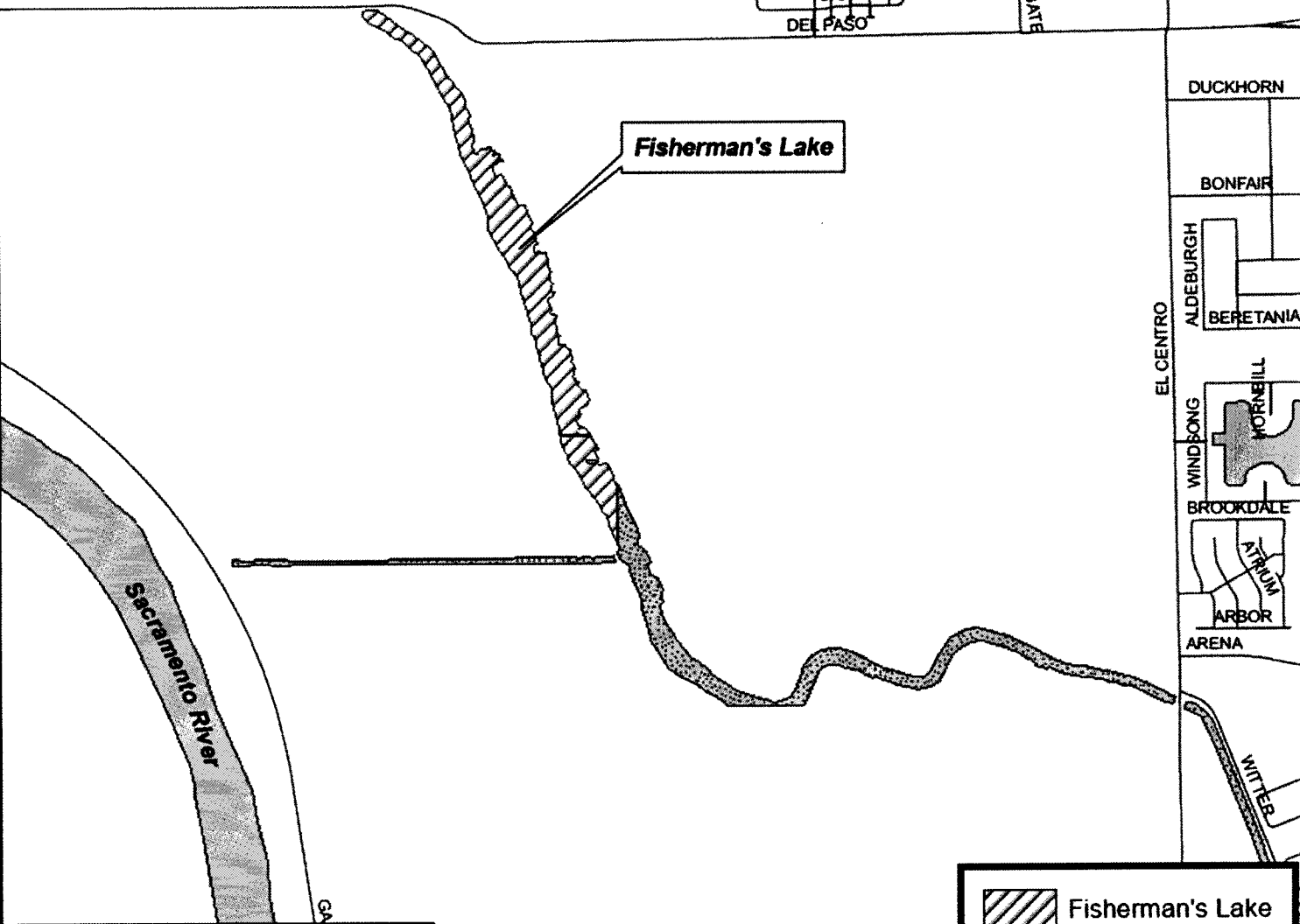
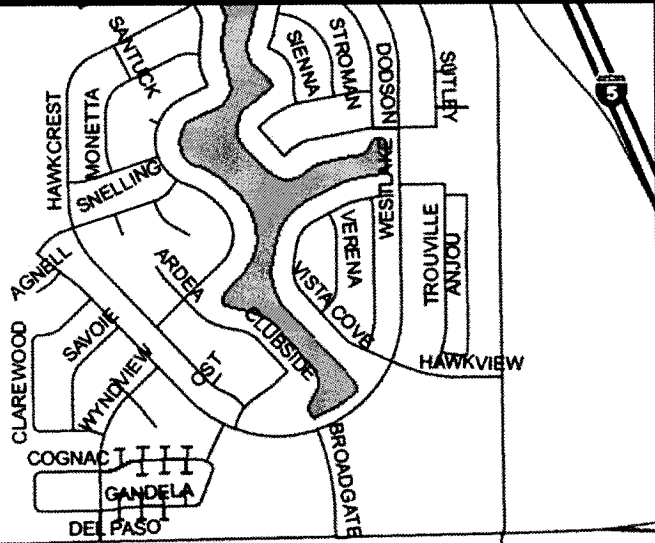
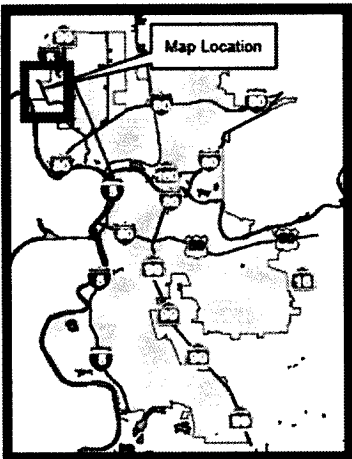
trash receptacles, and interpretive signage regarding the open space and Fisherman's Lake. This area will be maintained by the home owners association. The City Parks and Recreation Department will be in charge of the maintenance for the entire open space and parkway after the twelve month period when the developer is scheduled to maintain the parkway.



