



## Item #12-1-2 Action

### Strategic Planning Committee

January 5, 2012

#### **Request for Second Extension for 47<sup>th</sup> Avenue Transportation Improvement Project of Community Design Program**

**Issue:** Sacramento County is requesting a second extension for the above referenced Community Design Program funding.

**Recommendation:** Staff recommends that the Strategic Planning Committee recommend to the Board of Directors that the time extension request be granted per the conditions stated below.

**Discussion:** Sacramento County is requesting an extension for its 47th Avenue Transportation Improvement project. This project was funded through the SACOG Community Design Program during Round 2 (2005-07) funding cycle. With the \$1.082 million grant, the project intends to install sidewalks, landscaping, streetscape enhancements, parking, accessibility improvements and bike, pedestrian and transit improvements along a segment of the 47th Avenue corridor between Highway 99 and Stockton Blvd. This project would serve as a complement to Victoria Station, a private 15-acre infill project with 143 residential housing units and mixed use development and open space. Summary information from the original funding application is attached.

In January 2009, the SACOG Board approved deadlines for all Community Design projects funded during Round 2, and any subsequent extensions would require direct board approval. The original deadlines were based on the date that each recipient jurisdiction stated it could meet. The original deadline for this project was December 31, 2010. In January 2011, Sacramento County and its private development partner, New Faze Development, sought and received approval from the SACOG Board to extend that deadline until February 29, 2012. That deadline placed certain conditions on the project, which were: (1) by March 15, 2011, the county approve the street improvement plans and submit a copy to SACOG of the Notice to Proceed to New Faze; (2) by May 15, 2011, the first contractor invoice be submitted by New Faze Development to the county with a copy provided to SACOG; and (3) by February 29, 2012, all Community Design Program funds be spent with no further extensions.

The first two conditions were met. However, after submitting the first contractor invoice by May 15th, the developer/contractor stopped work. Per an agreement with the county, New Faze Development is responsible for managing the project including federal aid funding requirements. After this project was initially awarded funding, SACOG began requiring that all jurisdictions receiving federal funds directly manage the federal aid projects because they have the expertise to manage the process. Sacramento County further explains what has happened in the attached letter and requests the deadline be extended a second time to June 30, 2013.

SACOG staff is recommending that the time extension request be granted in large part because Sacramento County – not the private developer – would be required to pay back any federal aid funds already spent if the project is not completed. Staff also recommends, and the county concurs, that a condition of the time extension is that the county assumes the complete management of the project.

Approved by:

Mike McKeever  
Chief Executive Officer

MM:GC:sb  
Attachments

Key Staff: Rebecca Sloan, Director of External Affairs & Member Services, (916) 340-6224  
Theresa Arnold, Manager of Capital Programs, (916) 340-6220  
Greg Chew, Senior Planner, (916) 340-6227

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**Municipal Services Agency**  
Robert B. Leonard, Administrator

**Department of Transportation**  
Michael J. Penrose, Director



Attachment A 05/2011

**County Executive**  
Bradley J. Hudson

## County of Sacramento

December 5, 2011

Greg Chew  
Senior Planner  
Sacramento Area Council of Governments (SACOG)  
1415 L Street, Suite 300  
Sacramento, CA 95814

Subject: Extension of the Existing SACOG Board-Approved MOU

Dear Mr. Chew:

On October 5, 2011, the Sacramento County Department of Transportation (SacDOT) was informed by Caltrans that the County may lose unspent federal budget authority on June 30, 2012, for the subject project. SacDOT will be requesting to extend the reversion date by one year to June 30, 2013 by the approval of a Cooperative Work Agreement (CWA). SacDOT is scheduled to go to the Board of Supervisors on December 13, 2011, for approval to submit a CWA extension request to Caltrans for consideration by the State's Department of Finance (DOF) to extend the unspent federal budget authority by one year.

On November 9, 2011, SacDOT met with New Faze Development to explore the possibility of the County assuming responsibility for construction of the project, which the Developer was willing to accept. With the advice from Caltrans, SacDOT is proposing to advertise and award a contract, and to complete the project and fully expend all of the obligated federal funds in accordance with new proposed CWA extension, if approved by DOF.

Therefore, Sacramento County is requesting an extension of the existing SACOG Board-approved Memorandum of Understanding (MOU) deadline of February 29, 2012, to June 30, 2013. The proposed extension will coincide with the CWA deadline being requested from the DOF.

Furthermore, SACOG requested SacDOT's understanding on who would be liable for the reimbursement of federal funds if the project does not get completed. In accordance with federal guidelines, the County will be liable to pay back Caltrans for federal funds reimbursed since the County is the responsible and sponsoring agency. The County would then pursue reimbursement from New Faze Development in accordance with conditions set forth in the current agreement between SacDOT and New Faze.



