



## City Council Report

915 I Street, 1<sup>st</sup> Floor

Sacramento, CA 95814

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**File ID:** 2018-00852

June 19, 2018

**Public Hearing Item 32**

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**Title: Sacramento Convention Center Renovation and Expansion Project Entitlements and EIR and Authorization to Submit Financial Applications to California Infrastructure and Economic Development Bank for the Sacramento Convention Center Renovation and Expansion Project and the Community Center Theater Project [Noticed 06/08/2018] (Published for 10-Day Review 06/07/2018)**

**Location:** 1100 14<sup>th</sup> Street, 1401 J Street, and 1301 L Street, District 4

**Recommendation:** Conduct a public hearing and upon conclusion, pass: 1) a Resolution certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program, Findings of Fact, and a Statement of Overriding Consideration for the Sacramento Convention Center (SCC) Renovation and Expansion Project; 2) a Resolution that (a) approves the design, adopts the findings of fact, and approves the letter of General Plan consistency for the Convention Center Renovation and Expansion Project in accordance with City Code section 17.912.030.B and Government Code section 65402; and (b) directs the City Manager to proceed with the SCC Renovation and Expansion Project; 3) a Resolution that (a) approves the design, adopts the findings of fact, and approves the letter of General Plan consistency for the CCT renovation project in accordance with City Code section 17.912.030.B and Government Code section 65402; and (b) directs the City Manager to proceed with the project; and that rescinds Resolution No. 2017-0458, which authorized the City to apply for a \$15 million loan from the California Infrastructure and Economic Development Bank (IBank); 4) a Resolution directing the City Manager or his designee to return to City Council to present local hiring and local business involvement programs prior to the start of the SCC Renovation and Expansion Project and the CCT Renovation Project; 5) a Resolution authorizing the submission to IBank of an application for a loan in an amount not to exceed \$30 million for the SCC Renovation and Expansion Project (M17100101); authorizes the incurring of an obligation to IBank for the financing of a capital improvement project if IBank approves the application, declares the City's "official intent" to reimburse certain expenditures from the proceeds of the loan, amends the City's Budget and increases the project budget by the amount of the IBank loan and to repay the loan with Transient Occupancy Tax, and approves other matters in connection therewith; and 6) a Resolution that authorizes the submission to the California Infrastructure and Economic Development Bank (IBank) of an application for a loan in an amount not to exceed \$25 million for the Community Center Theater Renovation (M17100102);

Susana Alcalá Wood, City Attorney

Mindy Cuppy, City Clerk  
Howard Chan, City Manager

John Colville, City Treasurer

authorizes the incurring of an obligation to IBank for the financing of a capital improvement project if IBank approves the application, declares the City's "official intent" to reimburse certain expenditures from the proceeds of the loan, amends the City's Budget and increases the Project budget by the amount of the IBank loan and to repay the loan with Transient Occupancy Tax, and approves other matters in connection therewith.

**Contact:** Desmond Parrington, Project Manager, (916) 808-5044; Fran Halbakken, Assistant City Manager/Project Executive, (916) 808-7194; Office of the City Manager.

**Presenters:** Desmond Parrington, Project Manager; Fran Halbakken, Assistant City Manager/Project Executive; Office of the City Manager; Bruce Monighan, City Urban Design Director, Community Development Department; Brian Wong, City Debt Manager, City Treasurer's Office; Michael Lockwood, AIA, Senior Principal, Populous; and Peter Rutti, AIA, Principal, DLR/Westlake Reed Leskosky.

**Attachments:**

01-Description/Analysis

02-Background

03-General Plan Letters of Consistency

04-Convention Center EIR Resolution

05-Exhibit A – SCC EIR Findings

06-Exhibit B – SCC EIR Mitigation Monitoring Plan

07-Convention Center Resolution

08-Community Center Theater Resolution

09-Resolution of Intent for Local Hiring and Local Business Involvement

10-IBank Loan CCT Resolution

11-IBank Loan SCC Resolution

## Description/Analysis

**Issue Detail:** Staff recommends Council certify the environmental impact report (EIR) for the Convention Center Renovation and Expansion Project. In addition, staff recommends that Council approve the design of the SCC and CCT projects and direct staff to proceed with the projects. Staff will return in the late summer and fall with recommendations on the financing and the Guaranteed Maximum Price (GMP) construction contracts for both projects as set forth in the schedule below. Staff also recommends that Council approve the resolutions for loans from the California Infrastructure and Economic Development Bank (IBank) which will provide funding for the two projects. Finally, as these are two of the largest projects that the City is undertaking with a considerable investment of City Transient Occupancy Tax (TOT) revenue, staff also recommends Council approve a resolution of intent directing staff to develop local hiring and local business involvement programs and return to City Council prior to the execution of the GMP construction contracts. These programs to be enacted through City ordinance will ensure that City residents and businesses benefit from training, jobs and contracting resulting from the projects consistent with the direction provided by Council on October 18, 2016.

### Entitlements

As a City capital project, the SCC and CCT do not require development or planning entitlements. However, both projects are subject to a review to ensure consistency with the goals and policies of the City's General Plan as set forth in Section 17.912.030(B) of the City Code (Code). Both projects have been determined to be consistent with the General Plan by the City's Planning Director as shown in the letters in Attachment 3.

### Design Review

Though not required, both projects have undergone the City site plan and design review process. A Design Director hearing regarding the projects was held on June 14, 2018. The City's Urban Design Director (Design Director) has not only reviewed both projects, but has worked closely with Populous and DLR/Westlake Reed Leskosky on the design of the SCC and CCT projects. The Design Director supports the design of both projects as described in more detail in Attachment 2 – Background.

### Project Cost

The total cost of the CCT project is estimated at \$84 million although the current range is between \$83 million to \$88 million based on the most recent cost estimates from Kitchell and the architect's cost estimator. This includes approximately \$64 million in construction, acquisition and construction of systems, and equipment costs and \$20 million in soft costs such as design, engineering, permitting, fees, and studies. Staff has a plan to reduce costs back to the target of \$84 million though this may mean some reductions in project scope such

as postponing the buildout of the multi-purpose room on the L Street side of the Theater until the future.

The Memorial Auditorium project budget is \$16.2 million, and the GMP construction contract was executed for that project on May 22, 2018. Based on the project budget, which includes construction and owner's contingency, staff does not expect any changes in the project budget.

The cost of the SCC project has increased substantially since the project was originally envisioned. In October 2016, the estimated cost was \$170 million. After a series of stakeholder meetings held by Mayor Steinberg and Vice Mayor Hansen, the project was redesigned and the estimated overall cost including soft costs was reduced to approximately \$120 million.

As additional due diligence was conducted by the City's design-assist contractor, AECOM-Hunt, unanticipated costs associated with the renovation work on the east side were identified. As a result, construction costs for the renovation work on the east side, including the addition of meeting rooms, terrace improvements and additional pre-function space were considerably more expensive than originally estimated. Furthermore, other deficiencies were found in the existing building that need to be addressed for both the new addition and the existing facility to function properly. These included audio visual systems, fire alarm and smoke control systems, signage, interior improvements including carpeting, painting and repairs to air walls, and other elements. In addition, new kitchen equipment is needed, which was not in the original budget. Cost escalation has been a factor as well, since material costs and labor shortages have impacted the cost estimates for not only this project but also on all other projects in this region. The new federal tariffs on steel and aluminum have also increased the cost. This resulted in a new estimated cost of approximately \$180 million for the first phase of development, not including the new ballroom that was originally to be part of a future phase.

Council directed staff on December 12, 2017 to proceed with the design of the full program including a new ballroom that had originally been envisioned as part of a future phase. The new ballroom added approximately \$50 million to the overall cost of the SCC project. However, the hotels in the City and portions of unincorporated Sacramento County have proposed funding the new ballroom if it were constructed concurrently with the rest of the SCC project. As result, the current design for the SCC project includes the ballroom. The addition of the ballroom has resulted in an estimated overall project budget of between \$220 million and \$240 million based on the most recent estimates. Figure 1 in the Financial Considerations section of this report shows the cost range for each project based on the most recent information. The Convention Center estimates were recently updated based on the reconciled

cost estimates the City received from AECOM-Hunt and its owner’s representative and cost estimator, RLB, on June 5, 2018.

Schedule

Staff will return in late summer or early fall with a more detailed overview of the financing for the projects as well as the substantially final drafts of the bond documents. If those are approved and the bonds issued, then staff will bring forward the GMP construction contracts for the SCC and CCT projects in November 2018 and January 2019 respectively.

The construction schedule for all the projects including Memorial Auditorium is as follows:

*Memorial Auditorium Improvement Project:*

Construction	Late June 2018 – May 2019
Reopening:	June 2019
Restoration	August 2020 - November 2020
Project Completion	November 2020

*CCT Renovation Project:*

Exterior Construction	February - June 2019
Interior Construction (CCT Closed)	July 2019- September 2020
Reopening	September 2020
Remaining Exterior Construction	October 2020-March 2021
Project Completion	April 2021

*SCC Renovation and Expansion Project:*

Construction Start	December 2018/January 2019
SCC Closure	Late July 2019 - November 2020
SCC Re-Opening	November 2020
Project Completion	March 2021

The schedules were established to minimize the disruption to events and to complete the projects in the shortest time. The Memorial Auditorium project begins first on June 20, 2018 and is expected to be completed by May 2019 to allow for events and graduations to occur and then to accommodate the events from the CCT that will need to relocate there in September 2019 for their 2019/2020 season. The CCT will close in late June 2019 and will reopen in September 2020 at which time all the shows will relocate back to the CCT.

For the SCC project, the work will begin on the east lobby, on the current site of the Panattoni Building (1030 15<sup>th</sup> Street), which serves as the location for the administrative staff of the Convention and Cultural Services Department. That building will be demolished, staff relocated

to New City Hall, and the new east lobby will be constructed. This activity will not interfere with existing events scheduled between December 2018 and July 2019 since the current SCC building will not be affected. In late July 2019, the SCC will close and will remain closed until November 2020 when it will reopen for events. The interior of the ballroom will remain under construction until March 2021; however, the rest of the SCC will remain open and operational. The proposed contractors for these projects, AECOM-Hunt and Kitchell, are working closely together on planning and coordination to ensure that construction proceeds as planned and the projects both open on time.

#### Local Hiring and Business Involvement

An important component of these large City projects is ensuring that there is the opportunity for local jobs and training for residents as well as contracts for area businesses. On October 18, 2016, City Council directed staff to develop such job recruitment and training programs for these projects. City staff is currently finalizing local hiring and local business involvement programs for these projects. The goal is to put in place programs that help train and recruit residents, particularly residents in disadvantaged neighborhoods, for construction jobs on these projects and prepare them for successful careers in the construction industry. The programs will prioritize training opportunities and jobs for economically disadvantaged individuals, veterans, past offenders, public assistance recipients, foster youth, homeless persons, and women interested in construction. Similarly, the local business involvement program will encourage contracting opportunities for local as well as small businesses. This staff report includes a resolution of intent that directs staff to report back before execution of the GMP construction contracts later this year to enact these programs.

#### Other Actions

On December 5, 2017, City Council approved City Resolution No. 2017-0458 that authorized the City to apply for a \$15 million loan from IBank for renovation of the Memorial Auditorium. However, because the terms proposed by IBank related to structure and pledge of repayment of the IBank loan created potential conflicts with the City's TOT bond financing, the City declined the loan. Accordingly, this report includes a resolution rescinding Resolution No. 2017-0458. Staff is in the process of resolving the issues with IBank, which is why City staff is now pursuing IBank loans for the CCT and SCC projects.

**Policy Considerations:** These resolutions are necessary to: 1) certify the EIR for the SCC project; 2) approve the design for the SCC and CCT projects and direct staff to proceed with the projects; and 3) to meet the application requirements of the IBank. Furthermore, the requested actions support the several General Plan policies as described in Attachment 2 – Background. Among the key policies are the following:

ERC 4.1.3 - The City shall enhance the quality of existing City-owned arts and cultural resources and facilities through reinvestment, communications and marketing.