# City of Sacramento

## Department of Parks and Recreation

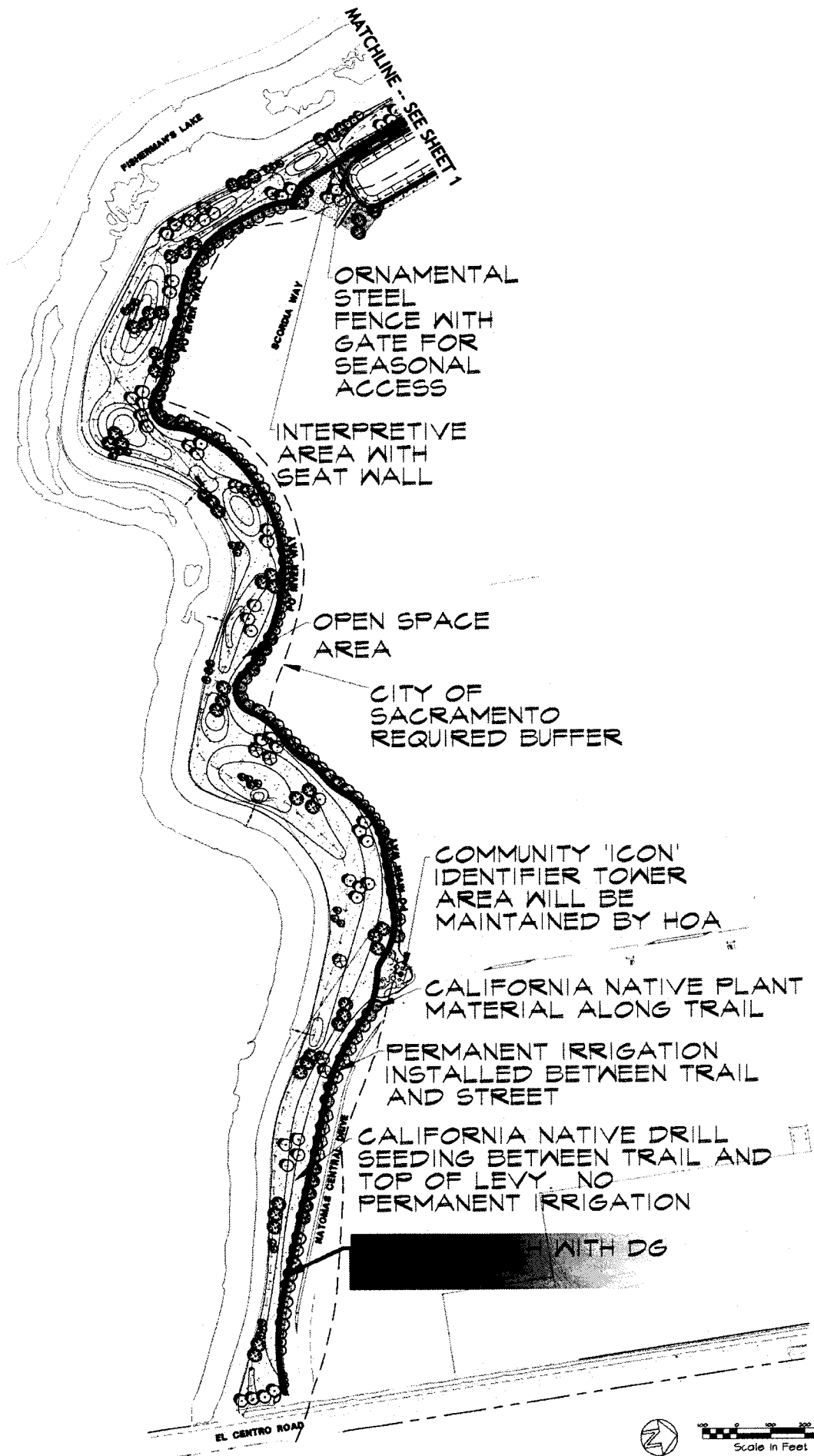
### Fisherman's Lake



	Fisherman's Lake
	Rivers & Lakes
	Drainage Canal
	City Limits