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Design & Planning: 906 G Street, Suite 510, Sacramento, CA 95814 . Phone: 916-874-6291 . Fax: 916-874-7831  
Operations & Maintenance: 4100 Traffic Way, Sacramento, CA 95827 . Phone: 916-875-5123 . Fax: 916-875-5363  
[www.sacdot.com](http://www.sacdot.com)

If you have any questions regarding this matter, please feel free to contact Refugio Razo Jr. of my staff at (916) 874-6074.



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Daniel Shoeman, Chief, Engineering and Planning Services  
Department of Transportation

DS/rr

Enclosure:  
Agreement between Sacramento County and Developer



**Municipal Services Agency**

**Department of Transportation**

Tom Zlotkowski, Director

Terry Schutten, County Executive  
Cheryl Creson, Agency Administrator

## County of Sacramento

January 12, 2006

Greg Chew  
Community Design Funding Program Manager  
SACOG  
1415 L Street Suite 300  
Sacramento, CA 95814

**Subject: 2005-07 Community Design Funding Program Application  
Forty-Seventh Avenue Transportation Improvements/Victoria Station  
Development Project**

**Location: 47<sup>th</sup> Avenue at 47<sup>th</sup> Street in South Sacramento area of Sacramento  
County.**

Dear Mr. Chew:

The County of Sacramento is pleased to submit the Forty-Seventh Avenue Transportation Improvements/Victoria Station Project for Community Design Capital Grant funding. In this Project we are pleased to partner with New Faze Development, the private developer of Victoria Station.

This is a very exciting project in a part of Sacramento County that is just beginning to respond to economic and community development. The County and New Faze Development have been working together over the past 18 months to turn a 15 acre vacant parcel fronting on 47<sup>th</sup> Avenue into a mixed use infill development with a sense of place and identity. Public improvements are an essential part of the Project.

The private development, Victoria Station, will contain retail space, residential units for rent, single family homes and a large green space. It will be compact, with 3 three story buildings fronting 47<sup>th</sup> Avenue and single family homes deeper into the property. A village green will be established, with a greenbelt pedestrian path to the single family homes and beyond into the existing neighborhood. There will be 113 single family homes, 17 accessory dwelling units (granny flats) and 30 town homes above 26,000 square feet of retail. Twenty-one of the total units will be for low-moderate income households.

Associated with the Project are transportation improvements such as: pedestrian and bicycle improvements, wide sidewalk, parking, streetscape and landscape improvements, accessibility improvements, and other bicycle, pedestrian and transit access enhancements. A portion of these improvements will also be made across 47<sup>th</sup> Avenue to complete the Project impact and focus.



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Greg Chew, SACOG  
January 12, 2006  
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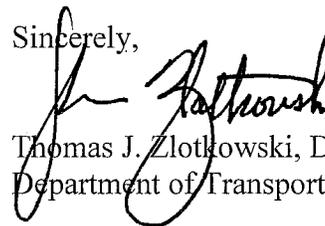
These improvements will match the design and quality of the private development in order to carry out the creation of place and community.

This project meets and exceeds the Blueprint alternative scenario for the site, and will set a strong positive example of Blueprint Principles at work. This private investment project (up to \$31.9 million) will generate change elsewhere in the 47<sup>th</sup> Avenue corridor and the Stockton Boulevard area. It will leverage other community and economic development activities which the County and the Sacramento Housing and Redevelopment Agency have underway. It will stimulate a higher standard of design and site development than is usual for this area. It is fully permitted and will begin construction mid 2006.

For all these reasons the County believes the public transportation infrastructure to be an important component of the project, worthy of SACOG support.

Please contact me with any questions. Thank you in advance for consideration of our grant application.

Sincerely,



Thomas J. Zlotkowski, Director  
Department of Transportation

DLF:dlf

**2005-07 SACOG Community Design Capital Grant  
Sacramento County – 47<sup>th</sup> Avenue Corridor improvements/Victoria Station  
January 12, 2006**

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**One Page Project Summary Table**

Project Title	Forty-Seventh Avenue Transportation Improvements/Victoria Station Development
Lead Applicant	County of Sacramento
Lead Person and contact Information	Dave Franke, Senior Civil Engineer Transportation Programs Management Director of Transportation County of Sacramento (916) 874-6673 email: <a href="mailto:franked@SacCounty.NET">franked@SacCounty.NET</a>
Partner Organizations	New Faze Development
Grant Type	Capital Grant
Community-Design Funds Requested	\$1,082,000
Overall Total Project Costs	\$31,900,000
Local match and Other Funds	\$147,000
Minimum Amount to Conduct Project	\$1,082,000
Project Description	Grant funds are requested for public transportation improvements (sidewalks, landscape and streetscape enhancements, parking improvements, accessibility improvements, and other bicycle, pedestrian and transit access enhancements) for 47 <sup>th</sup> Avenue corridor. First increment is in association with 15 acre infill project: compact mixed use with 143 diverse housing units, first floor retail and open space, connecting to neighborhood. Corridor improvements will leverage other County and private investments to improve South Sacramento, and will demonstrate new Blueprint standard. Private financing committed; project fully permitted; ready to construct mid 2006.