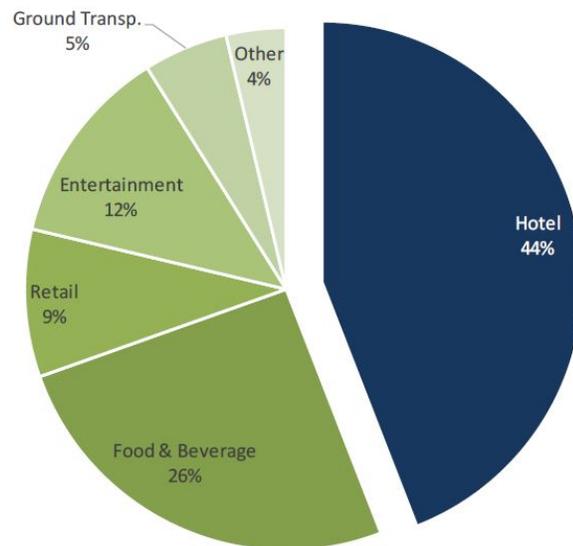
ERC 4.1.5 The City shall support renovation and expansion of Convention Center facilities and adjacent supportive infrastructure, including hotels, to attract top tier national and international events.

The renovation and expansion of the SCC will allow the facility to remain attractive and competitive into the future, while providing a nationally-recognized convention venue for residents, visitors and convention attendees. It is also anticipated to grow TOT revenue as more events will likely lead to more hotel night stays and may generate the need for additional hotel development in the downtown core. Similarly, renovation of the CCT will address longstanding deficiencies, including ADA issues, and will enable the building to host more events in the future.

**Economic Impacts:** An analysis was prepared by Halo Hospitality with assistance from Visit Sacramento to look at the potential effect of the project on additional event growth and hotel room night demand. Based on that analysis, which assumed an additional 350-room hotel, The Sawyer hotel, and other proposed downtown hotel projects in the market built post expansion, the SCC expansion would within five years result in an estimated increase in occupancy from 48% to 62% assuming an additional 350-room hotel is constructed in the downtown. In addition, the estimated number of Group A events (i.e., citywide conventions that generate significant hotel demand and drive economic impact) would increase from an average of about 36 events currently to 61 events by 2025. This would result in an estimated annual increase of over 150,000 new hotel room nights. Total annual additional revenue generated is estimated at over \$22 million and approximately \$2.7 million in new TOT revenue would be generated based on their estimates.

This analysis does not account for spending by Convention Center attendees. According to the Bay Area Council Economic Institute average spending from visitors is about \$108 per person per day and the average hotel room rate in Sacramento for conventions is \$152 per night. The graphic below provided by the City's consultants, Rider Levett Bucknall (RLB) shows typical spending patterns resulting from conventions at convention centers nationwide using the IMPLAN model. IMPLAN is a frequently used economic development software model that provides economic impact projections in terms of jobs and spending. This shows that there is a substantial amount of spending (56%) by convention center visitors beyond just money spent on hotels.

Typical Spending from Conventions (IMPLAN Model)



Another nationwide economic report from Oxford Economics and the Event Industry Council published in February 2018, showed that the size of the meetings sector, which includes conventions, increased 22.7% between 2009 and 2016 based on the number of meeting participants. On average nationwide, meetings generated \$1,294 of spending per participant.

For a more localized analysis, City staff analyzed the impact of the SCC project using IMPLAN that focused specifically on the countywide impact. Under that analysis, around 2,000 new jobs would be produced and from \$344 to \$364 million in spending would result from the SCC project alone. When the CCT project is included, those estimates increase to 2,800 new jobs and between \$493 and \$513 million in spending. For example, the CCT is expected to employ thousands of construction workers over the duration of the project with a peak of 200 per month, while the SCC is expected to employ several thousand workers over the duration of the project with a peak of almost 400 workers per month.

As previously described to the City Council on May 30, 2017, the Convention Center has functional limitations and the building is used much differently than originally intended in order to overcome those constraints. Without additional investment to improve the Convention Center, Sacramento is expected over time to lose market share as the City's competitors such as San Jose, Long Beach, Pasadena, Reno, Spokane, and Portland have either already upgraded their facilities or are contemplating expansion in the near term.

**Environmental Considerations:** In accordance with California Environmental Quality Act (CEQA), the City, as "lead agency", determined that an Environmental Impact Report

(EIR) should be prepared for the SCC Renovation and Expansion Project. An EIR is an informational document that must be considered by the lead agency before project approval. Under CEQA, a Final EIR (FEIR) must include the Draft EIR (DEIR) or a revision of the draft; comments and recommendations received on the DEIR either verbatim or in summary; a list of persons, organizations, and public agencies commenting on the DEIR; responses of the lead agency to significant environmental points raised in the review and consultation process; and additional information provided by the lead agency.

The DEIR was released for a 45-day public review period, from November 15, 2017 to January 2, 2018. Eleven comment letters were received on the DEIR. The comment letters and responses to comments are included in the Final EIR. The Final EIR responds to all comments received on the DEIR and revises text and/or analyses where warranted. The Final EIR does not include significant new information, as defined in CEQA Guidelines section 15088.5. Copies of the responses to comments have been sent to all agencies that commented on the DEIR.

Based on the impacts identified, there is a mitigation monitoring plan, findings of fact, and a statement of overriding considerations for the SCC project. The mitigation monitoring plan lists all of the mitigation measures and required implementing actions and is attached to the findings that are required as part of the process of certifying that the EIR has been prepared consistent with CEQA requirements.

Copies of the DEIR and FEIR are available on the City's website at <http://portal.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

On April 27, 2010, Council found the CCT project to be exempt from CEQA, citing CEQA Guidelines section 15302, which provides that projects involving replacement or reconstruction of existing structures and facilities are exempt from CEQA (City Resolution No. 2010-208).

**Sustainability:** The SCC project will be designed utilizing energy efficient standards and will reduce the carbon footprint contribution, therefore helping meet the City of Sacramento's sustainability goal. The City is pursuing Leadership in Energy and Environmental Design (LEED) Silver certification with the U.S. Green Building Council for the SCC Renovation and Expansion Project in accordance with City policy LU 8.1.5 LEED Standard for City-Owned Buildings, which requires LEED (Leadership in Energy and Environmental Design) Silver or equivalent standard. The CCT project will also be designed in accordance with City policy LU 8.1.5 and will meet the LEED Silver standards.

**Commission/Committee Action:** On May 30, 2018, the design for the CCT was presented to the steering committee for the CCT. Representatives from the architect, DLR/Westlake Reed Leskosky, described the interior and exterior design to steering committee members. The steering committee unanimously recommended the City approve the design and move forward with the CCT project. Similarly, on June 6, 2018, Populous, the SCC architect, showcased the design and renderings for the project to the SCC steering committee. The committee also recommended approval of the design and urged the City to proceed with the project. In addition, on June 14, 2018, a Design Director hearing for review and comment was held for both the CCT and SCC projects. The City’s Design Director supported the design of both projects and his design review comments are included in Attachment 2 – Background.

**Rationale for Recommendation:** Staff supports the design of the proposed SCC and CCT projects. The design and the improvements will enable both facilities to remain competitive with convention centers and theaters in California. In addition, the projects are expected to bring more jobs, spending, visitors, and hotels stays to Downtown. Without these improvements, Sacramento’s competitive position is expected to decline with more events and conventions selecting other destinations.

**Financial Considerations:** Financing for the projects, including not only the SCC and CCT but also the Memorial Auditorium project, is made up of a mix of revenue bonds, loans from IBank, and City funds primarily from the Community Center Fund (Fund 6010) as well as the Community Center Theater Facilities Fee and ADA Facilities Fund as shown in Figure 1.

**Figure 1 – Project Sources and Uses**

Sources	Amount	Uses	Range	
			Low	High
TOT-Backed Bonds	\$248,000,000	Memorial Auditorium	\$15,460,000	\$16,170,000
Potential I-Bank Loan	\$55,000,000	Community Center Theater	\$83,370,000	\$88,450,000
City Fund (Fund 6010 et al.)	\$13,358,000	Convention Center with Ballroom		
Hotel STID Bond Proceeds	\$40,610,000		\$220,640,000	\$233,960,000
<b>TOTAL SOURCES:</b>	<b>\$356,968,000</b>	<b>TOTAL USES:</b>	<b>\$319,470,000</b>	<b>\$338,580,000</b>

Based on construction cost estimates from AECOM-Hunt and RLB dated 6/05/18 and Morgan Stanley’s bond analysis from 5/03/18.

The City’s revenue bonds will be backed by TOT revenues. Under City Code chapter 3.28, the City charges a 12% TOT tax on all hotels. Of that 12%, 2% goes to the General Fund and can be used for general purposes in accordance with Section 3.28.050 of the Code, while the other 10% is deposited in the Community Center Fund (Fund 6010) and must be used on TOT eligible projects that support public assembly or other purposes as specified in City Code

section 3.28.180. Out of the 10% TOT proceeds, Visit Sacramento (formerly the Sacramento Convention and Visitors Bureau) receives annual funding as set forth in City Code section 3.28.040. Last year, Visit Sacramento received approximately \$1.37 million.

The City's TOT bonds will be sized based not on projections, but on actual TOT collections from FY 2017/18. Current gross TOT revenue for FY 2017/18 is \$22.9 million as of March 2018 and that number is expected to grow to approximately \$30 million by the fiscal year's end. With the TOT bonds, the City will be pledging gross TOT revenues minus the 2% that goes to the General Fund and less the amount that goes to Visit Sacramento. As a result, debt service must be paid before other operations and maintenance expenses are paid.

In addition to public funding, the hotel community represented by hotels in the City of Sacramento and a portion of unincorporated Sacramento County are providing the funding to the SCC project to pay for a new ballroom that is expected to be well-used and generate additional TOT revenue as there is no comparable-sized ballroom in the Northern California. Most of the City's competitors such as Long Beach and San Jose have facilities that have two ballrooms. The aforementioned hotels are in the process of establishing an assessment district, the Sacramento Tourism Improvement District (STID), which is expected to generate the revenue necessary to cover the cost of the new ballroom. Although the exact cost of the ballroom will not be determined until the GMP construction contract is executed, the hotels have agreed to use excess proceeds from the STID to fund the gap between the actual cost of the ballroom and the proceeds from the STID bonds.

Total debt service is anticipated to be approximately \$24 million annually based on the final borrowing amount and market conditions including interest rates. Of that debt service amount, STID revenues will pay approximately \$2.8 million annually. To provide protection to the operations of the SCC, CCT, and Memorial Auditorium, a set aside from TOT revenues of at least \$5 million will be maintained each year throughout the 30-year term of the bonds. The set aside will provide a buffer that could cover operations and maintenance expenses should a recession cause TOT and STID revenues to decline. The City will be required to establish and maintain, from bond proceeds, a reserve fund that would likely be set at the Maximum Annual Debt Service (MADS) to provide further security for the payment of debt service if TOT revenue declines significantly. In addition, to ameliorate the cyclical nature of monthly and annual revenues, and thereby enhance the marketability of the bonds, the City might establish and maintain a surplus account that would collect excess TOT revenues in the initial years until a yet-to-be-determined dollar amount is reached. The reserve fund, set aside, and surplus account would protect the General Fund from having to cover any TOT shortfalls, although the General Fund would still be at risk for operations and maintenance expenses if the \$5 million reserve was used in any given year and there were insufficient TOT revenues to replenish the set aside.

As noted above, the sole source of repayment for the IBank loans and the TOT bonds will be a gross pledge of TOT revenues deposited into the Community Center Fund excluding the portion of the TOT that is provided to Visit Sacramento (in accordance with Section 3.28.040 of the Code). As such, the City's General Fund will have no legal or contractual obligation to pay or ensure the full and timely payment of debt service related to the IBank loans or the TOT bonds.

In fiscal year 2017 TOT revenues were approximately \$28.5 million, while the average TOT revenue collections over the past three years is \$26.1 million per year. Current outstanding principal and interest on existing revenue bonds paid from TOT revenue is approximately \$14.5 million (1993 Series A Bonds) plus \$1.1 million (1993 Series B Bonds) for a total of \$15.6 million through November 1, 2019. It is expected that future projected revenues will be sufficient to repay the I-Bank loans and the TOT bonds.

There are no City budgetary actions in this report. Staff will return in late summer with a detailed analysis of the bond financing for the SCC and CCT projects and will seek Council authorization to issue bonds at that time. That authorization will include the necessary budget authority for the bonds and the loans as that funding will not be received until the fall of 2018. In addition, the GMP contracts for construction of the SCC and CCT will be brought forward for consideration by City Council in toward the end of the year as noted earlier in this report.