0 250 500 1,000 1,500 Feet

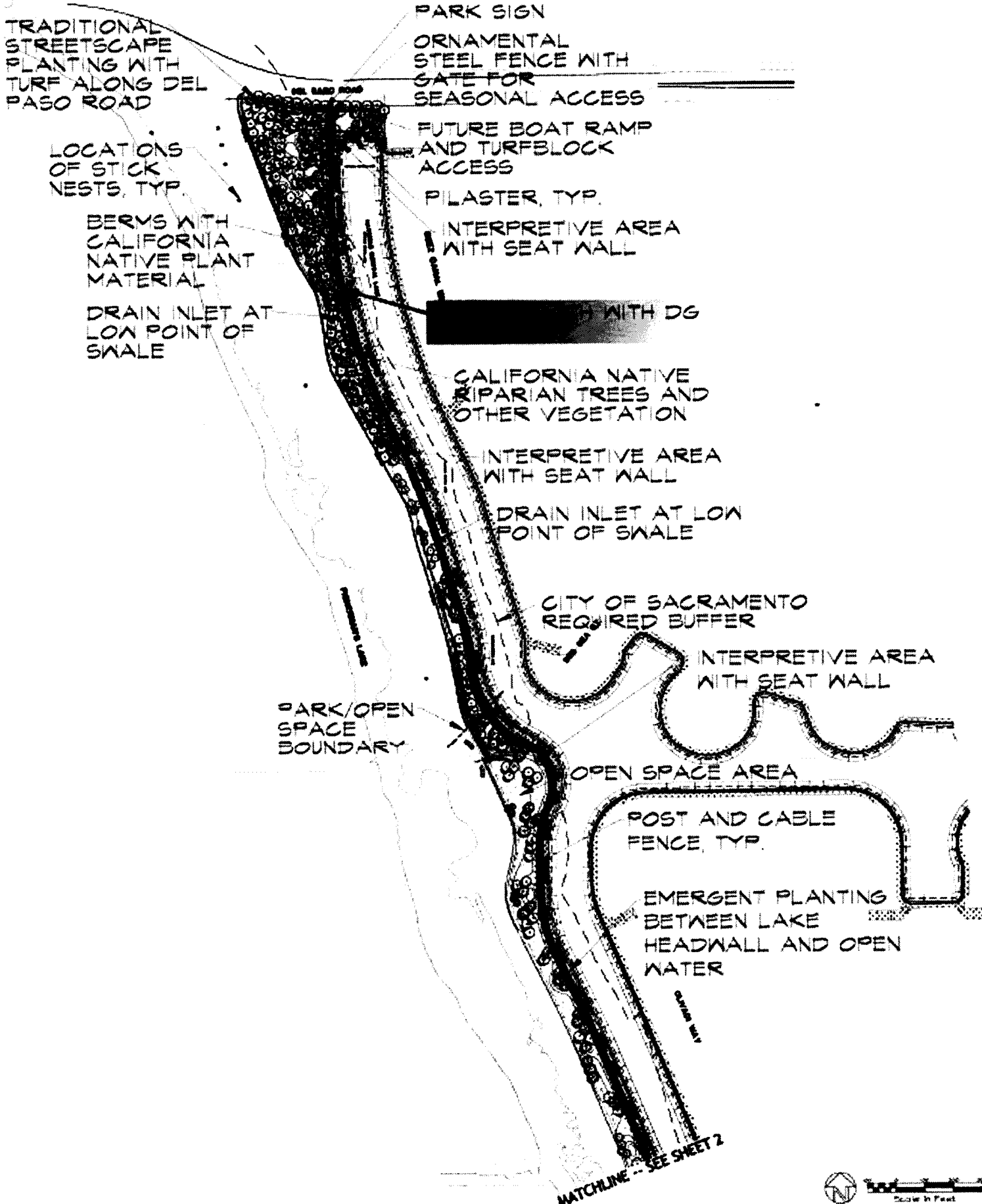
O:\GIS\_Projects\Parks\Projects\fishermans\_lake.mxd  
 O:\GIS\_Projects\Parks\Projects\fishermans\_lake.pdf  
 July 18, 2006 jch