**Local Business Enterprise (LBE):** The design-assist contractors for these projects, Kitchell (CCT) and AECOM-Hunt (SCC) are local business enterprises. However, the architects, DLR/Westlake Reed Leskosky (CCT) and Populous (SCC) are not. The City's owner's representative and advisor, Rider Levett Bucknall, is not an LBE.

## Attachment 2 - Background

**Summary:** Located adjacent to each other between 13<sup>th</sup> and 15<sup>th</sup> Streets and J and L Streets, the SCC and CCT originally opened in the 1970s (refer to Figure 2). The SCC was last expanded over 20 years ago, adding street-level exhibition space and an upstairs ballroom east of the original building. While the City has explored renovation of the CCT over the past two decades, the CCT has never been expanded, nor has it undergone a major renovation since its opening almost 50 years ago.

The CCT is Sacramento's only performing arts facility of its size, and currently serves as home to the Broadway Sacramento, Sacramento Ballet, Sacramento Philharmonic & Opera, and the Sacramento Speakers Series. Revitalization of this aging facility is needed to continue serving arts patrons and performance groups, to maintain its competitive position in the region, and to address building code and accessibility requirements and operational needs that have changed over the past four decades.

While the SCC is well-positioned in California's capital city, its competitive position continues to decline as other cities match the private capital investment in hospitality, entertainment and retail sectors by renovating and expanding their convention centers. With 134,000 square feet of prime exhibition space combined with a lack of downtown hotel inventory, the SCC lacks the space to compete with facilities in Seattle, Portland, San Francisco and Los Angeles. Instead, the SCC competes with San Jose, Palm Springs, Santa Clara, Long Beach and Pasadena, several of which have already expanded or are in the expansion process. Status quo is not an option, and Sacramento is faced with a choice to expand the SCC or to continue to lose market position.

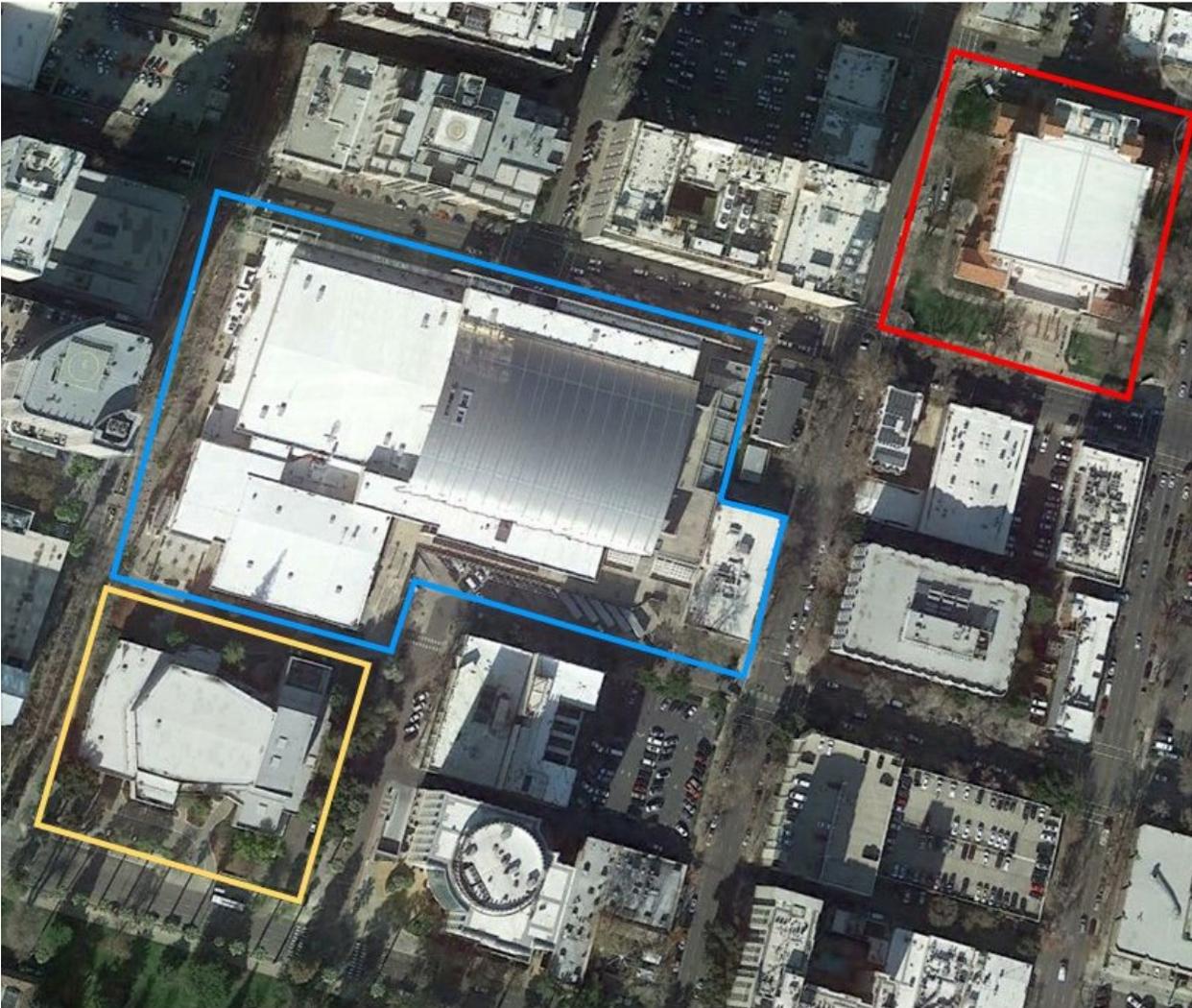
### Project Overview

On May 3, 2016, the City Council directed staff to proceed with the project definition phase for the SCC expansion and CCT renovation projects. This initial pre-design phase defined the project by synchronizing its aesthetic, functional, quality, cost and time objectives, allowing Sacramento leadership to make fully informed decisions about this critical capital-improvement project.

Concurrently, the City Council authorized funding and agreements with the consultant team to execute the work in this phase. Agreements included SCC designer Populous, CCT designer Westlake Reed Leskosky and owner's representative Pfocus/Rider Levett Bucknall. Design-assist contractor Kitchell also participated in the planning process as part of the consultant team.

The City Council directed staff to report back upon completion of the work. On October 18, 2016, staff returned to Council with the results of the project-definition phase. The following objective and project goals were established for the two projects.

Figure 2 - Location of SCC and CCT Project Area



Legend:

-  Convention Center Project
-  Community Center Theater Project
-  Memorial Auditorium Project

Objective: The overarching project mission was stated as follows:

*Transform the Sacramento Theater and Convention Center to allow both facilities to remain attractive and competitive for years while providing a critically needed performing arts venue and a nationally-recognized convention venue for residents, visitors and attendees.*

Project Goals: The goals for the projects were identified as follows:

*Shared Goals:*

- Create an event district
- Curate a memorable experience
- Celebrate the local character of Sacramento
- Maximize ability to attract events
- Capitalize on synergistic opportunities

*SCC Goals:*

- Maximize market capture for conventions in Sacramento
- Maximize event flexibility and stacking
- Improved guest experience – circulation, district access
- Maintain ongoing operations
- Maximize synergies with Theater

*CCT Goals:*

- Address accessibility issues
- Upgrade patron experience
- Improve performance capabilities
- Streamline operations and functionality
- Expand community involvement in the arts
- Transform the appearance

City Council directed staff on October 18, 2016 to proceed with the design of the CCT project as well as the Memorial Auditorium improvement project. The Memorial Auditorium improvements were to be made not only to upgrade the performance capabilities of the building while maintaining its historic character, but also to create a temporary home for CCT events while it was being renovated. However, Council directed staff to continue to explore the design and funding of the SCC project.

Staff returned to City Council on May 30, 2017 to present a two-phase project along with funding options. The two phase project included a first phase which would include new exhibit space, a multi-purpose room, a new kitchen, east and west lobbies and new meeting rooms. The second later phase would include a new ballroom.

On December 12, 2017, City Council directed staff to proceed with the design of the full program which included both phase 1 and phase 2 to be built at the same time contingent upon funding for the ballroom being provided by the hotel community represented by hotels in the City and unincorporated Sacramento County. The hotels are in the process of establishing the STID, a property-based assessment district, which will provide funding for the construction of the ballroom.

Based on the designs proposed, staff believes that the aforementioned goals have been achieved. The only exception is the goal of maintaining ongoing operations. Based on a careful analysis, staff determine that it was more cost effective, less impactful and less risky to close the SCC between late July 2019 and October 2019 than to try and operate while the facility was under construction. Working with the City, Visit Sacramento has been able to relocate many of the planned events at the SCC during this period to venues like Sleep Train Arena, Cal Expo, local hotels and the Golden 1 Center, although some events have canceled or found alternate locations outside the city.

### **Projects' History and Council Actions:**

The following are the dates and major actions for all three projects:

- On March 9, 2010, the City Council in City Resolution No. 2010-0125 suspended competitive bidding, approved a design-assist delivery method, approved a \$3 facility fee charged on each ticket sold, and directed staff to proceed with the renovation of the CCT.
- On March 15, 2010, the City issued an RFQ for design-assist support services for the CCT project and Kitchell CEM, Inc. was selected as the most qualified firm.
- On August 10, 2010, Council approved the selection of Kitchell CEM, Inc. in City Resolution No. 2010-471 for the CCT renovation.
- On March 26, 2013, the City Council in City Resolution No. 2013-0144 approved \$8.5 million toward the CCT Renovation Project.
- However, on November 19, 2013, the City Treasurer recommended that Council defer financing of the CCT renovation given the use of some of the TOT revenue for the Entertainment and Sports Center project (now Golden 1 Center) and the outstanding debt on the facilities. As a result, in Motion No. 2013-0295 Council directed 1) staff to return immediately with a plan to address deferred maintenance; 2) the City Attorney's Office to return with a memo on the City's legal obligations and concerns; and 3) staff to return with three renovation options to include financing: a) minimum requirements for basic ADA compliance plan; b) an alternative 10-year facility plan to include public engagement; c) a 30-

year plan to consider either a new facility or the complete improvement plan to include public engagement.

- A Performing Arts Task Force was established and provided updates to the City Council in November 2014 and again in April 2015 on potential development options for the CCT. However, sufficient funding was not identified to provide for the construction of a new CCT.
- On May 3, 2016, Council approved City Resolution No. 2016-0134 appropriating \$600,000 from the Community Center Fund's fund balance; 2) modifying the scope and name of M17100100 to include the SCC Complex; 3) approving professional services agreements with DLR/Westlake Reed Leskosky in the amount of \$98,825 (for initial design of the CCT during the project definition phase), Populous in the amount of \$627,000 (for initial design of the SCC during the project definition phase), and Pfocus/Rider Levett Bucknall (for owner's representation and advisory services during the project definition phase) in the amount of \$615,000; and 4) directing staff to proceed with the project definition phase of an integrated project to renovate the CCT and expand the SCC.
- On October 18, 2016, City Council directed staff to proceed with the design of the CCT Renovation Project and Memorial Auditorium Project, suspended competitive bidding for the SCC project to allow for a design-assist method of delivery, but recommended staff explore other options for the design and financing of the SCC and to return at a later date. Council also directed staff to select a consultant to design the Memorial Auditorium upgrades and a consultant to perform pre-construction services for the Memorial Auditorium upgrades, and to bring proposed contracts to City Council for consideration as this would allow CCT events to shift to the Auditorium for one year to allow for a much quicker renovation of Theater.
- On January 24, 2017, City Council approved City Resolution No. 2017-0036, which declared the City Council's "official intent" to reimburse the City from bond proceeds for design and other predevelopment costs associated with the CCT, Memorial Auditorium, and SCC projects.
- On January 24, 2017, City Council approved City Resolution No. 2017-0035, which suspended competitive bidding for the Memorial Auditorium project and authorized: (1) the release of \$5.5 million of the \$8.5 million commitment of fund balance for the Convention Center Complex projects in the General Fund (Fund 1001) to the Convention Center Complex Renovation Project (M17100100); (2) a \$1,505,738 contract with Architectural Nexus for the design of the improvements; and (3) a \$187,000 contract with Rider Levett Bucknall for owner representation and advisory services.

- On February 14, 2017, City Council approved City Resolution No. 2017-0057 which authorized a \$5 million loan from available fund balance in the Community Center Fund (Fund 6010). This is to be repaid when bonds are issued.
- On May 16, 2017, City Council approved City Resolution No. 2017-0171 that authorized the purchase of the VAMPS acoustic shell for Memorial Auditorium that was needed for performances with the use of \$350,000 from the Community Center Fund (Fund 6010).
- On May 30, 2017, Populous presented the conceptual design for the SCC identifying how the project would be built in two phases. The first phase would include new exhibit space, a multi-purpose room, a new kitchen, east and west lobbies and new meeting rooms. The second later phase would include a new ballroom. The City Council adopted City Resolution No. 2017-0216 which authorized a \$3.8 million interfund loan from the General Fund (Fund 1001) to the Convention Center Complex Project (the Project), a \$3.8 million interfund loan from the Innovation and Growth Fund (Fund 2031) to the Project, and a \$3.4 million internal loan from Fund 6010 to the Project. These loans are to be repaid when bonds are issued. Council also authorized the preparation of an EIR for the SCC project and executed a contract with ESA for preparation of the EIR.
- On June 6, 2017, City Council approved Motion No. 2017-0150 which authorized a \$177,804 Pre-construction Services Agreement with an option for Guaranteed Maximum Price for Construction with Kitchell CEM, Inc. for the Memorial Auditorium project.
- On December 5, 2017, City Council agreed to move forward with the full program for the SCC which would allow the new 40,000 square foot ballroom to be built at the same time as the rest of the project contingent upon funding provided by the hotel community to cover the cost of the ballroom.
- On March 20, 2018, Council approved Motion No. 2018-0071 for a supplemental agreement with Kitchell for additional services related to local hiring in the construction of the Memorial Auditorium project for an amount not-to-exceed \$49,570, bringing the total agreement to a new not-to-exceed amount of \$227,374.
- On March 27, 2018, Council approved Motion No. 2018-0083 for a supplemental agreement with Rider Levett Bucknall, Ltd. to extend the term of their contract for owner's representation services through April 30<sup>th</sup> and pay \$24,666 for their services for a new total contract amount of \$226,666. That agreement was later extended by the City Manager again until May 31<sup>st</sup> at an additional cost of \$12,333 for a total contract amount of \$238,999. Due to the size of the last

increase, that supplemental agreement was done under City Manager authority and did not require staff to return to Council.

- On April 3, 2018, City Council approved Motion No. 2018-0090 for the removal of four trees along I Street and 15<sup>th</sup> Street for the Memorial Auditorium project to allow for the construction of improvements there.
- May 22, 2018, City Council approved a resolution that authorized (1) the City Manager or his designee to execute Supplemental Agreement No. 2 to City Agreement No. 2017-0677 with Kitchell CEM, Inc., in the amount of \$10,739,169 for the construction of improvements to Memorial Auditorium (M17100100), for a new not-to-exceed total contract amount of \$10,966,543; (2) an interfund loan between the Water Fund (Fund 6005) and the Community Center Fund (Fund 6010); and (3) the transfer of \$11,075,170 from Fund 6005 to Fund 6010.
- On May 29, 2019, City Council approved Motion Nos. 2018-0168 and 2018-0169 which approved contracts for Architectural Nexus for construction administration services and for construction management services, respectively for the Memorial Auditorium project.

**Public and Stakeholder Outreach and Comments:** In order to evaluate different options and gain important public input, Mayor Steinberg and then-Councilmember (currently Vice Mayor) Hansen hosted a series of five public workshops on the SCC in January to May 2017. These meetings explored:

- TOT regulations, uses, and growth trends
- Existing challenges with the current building
- Use and occupancy of the building
- SCC performance
- Trends in the convention center industry
- Relationship between convention centers and hotels
- A review of competitors
- Design options including an evaluation of exhibition and meeting space needs
- Potential economic impact
- Sales and marketing
- Private operations and
- Development cost

The City also formed separate steering committees as well as technical and user advisory committees for the Memorial Auditorium and CCT projects as well as the SCC projects. Members included representatives from Visit Sacramento, Downtown hotels,

local performing arts groups, the Downtown Sacramento Partnership, the City's Convention and Cultural Services Department, and the Sacramento Metropolitan Arts Commission. The City also established a design committee for the SCC at the request of the project architect, Populous, to provide guidance on the exterior design of the facility. That committee was composed of the steering committee members, the City's Design Director, and several local architects including Ron Vrilakas, architect for the Sofia Theater, and Kimberly Garza-Stanush, the award-winning landscape architect for the International Sacramento Capitol Mall design competition. These committees reviewed the designs and technical specifications and provided valuable feedback to the architects and to City Staff

In addition, Design Director hearings were held for the SCC and CCT projects on Thursday, June 14, 2018. Notices were mailed to all property owners within 300 feet of the project 10-days prior to the hearing and all of the sites have been posted.

Finally, as part of the EIR process, eleven comment letters were received during the comment period. Letters and written comments received during the comment period for the DEIR are included in the FEIR along with responses. Staff reviewed all of the comments and shared them with the applicant and design team.

**Policy Considerations:** The Downtown Plaza site is designated as Central Business District (CBD) on the General Plan Land Use and Urban Form Diagram. The Central Business District is Sacramento's most intensely developed area. It includes a mixture of retail, office, governmental, entertainment, and visitor-serving uses built on a formal framework of streets and park spaces laid out for the original Sutter Land Grant in the 1840's. The vision for the CBD is a vibrant downtown core that will continue to serve as the business, governmental, retail, and entertainment center for the city and the region.

General Plan- The SCC and CCT projects are consistent with the following General Plan goals and policies:

**Civic Amenities.** The City shall support and encourage the development of civic amenities, entertainment venues, and convention opportunities that increase visitation, spending and tourism in Sacramento. (ED 3.1.10)

**Arts and Cultural Facilities.** The City shall enhance the quality of existing City-owned arts and cultural resources and facilities through reinvestment, communications and marketing. (ERC 4.1.3)

**Convention Center.** The City shall support renovation and expansion of Convention Center facilities and adjacent supportive infrastructure, including hotels, to attract top tier national and international events. (ERC 4.1.5)

**Cultural Facilities Central City.** The City shall continue to support the existing cultural facilities in the Central City and encourage the development of additional facilities that promote the city as the regional and historic center for meeting and gathering. (LU 5.6.7)

**Unique Sense of Place.** The City shall promote quality site, architectural and landscape design that incorporates those qualities and characteristics that make Sacramento desirable and memorable including: walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles. (LU 2.4.1)

**Responsiveness to Context.** The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers. (LU 2.4.2)

**Iconic Buildings.** The City shall encourage the development of iconic public and private buildings in key locations to create new landmarks and focal features that contribute to the city's structure and identity. (LU 2.4.4)

**Public Places.** The City shall create vibrant public places in Sacramento's neighborhoods, centers, and corridors that serve as gathering places. (LU 8.1.1)

**Centers Served by Transit.** The City shall promote the development of commercial mixed-use centers that are located on existing or planned transit stops in order to facilitate and take advantage of transit service, reduce vehicle trips, and enhance community access. (LU 5.1.2)

**Cultural and Entertainment Centers.** The City shall actively support the development of cultural, education, and entertainment facilities and events in the city's centers to attract visitors and establish a unique identity for Sacramento. (LU 5.1.3)

**Barrier Removal for Accessibility.** The City shall remove barriers, where feasible, to allow people of all abilities to have access within and among infrastructure serving the community. (M 1.3.4)

General Plan, Urban Form Guidelines- The City of Sacramento General Plan, Land Use and Urban Design section, contains key urban form characteristics envisioned for development within the Central Business District:

1. A mixture of mid- and high-rise buildings creating a varied and dramatic skyline with unlimited heights;
2. Lot coverage generally not exceeding 90%;

3. Buildings are sited to positively define the public streetscape and public spaces;
4. Building facades and entrances directly addressing the street and a high degree of transparency;
5. An interconnected street system providing for traffic and route flexibility;
6. Vertical and horizontal integration of residential uses;
7. Public parks and open space areas within walking distance of local residents;
8. Parking is integrated into buildings or placed in separate structures;
9. Minimal or no curb cuts along primary streets;
10. Side or rear access to parking and service functions;
11. Broad sidewalks appointed with appropriate pedestrian amenities, including sidewalk restaurant/café seating;
12. Street design integrating pedestrian, bicycle, transit and vehicular use and incorporates traffic-calming features and on-street parking.

The SCC and CCT projects will substantially comply with these guidelines. The buildings are and will continue to be sited to address the public street and plaza area. The sites are accessible to various modes of transportation.

Central City Community Plan - The Central City Community Plan is a chapter of the City's General Plan. It establishes a vision for the development of the Central City area and contains policies that are unique to the area. The following community plan policies are relevant to the SCC and CCT projects:

CC.LU 1.3 Interrelated Land Uses. The City shall provide for organized development of the Central City whereby the many interrelated land use components of the area support and reinforce each other and the vitality of the community.

CC.LU 1.7 Central Business District. The City shall improve the physical and social conditions, urban aesthetics, and general safety of the Central Business District.

The SCC and CCT projects include a public plaza area and take advantage of the close proximity of a transportation, hotels and retail to create an exciting, active place to visit. The public activities plaza is designed with an urban aesthetic, including a combination of pavement, green landscaping, seating for public enjoyment, and will have programmed activities. In addition, there is a performance on the north side of the

Theater and a box office and café on the south side of the SCC that will activate the space and encourage public use throughout the year.

Cultural and Entertainment District- The SCC and CCT is located within the Downtown Cultural and Entertainment District Master Plan area. Adopted by City Council in May 1990, the goal of the District is to create a concentrated mix of cultural and entertainment facilities that will be capable of contributing to downtown's night and weekend activity. The area is envisioned as an "urban stage," an opportunity for formal and informal events and programs that will attract a diverse audience of office workers, residents, and visitors during days, evenings, weekends, and for special events. The SCC and CCT projects are consistent with the vision of the Cultural and Entertainment District to be a dynamic and inviting destination for people of all ages and accessed by all modes.

**General Plan Consistency Review:** Unlike private development projects, City projects are not required to obtain development entitlements. However, City projects must demonstrate consistency with the General Plan as required by City Code section 17.912.030(B). This section requires that the City's Planning Director serve as the planning agency for purposes of reviewing the construction of public buildings and structures for consistency with the general plan. As shown in Attachment 3, both the SCC and CCT projects are consistent with the General Plan.

**Art in Public Places:** Under City Code section 2.84, the City requires that 2% of the construction cost for public projects be set aside to fund artwork as part of those projects. The Sacramento Metropolitan Arts Commission (SMAC) administers the Art in Public Places (APP) program on the City's behalf. SMAC has established an artist selection panel for both projects and is in the process of identifying locations. An RFQ was issued for potential artists for these projects. Approximately 300 proposals were received, and the panel is the process of narrowing the selections. Based on current construction cost estimates about \$3.7 million will be available to procure artwork for the projects including the design, fabrication, installation, and maintenance of the artwork. Potential locations include the corner of 13<sup>th</sup> and J Streets, the public plaza area between the projects, and the two Theater lobbies. Final artist selection is anticipated by the end of summer 2018.