**NATOMAS CENTRAL -- FISHERMAN'S LAKE PARK  
AND OPEN SPACE MASTER PLAN**



SHEET 2  
**FOOTHILL ASSOCIATES**  
ARCHITECTS AND PLANNERS  
11/15/2006



**NATOMAS CENTRAL -- FISHERMAN'S LAKE PARK AND OPEN SPACE MASTER PLAN**



**RESOLUTION NO. 2007-**

Adopted by the Sacramento City Council

**March 13, 2007**

**APPROVING THE FISHERMAN'S LAKE PARKWAY AND OPEN SPACE  
REIMBURSEMENT/CREDIT AGREEMENT, CIP LW67**

**BACKGROUND**

- A. The City Council approved City Agreement 2005-0190 on February 15, 2006; as per Condition II.E.2 of that agreement, the developer, Forecast Homes, will contribute \$1,000,000 towards the enhancement of Fisherman's Lake.
- B. With Resolution No. 2006-603, City Council established a Capital Improvement Program (CIP) project for the Fisherman's Lake buffer enhancements, established CIP LV67, pursuant to the Development Agreement with Forecast Homes (City Agreement No. 2005-0190); \$1,000,000 was accepted into the CIP Reimbursable Fund, Fund 248, and that \$1,000,000 from Reimbursable Fund, Fund 248 was appropriated for CIP LV67.
- C. The Environmental Services Manager has reviewed the project for compliance with the requirements of the California Environmental Quality Act.
- D. City Council is asked to approve the park name and master plan in a separate report on March 6, 2007.
- E. Long-term designs of public facilities are reviewed and approved by City Council.

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

- Section 1. The Reimbursement/Credit Agreement is approved for Fisherman's Lake Parkway and Open Space, CIP LW67.
- Section 2. Developer will provide an Unconditional, Irrevocable Standby Letter of Credit in the amount of \$966,377 for Fisherman's Lake Open Space and \$123,685 for the Parkway in favor of the City in lieu of prepaid Park Development Fees.
- Section 3. That \$287,100 is appropriated from Public Facilities Fee Fund (PFF), Fund 780, to Fisherman's Lake Parkway and Open Space, CIP LW67.
- Section 4. That \$575,098 is appropriated from the Park Development Impact Fee

Fund (PIF), Fund 791, Planning Area 10, to Fisherman's Lake Parkway  
and Open Space, CIP LW67.