## **Site Plan and Design Review- SCC and CCT Projects:**

### Sacramento CCT

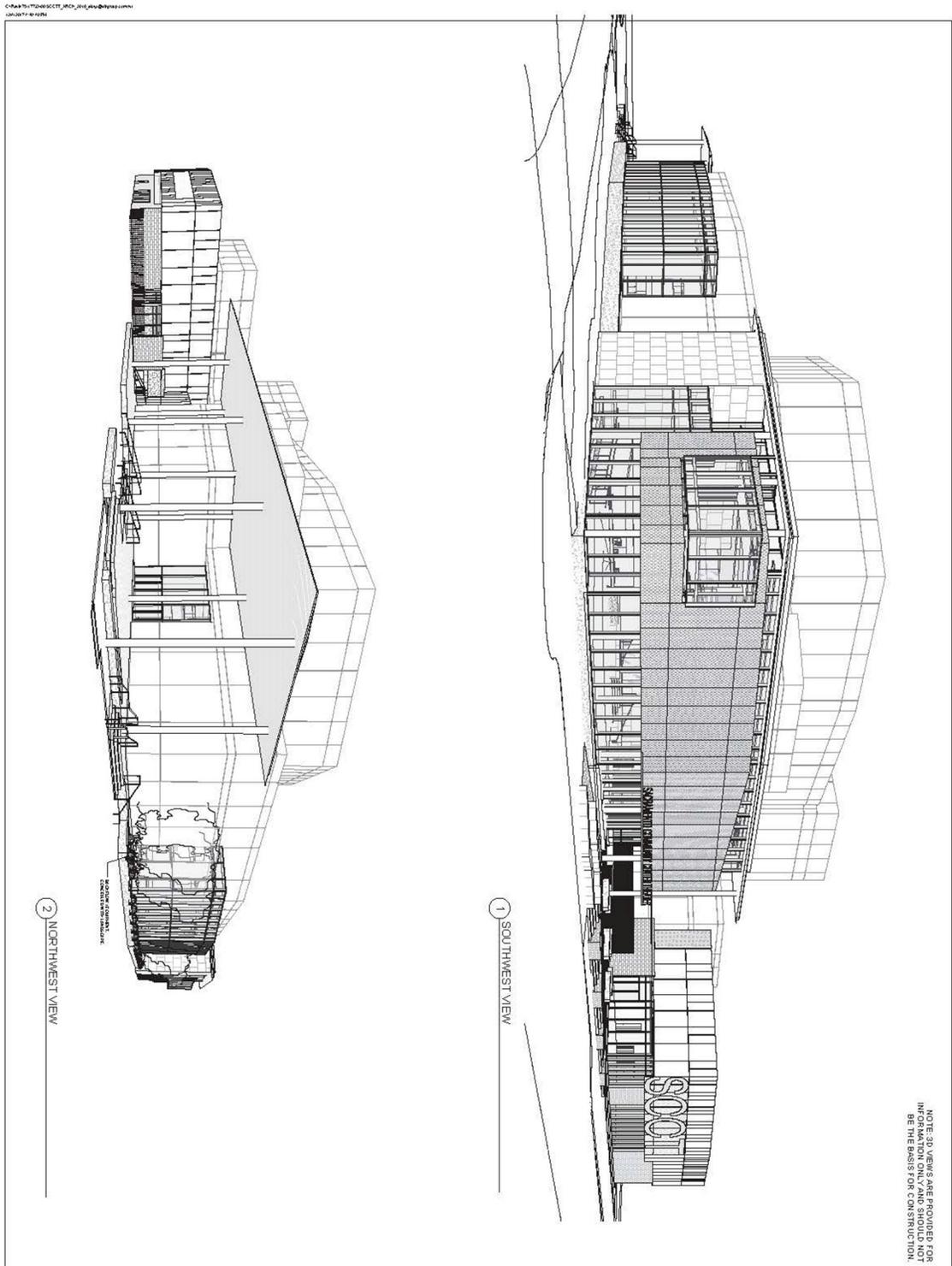
The CCT project was tasked with solving acoustics deficiencies, disabled access barriers, production technologies and patron issues; toilet rooms, concession, theater experiences. However, beyond that, the theater is a civic structure that has, since its opening, turned its back to community view and interaction. It is removed from L Street, misses the opportunities of K Street placemaking and its performances and patron activities are obscured from public view.

The redesign of the theater (refer to Figures 3 – 7) engages the eye and the mind as it brings the main entry to L Street with a boldly transparent lobby, a bosque as a pedestrian forecourt, and a scrim panel shading and decorating the L Street façade. The open public space is further defined by the perforated roof overhangs casting shadows on the court below. The north side has been opened and terraced to connect to, and engage, K Street that now reinforces a civil public plaza. The plaza serves individual use, scheduled and spontaneous performances, and event activities. It connects K Street east and west and provides a clear hierarchy of 13<sup>th</sup> and K Streets as an activity hub for both the CCT and SCC. The exterior finishes, fenestration and exterior public spaces transform the current dark and heavy building into a light, engaging civic amenity.

The interiors, from lobby to Theater spaces, have been rethought, reformed and refreshed. The lobby now looks out to Capitol Park and its high soaring ceiling connects the upper patron area. Materials and colors are light, refreshing, clean and modern. Every location that affects the theater goers experience has been modernized; from toilet rooms to hallways to seating. Coming to this remodeled theater will be like visiting an entirely new building.

The end result is a state of the art performance center that will enhance performance marketing, thrill patrons, and become part of a modern civic urban fabric.

# Figure 3 – Theater Elevation (Northwest/Southwest)



**DLR Group**  
 Westlake  
 Reed  
 Leskosky  
 Architecture, Engineering, Planning & Construction

**AE-4.01**  
 Project  
 Number

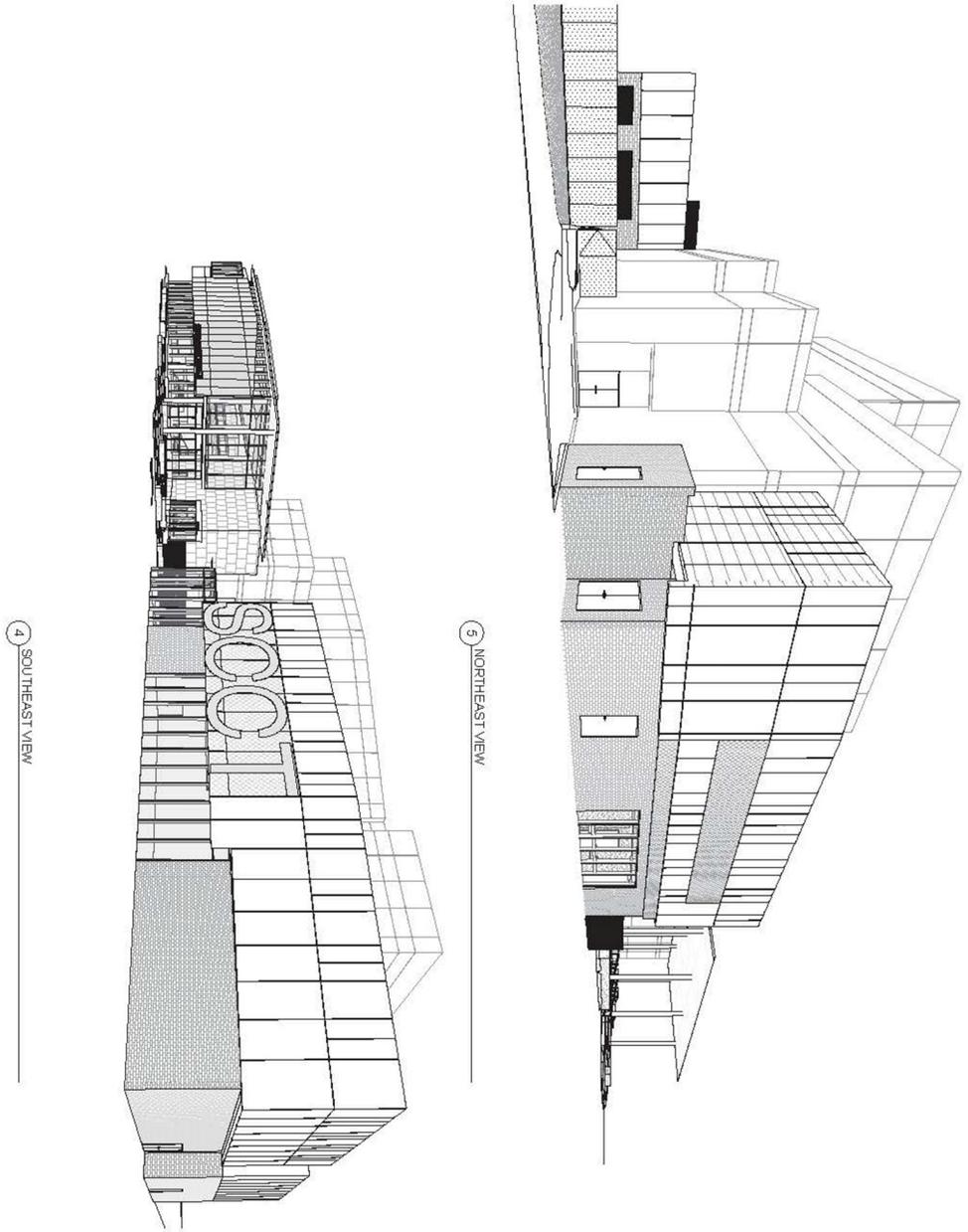
3D VIEWS - SOUTHWEST AND NORTHWEST VIEWS  
 Sacramento Community Center Theater Transformation  
 100% Design Development

1201 L Street  
 Sacramento, CA  
 95811

DD  
 PRELIMINARY  
 NOT FOR CONSTRUCTION

# Figure 4 – Theater Elevation (Northeast/Southeast)

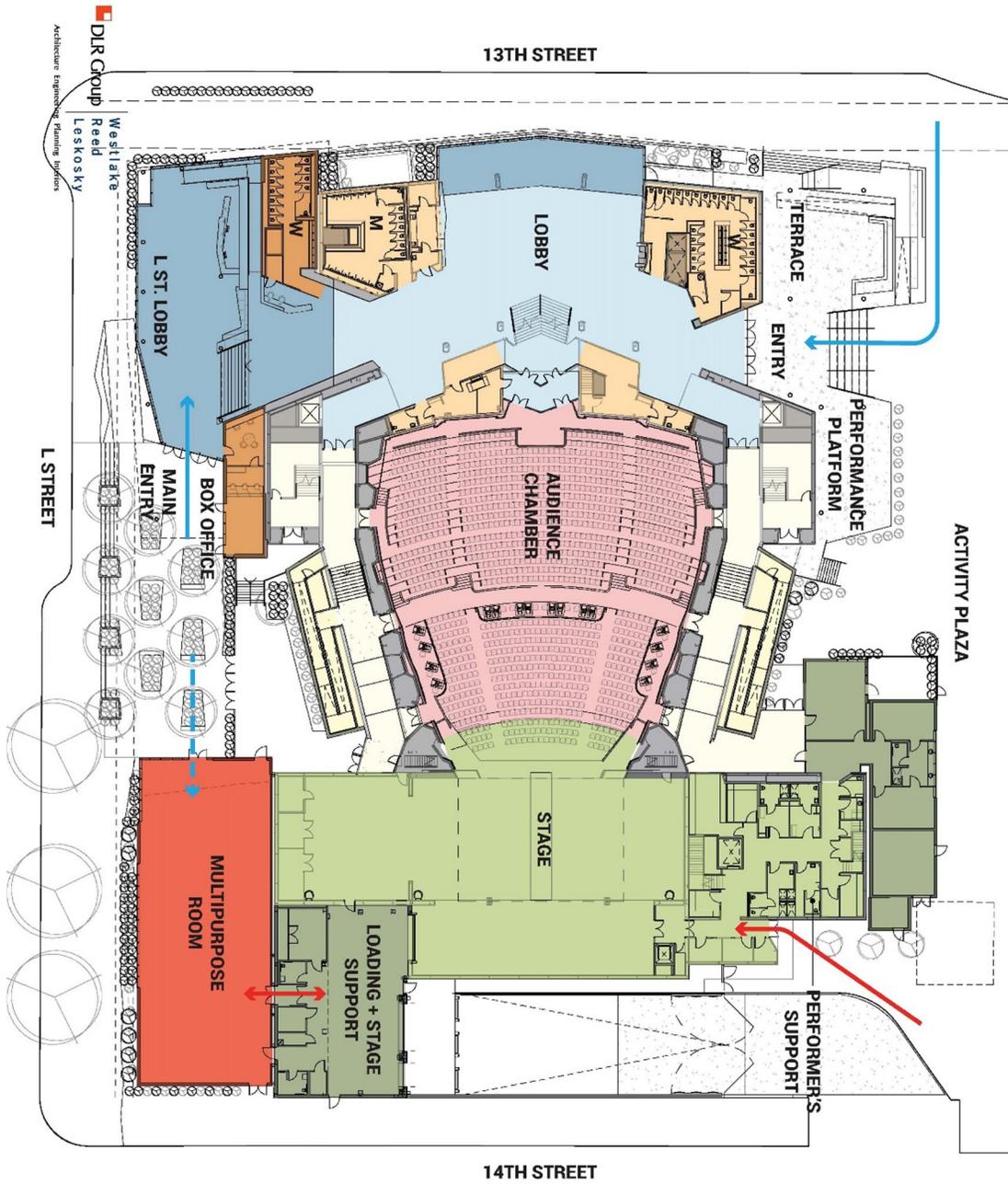
C:\AA\751720\SCCT\_002\_2014.rvt (1/1/2014)  
 1/1/2014 10:48:00 AM



NOTE: 3D VIEWS ARE PROVIDED FOR INFORMATION ONLY AND SHOULD NOT BE THE BASIS FOR CONSTRUCTION.

<p><b>DLR Group</b>          Westlake          Reed          Leskosky          Architects Engineering Planning Interiors</p>	<p><b>AE-4.02</b>          THEATER          1/1/2014</p>	<p>3D VIEWS - SOUTHEAST AND NORTHEAST VIEWS          Sacramento Community Center Theater Transformation          100% Design Development</p>	<p>1201 L Street          Sacramento, CA          95811</p>	<p>DD          PRELIMINARY          NOT FOR CONSTRUCTION</p>
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Figure 5 – Theater Floor Plan (Ground Floor)



**FLOOR PLAN**  
GROUND FLOOR PLAN

Figure 6 – Theater Floor Plan (Grand Tier)

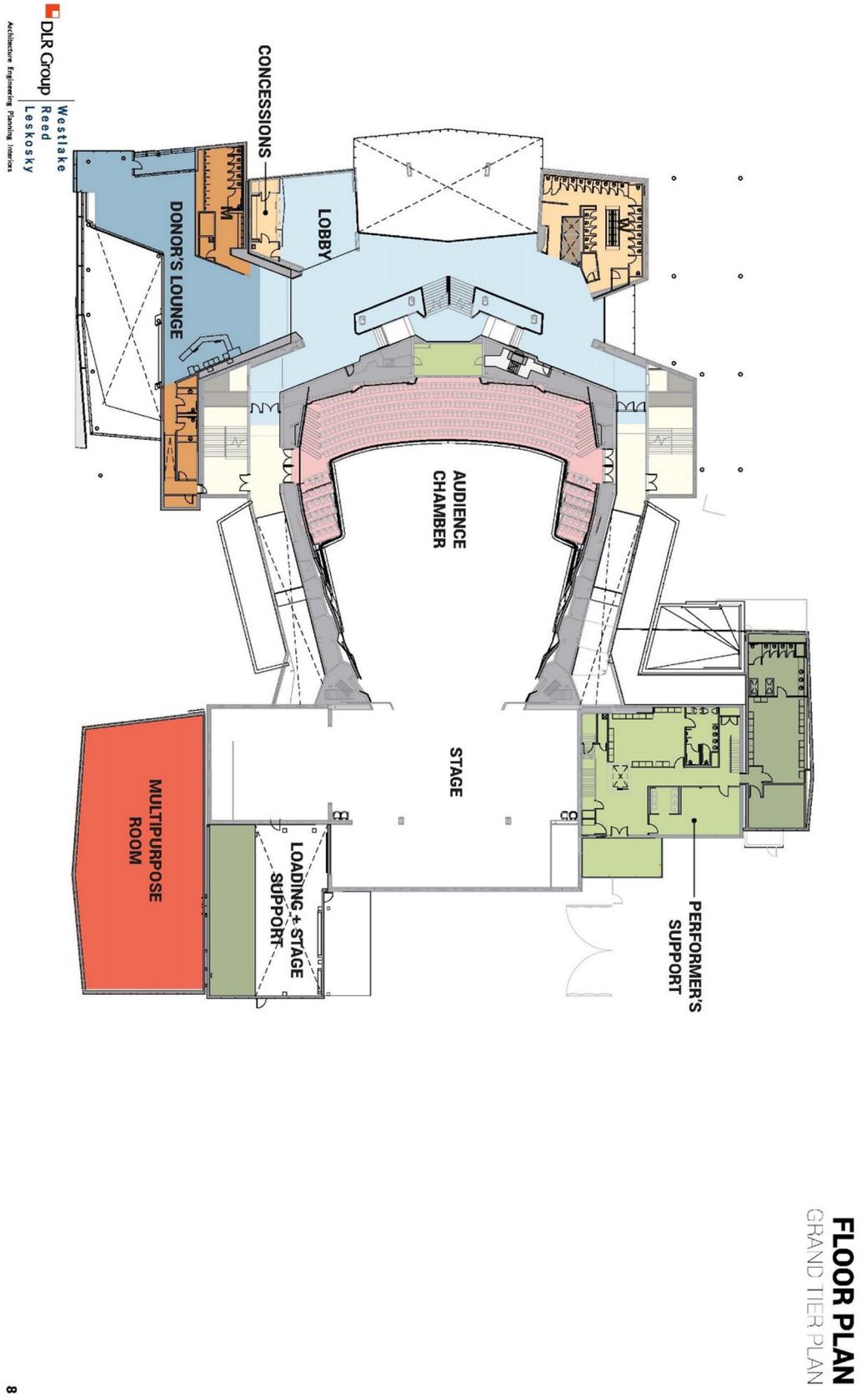
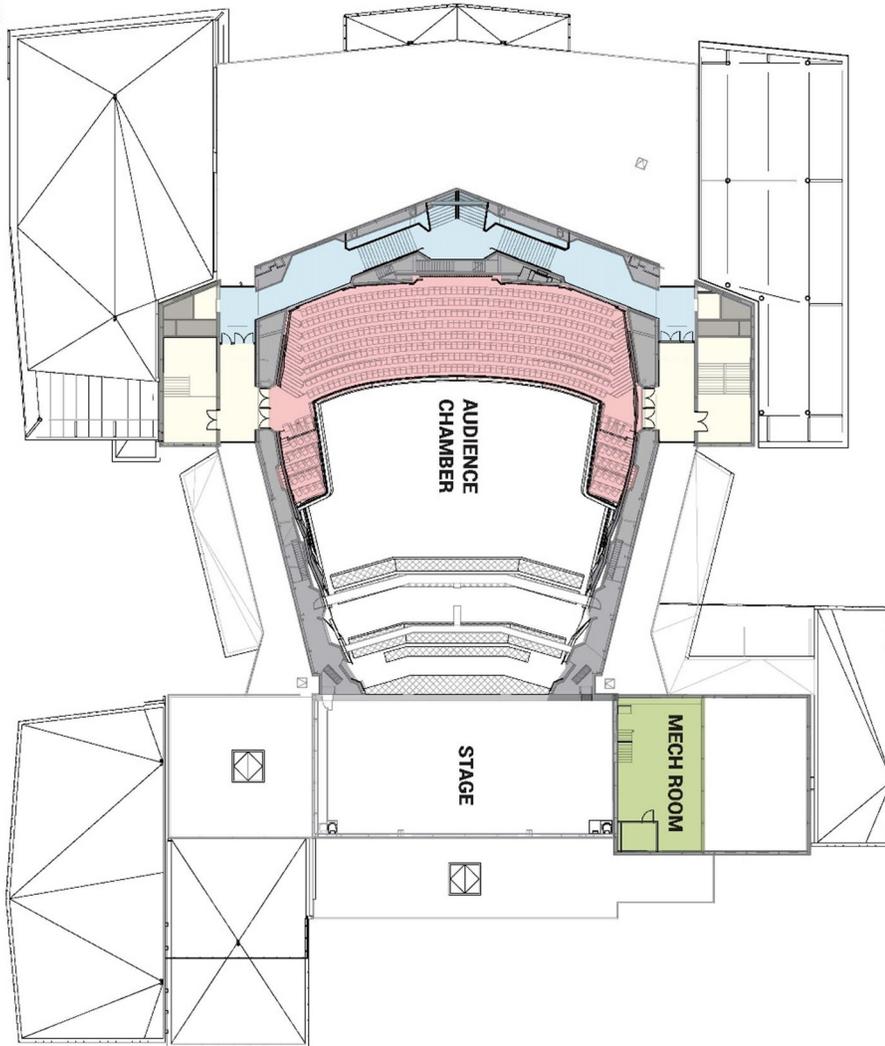


Figure 7 – Theater Floor Plan (Upper Tier)

**DJR Group**  
Westlake  
Reed  
Leskosky  
Architecture Engineering Planning Interiors



**FLOOR PLAN**  
UPPER TIER PLAN

## SCC

Constrained by site dimensions but needing significant programming size growth and function options, the SCC has been challenged to provide an increase in marketable space and features under a limited budget. The design of the project (refer to Figures 8-11) has largely been driven by income generating marketable space, but concern has also been given to the plaza interface with the CCT, enhancing connections to K Street east of 15<sup>th</sup> Street, planning for a future hotel at 15<sup>th</sup> and K Streets and establishing the primary entries at 13<sup>th</sup> and K Streets and 15<sup>th</sup> and K Streets. The reorganization of the interior space has moved the primary entries off of J Street and on to 13<sup>th</sup> and K Streets. This has resulted in a major civic plaza and functional use of the space between the SCC and CCT and a strengthening of K Street retail opportunities.

A challenge in moving the emphasis off of the corner of 13<sup>th</sup> and J Streets has been the public activation of the J Street side of the project and the connection to the existing eastern portion of the SCC. This has been solved with a second floor ballroom that extends out over 13<sup>th</sup> Street and provides “bay window” extension looking north and south, a faceted wall at grade on 13<sup>th</sup> Street that provides fenestration and wall undulations, a focused corner plaza space for major large-scale art at the corner of 13<sup>th</sup> and J Streets and a wall on J Street that provides a mix of patterned concrete, patterned metal panels, decorative lighting and sidewalk planters at the wall.

The 13<sup>th</sup> and 15<sup>th</sup> Street lobbies have similar exterior roof/upper wall treatments and extensive curtain wall glazing that by design define the primary entries, provide a visual connection to the street and reinforce the K Street connection. The 13<sup>th</sup> Street entry is planned to allow for exterior convention support activity with interior uses; tents, canopies and booths spilling out onto the plaza area. Food service at the SCC is located to take maximum advantage of outdoor seating.

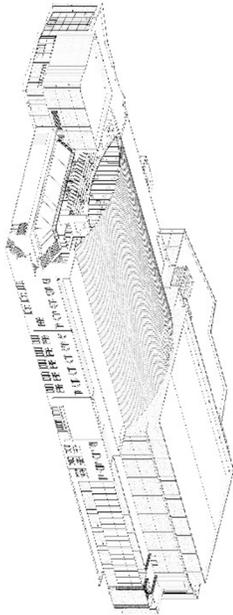
Their interior voluminous space is open up to the roof, has visually and physical access to the stairs and escalators and provides for a dramatic and activated space. The lobbies are designed both as a connector and an exhibit space.

The new SCC refocuses circulation to K Street, provides for exterior and interior cross circulation, works with the CCT to create an energized civic plaza and provides the desirable multi-use marketable space.

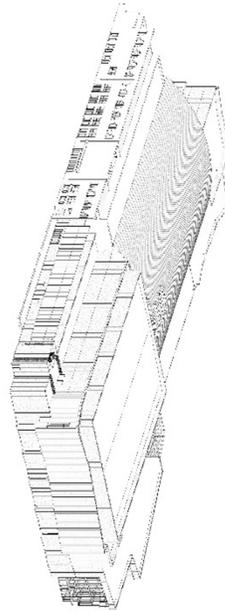
# Figure 8 – Convention Center Elevations

K:\PROJECTS\CC\_06

3. NORTHEAST CORNER

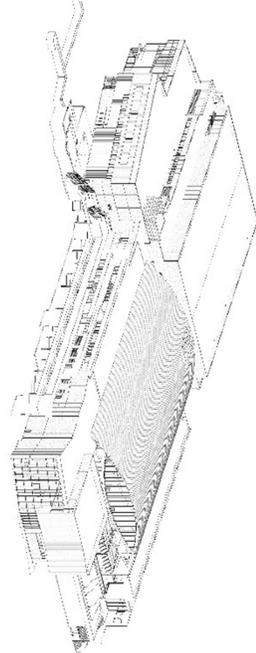


4. NORTHEAST CORNER

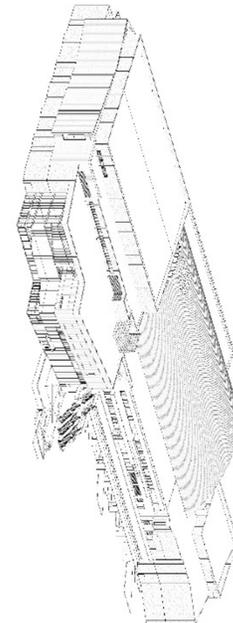


GENERAL NOTE: 3D VIEWS ARE FOR REFERENCE ONLY

1. SOUTHEAST CORNER



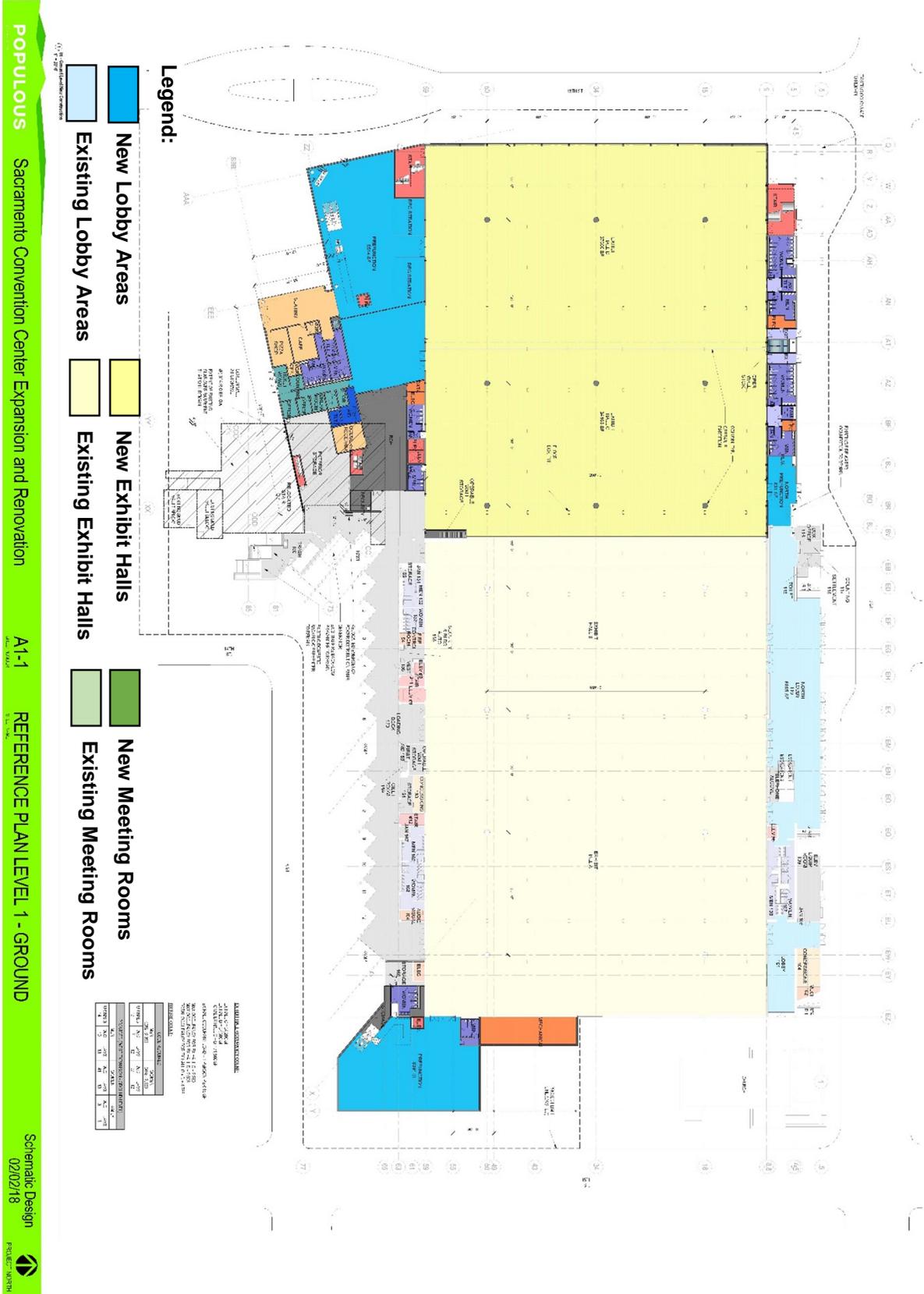
2. SOUTHWEST CORNER



FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

<p><b>POPULOUS</b></p> <p>ARCHITECTS</p> <p>1000 MARKET STREET, SUITE 200</p> <p>SACRAMENTO, CA 95811</p> <p>TEL: 916.441.1000</p> <p>WWW.POPULOUS.COM</p>	<p>DESIGN DEVELOPMENT</p> <p>08/14/19 TO 08/14/19</p> <p>REVISIONS</p>	<p>SACRAMENTO CONVENTION CENTER EXPANSION AND RENOVATION</p> <p>1400 J ST, SACRAMENTO, CA 95814</p>	<p>DATE: 08/14/19</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO: 19-001</p> <p>DRAWING NO: 01</p>
	<p>EXTERIOR BUILDING PERSPECTIVES</p> <p>A5-0</p>	<p>FOR REFERENCE ONLY - NOT FOR CONSTRUCTION</p>	<p>SACRAMENTO CONVENTION CENTER EXPANSION AND RENOVATION</p> <p>1400 J ST, SACRAMENTO, CA 95814</p>

**Figure 9 – Convention Center Floor Plan (Ground Level)**



**POPULOUS**

Sacramento Convention Center Expansion and Renovation

A1-1

REFERENCE PLAN LEVEL 1 - GROUND

Schematic Design  
02/07/18



**Figure 10 – Convention Center Floor Plan (Intermediate Level)**



Figure 11 – Convention Center Floor Plan (Upper Level)



## Urban Design Guidelines

These projects comply with and support the City Urban Design Guidelines and the Central Core Urban Design Guidelines (CCUDG) in our vision as a vibrant, active and sustainable city.

They support pedestrian friendly streets, urban connection with transparent, street adjacent facades, additions to our urban forest and the integration of public art. The buildings exhibit noble and civic quality building materials and sustainable design practices. The building designs are climate responsive and outdoor spaces appropriate to Sacramento's microclimate.

The K Street plaza and building entries support the K Street CCUDG design goals and mobility options including light rail, pedestrians and bicycles uses as well as creating active outdoor public spaces.

## MEMORANDUM

Date: May 10, 2018

To: Desmond Parrington, Senior Development Project Manager

From: Thomas S. Pace, Planning Director

SUBJECT: General Plan consistency finding for the Sacramento Convention Center Renovation and Expansion

As required by section 17.912.030 (B) of the Sacramento City Code and section 65402 of the Government code, the Planning Director has reviewed the proposed renovation and expansion of the Sacramento Convention Center (SCC) for consistency with the General Plan.

Following are relevant General Plan policies:

ED 3.1.10 Civic Amenities. The City shall support and encourage the development of civic amenities, entertainment venues, and convention opportunities that increase visitation, spending and tourism in Sacramento.

ERC 4.1.3 The City shall enhance the quality of existing City-owned arts and cultural resources and facilities through reinvestment, communications, and marketing.

ERC 4.1.5 Convention Center. The City shall support renovation and expansion of Convention Center facilities and adjacent supportive infrastructure, including hotels, to attract top-tier national and international events.

LU 5.4.2 Enhanced Design Character. The City shall encourage reuse of and reinvestment in existing regional commercial centers into dynamic mixed-use centers by replacing surface parking with structured parking, replacing parking area drive aisles with pedestrian friendly shopping streets, infilling parking areas with multi-story mixed-use buildings, and creating attractive, well-appointed streetscapes and plazas.

LU 5.6.7 Cultural Facilities Central City. The City shall continue to support the existing cultural facilities in the Central City and encourage the development of additional facilities that promote the city as the regional and historic center for meeting and gathering.

LU 8.1.1 Public Places. The City shall create vibrant public places in Sacramento's neighborhoods, centers, and corridors that serve as gathering places.

The proposed renovation and expansion of the SCC is consistent with general plan policies to encourage the development of civic amenities, entertainment venues, and convention opportunities. Modernizing and upgrading the SCC will promote the city as a regional center for meeting and gathering, attract top-tier national events, and increase spending and tourism in Sacramento. Therefore, the Planning Director finds that the proposed renovation and expansion of the SCC is consistent with the City of Sacramento General Plan.

Sincerely,



---

Thomas S. Pace  
Planning Director  
(916) 808-2691

cc: Jim McDonald, AICP, CFM, Principal Planner  
Remi Mendoza, CFM, Associate Planner

## MEMORANDUM

Date: June 4, 2018

To: Desmond Parrington, Senior Development Project Manager

From: Thomas S. Pace, Planning Director

SUBJECT: General Plan consistency finding for the Sacramento Community Center Theater Project

As required by section 17.912.030 (B) of the Sacramento City Code and section 65402 of the Government code, the Planning Director has reviewed the proposed Community Center Theater renovation project for consistency with the General Plan.

Following are relevant General Plan policies:

ED 3.1.10 Civic Amenities. The City shall support and encourage the development of civic amenities, entertainment venues, and convention opportunities that increase visitation, spending and tourism in Sacramento.

ERC 4.1.3 City-Owned Resources. The City shall enhance the quality of existing City-owned arts and cultural resources and facilities through reinvestment, communications, and marketing.

ERC 4.1.5 Convention Center. The City shall support renovation and expansion of Convention Center facilities and adjacent supportive infrastructure, including hotels, to attract top-tier national and international events.

LU 2.4.1 Unique Sense of Place. The City shall promote quality site, architectural and landscape design that incorporates those qualities and characteristics that make Sacramento desirable and memorable including: walkable blocks, distinctive parks and open spaces, tree-lined streets, and varied architectural styles.

LU 2.4.2 Responsiveness to Context. The City shall require building design that respects and responds to the local context, including use of local materials where feasible, responsiveness to Sacramento's climate, and consideration of cultural and historic context of Sacramento's neighborhoods and centers.

LU 2.4.4 Iconic Buildings. The City shall encourage the development of iconic public and private buildings in key locations to create new landmarks and focal features that contribute to the city's structure and identity.

LU 5.1.2 Centers Served by Transit. The City shall promote the development of commercial mixed-use centers that are located on existing or planned transit stops in order to facilitate and take advantage of transit service, reduce vehicle trips, and enhance community access.

LU 5.1.3 Cultural and Entertainment Centers. The City shall actively support the development of cultural, education, and entertainment facilities and events in the city's centers to attract visitors and establish a unique identity for Sacramento.

LU 5.6.7 Cultural Facilities Central City. The City shall continue to support the existing cultural facilities in the Central City and encourage the development of additional facilities that promote the city as the regional and historic center for meeting and gathering.

LU 8.1.1 Public Places. The City shall create vibrant public places in Sacramento's neighborhoods, centers, and corridors that serve as gathering places.

M 1.3.4 Barrier Removal for Accessibility. The City shall remove barriers, where feasible, to allow people of all abilities to have access within and among infrastructure serving the community.

The proposed project to renovate the community center theater is consistent with general plan policies to encourage the development of civic amenities and entertainment venues. Modernizing and upgrading the theater will actively support the development of cultural, education, and entertainment facilities and events that serve as gathering place in the city. Therefore, the Planning Director finds that the proposed renovation of the community center theater is consistent with the City of Sacramento General Plan.

Sincerely,



Thomas S. Pace  
Planning Director  
(916) 808-2691

cc: Greg Sandlund, Acting Long Range Planning Manager  
Remi Mendoza, CFM, Associate Planner

## RESOLUTION NO. 2018-

Adopted by the Sacramento City Council

### **CERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE SACRAMENTO CONVENTION CENTER RENOVATION AND EXPANSION PROJECT (SCH NO. 2017082008)**

#### **BACKGROUND**

- A. On June 14, 2018, the City's Design Director conducted a public hearing on, and provided review and comment on the **Sacramento Convention Center Renovation and Expansion Project**.
- B. On June 19, 2018 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code, and received and considered evidence concerning the **Sacramento Convention Center Renovation and Expansion Project**.

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

- Section 1. The City Council finds that the Environmental Impact Report for the Sacramento Convention Center Renovation and Expansion project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments) (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- Section 2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.

- Section 3. The City Council certifies that the EIR has been presented to it, that the City Council has reviewed the EIR and has considered the information contained in the EIR prior to acting on the proposed Project, and that the EIR reflects the City Council's independent judgment and analysis.
- Section 4. Pursuant to CEQA Guidelines Sections 15091 and 15093, and in support of its approval of the Project, the City Council adopts the attached Findings of Fact and Statement of Overriding Considerations in support of approval of the Project as set forth in the attached Exhibit A of this Resolution.
- Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Plan in Exhibit B of this Resolution.
- Section 6. The City Council directs that, upon approval of the Project, the City Manager shall file a notice of determination with the County Clerk of Sacramento County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA section 21152.
- Section 7. Pursuant to CEQA Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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- Exhibit A - CEQA Findings of Fact and Statement of Overriding Considerations for the Sacramento City Convention Center Renovation and Expansion Project
- Exhibit B - Mitigation Monitoring Plan for the Sacramento City Convention Center Renovation and Expansion Project

## Exhibit A

### **CEQA Findings of Fact and Statement of Overriding Considerations for the Sacramento Convention Center Renovation and Expansion Project**

#### **Description of the Project**

The Sacramento Convention Center Renovation and Expansion project (SCC project) is designed to expand the capacity of the existing SCC through renovation of portions of the existing facility, demolition of obsolete components, and construction of new facilities in their place. The SCC project site is located within the City of Sacramento's Central City community. The SCC project site is generally bounded by 13<sup>th</sup> Street to the west, 15<sup>th</sup> Street to the east, J Street to the north, and K Street to the south. The SCC project site includes the existing Sacramento Convention Center and adjacent Panattoni Building and outdoor Activities Plaza, but excludes the Sacramento Community Center Theater.

The proposed SCC project would include the following modifications to the existing SCC facility in downtown Sacramento:

- 62,260 square feet of additional event space (exhibit halls, meeting rooms, and ballrooms);
- 15,954 square feet of additional pre-function space (e.g., lobbies, landings);
- 92 square foot increase of retail/cafe space;
- 2,390 square foot reduction of outdoor terrace space; and
- 33,563 square feet of additional support space (e.g., administrative office, kitchen, store rooms).

The SCC project would also include the demolition of the adjacent Panattoni Building at 1030 15th Street, which is comprised of 36,085 square feet of commercial office space.

The renovated and expanded SCC would be a larger structure relative to the existing facility. Demolition and construction activities would occur throughout the facility.

Construction and demolition components on the east side of the SCC would include demolition of the existing Panattoni Building and construction of a new East Lobby in its place, which would create access to the Convention Center from 15th Street. The upper levels of the new East Lobby structure would accommodate meeting space and pre-function uses. The east terrace on the second level would be reduced in size and meeting rooms would be added.

Project components on the west side of the existing SCC would include demolition of the portion of the facility constructed in 1974, which includes 3 exhibition halls and a number of other uses, and construction of a new west building in its place, which would include new exhibit halls, a new west lobby, pre-function space facing J Street, and pre-function and service areas. A 40,000-sf ballroom that can be broken down into meeting space or operated as a ballroom, a new kitchen, pre-function space, meeting rooms, and back-of-house uses such as hallways and service areas would be constructed on the second level of the new west building.

The new west building would have a larger footprint than the existing west building. As a result, the building footprint would extend further to the north and west, reducing available pedestrian space along the building's 250-foot J Street frontage by 20 feet and along the building's 400-foot 13th Street frontage by 20 feet. In addition, the existing 250-foot long, pullout space on J Street would be replaced by a smaller turnout that would be a single-car width instead of the existing two-car width turnout. The area of the existing turnout to be eliminated would be replaced by sidewalk that aligns with the sidewalk that fronts the east building. This building and sidewalk extension would provide access to the planned 13th/J Street Downtown/Riverfront Streetcar stop.

At the southwest side of the west building, the landscaped walkway between the SCC and the Community Center Theater (CCT), to the south, would be eliminated and replaced with an outdoor Activities Plaza, which would include an outdoor performance area and gathering space, pedestrian connections, and a bicycle connection along the K Street, as well as landscaping. Project components at the basement level of the SCC would also include renovation of the central plant that provides heating, cooling and power to the Convention Center and the adjacent CCT.

The proposed expanded and reconfigured SCC would be a venue for an array of various conference and entertainment events during the year. One of the primary objectives of the proposed improvements to the SCC would be to allow a more efficient transition between events, allowing for an increase in the total number of annual events accommodated at the SCC. The total number of events would be affected by a number of factors, such as the relative success of Visit Sacramento in attracting events, and the number of touring events each year. It is estimated that the proposed SCC would generate an additional 1,790 attendees per event day.

Different types of events typically are presented on different days and at different times, and may overlap. For purposes of a conservative analysis, it has been assumed that on an annual basis there would be events attended by a range of numbers of attendees with total event attendance ranging from a few hundred per day for smaller events to over 15,000 per day for the largest events.

The Sacramento Convention Center Renovation and Expansion and 15th/K Street Hotel Projects EIR analyzed two distinct projects: the Sacramento Convention Center Renovation and Expansion project (SCC project) and the 15th/K Street Hotel project (Hotel project). The environmental consequences of each of those projects, both individually and at a cumulative level, were analyzed in the EIR.

## **Findings Required Under CEQA**

### **1. Procedural Findings**

#### **The City Council of the City of Sacramento finds as follows:**

The Draft EIR for the Sacramento Convention Center Renovation and Expansion and 15th/K Street Hotel Projects (SCH # 2017082008) was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations Section 15000 *et seq.*), and the City of Sacramento environmental guidelines, as follows:

- a. A Notice of Preparation (NOP) of the Draft EIR was filed with the State Clearinghouse (SCH) in the Governor's Office of Planning and Research (OPR) and with each responsible and trustee agency and was circulated for public comments from August 2, 2017 through September 1, 2017.
- b. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the OPR on November 15, 2017, and to those public agencies that have jurisdiction by law with respect to the plan, or which exercise authority over resources that may be affected by the plan, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- c. An official 45-day public review and comment period for the Draft EIR was established by the OPR. The official OPR public comment period began on November 15, 2017 and ended on December 29, 2017 (the City accepted comments until January 2, 2018).
- d. A Notice of Availability (NOA) of the Draft EIR was mailed on November 15, 2017 to all interested groups, organizations, and individuals who had previously requested notice in writing. The NOA stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento, Community Development Department, 300 Richards Boulevard, Third Floor, Sacramento, California, 95811, and on the City's website. The letter also indicated that the official 45-day public review period for the Draft EIR would end on January 2, 2018.

e. A public notice was placed in the City's official newspaper, the Daily Recorder, on November 15, 2017, which stated that the Draft EIR was available for public review and comment.

f. A public notice was posted in the office of the Sacramento County Clerk on November 15, 2017.

g. The NOA and Draft EIR were published on the City's website at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>.

i. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City's written responses to the significant environmental points raised in those comments, and additional information added by the City were added to the Draft EIR to produce the Final EIR.

j. The Final EIR was made available for public review and published on the City's website at <http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports> by June 13, 2018.

k. Notices were mailed on June 8, 2018 to all federal and state agencies that provided comments on the Draft EIR. The notice sent to each agency included that agency's comment letter and specific responses to its comment letter.

l. In certifying the Final EIR, the City Council finds that the Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA because the Final EIR contains no information revealing (1) any new significant environmental impact that would result from the proposed plan or from a new or revised mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the plan but that was rejected by the City, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

## **2. Record of Proceedings**

The contents of the record of proceedings shall be as set forth in subdivision (e) of Public Resources Code Section 21167.6. In particular, the following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final Sacramento Convention Center Renovation and Expansion and 15th/K Street Hotel Projects EIR and all documents relied upon or incorporated by reference therein;
- b. The City of Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- c. The Master Environmental Impact Report for the City of Sacramento 2035 General Plan certified on March 3, 2015, and all updates;
- d. Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento 2035 General Plan adopted March 3, 2015, and all updates;
- e. Planning and Development Code of the City of Sacramento, as amended as of the date of this Resolution;
- f. Blueprint Preferred Scenario for 2050, Sacramento Area Council of Governments (SACOG), December, 2004;
- g. The Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainability Communities Strategy (MTP/SCS), February 2016;
- h. The Mitigation Monitoring Plan for the Sacramento Convention Center Renovation and Expansion project;
- i. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the project; and
- j. Any other materials required by Public Resources Code Section 21167.6, or other applicable law, to be included in the record of proceedings.

### **3. Findings**

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Mitigation measures or alternatives are not required, however, where such changes are infeasible or where the responsibility for the project lies with some other agency. (CEQA Guidelines, Section 15091, sub. (a), (b).)

Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines Section 15364 includes another factor: "legal" considerations.

(See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*).) “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [after weighing “economic, environmental, social, and technological factors’ ... ‘an agency may conclude that a mitigation measure or alternative is impracticable or undesirable from a policy standpoint and reject it as infeasible on that ground”].)

With respect to a project for which significant impacts are identified that are not avoided or substantially lessened, a public agency may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093, 15043, sub. (b); see also Pub. Resources Code, Section 21081, sub. (b).)

In seeking to effectuate the policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact — even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California (“Laurel Heights I”)* (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the City first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the City address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) “feasible” within the meaning of CEQA.

In the Statement of Overriding Considerations found at the conclusion of these Findings, the City identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the projects would cause.

The California Supreme Court has stated that “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal. 3d 553, 564 [276 Cal. Rptr. 410, 801 P.2d 1161].)

In support of its approval of the plan, the City Council's findings are set forth below for each of the potentially significant environmental effects and alternatives of the SCC project identified in the EIR pursuant to Section 21080 of CEQA and Section 15091 of the CEQA Guidelines.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the impacts of the Projects and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the City Council adopts and incorporates all of the mitigation measures set forth in the Final EIR and the attached MMP to substantially lessen or avoid the potentially significant and significant impacts of the SCC project. The City Council intends to adopt each of the mitigation measures proposed in the Final EIR to reduce or eliminate significant impacts resulting from the SCC project. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures, as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

**A. Impacts Found to be Less Than Significant and Thus Requiring No Mitigation.**

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15126.4, subd. (a)(3), 15091.) Based on substantial evidence in the whole record of this proceeding, the City Council finds that implementation of the projects will not result in any significant impacts in the following areas and that these impact areas, therefore, do not require mitigation.

**Aesthetics, Light and Glare**

**Impact 4.1-1: The proposed projects could substantially degrade the existing visual character or quality of the site and its surroundings. (p. 4.1-23)**

**Impact 4.1-3: The proposed projects could create a new source of glare. (p. 4.1-31)**

**Impact 4.1-4: The proposed projects could contribute to substantial cumulative degradation of the existing visual character or quality in the vicinity. (p. 4.1-33)**

**Impact 4.1-5: The proposed projects could contribute to cumulative sources of substantial light in the area. (p. 4.1-34)**

**Impact 4.1-6: The proposed projects could contribute to cumulative sources of glare. (p. 4.1-34)**

**Air Quality**

**Impact 4.2-4: Implementation of the proposed projects could result in a significant increase in CO concentrations. (p. 4.2-32)**

**Impact 4.2-5: Implementation of the proposed projects could result in short-term and long-term exposure to Toxic Air Contaminants. (p. 4.2-34)**

**Impact 4.2-8: The proposed projects would contribute to cumulative increases in CO concentrations. (p. 4.2-38)**

**Impact 4.2-9: Implementation of the proposed projects would contribute to cumulative increases in short- and long-term exposures to Toxic Air Contaminants. (p. 4.2-39)**

### **Biological Resources**

**Impact 4.3-2: The proposed projects could require removal of protected trees. (p. 4.3-22)**

**Impact 4.3-3: Implementation of the proposed projects, in combination with other cumulative development, would contribute to the cumulative harm to, or loss of nesting habitat, for nesting protected bird species. (p. 4.3-23)**

**Impact 4.3-4: Implementation of the proposed projects, in combination with other cumulative development, would contribute to the cumulative loss of locally protected trees. (p. 4.3-24)**

### **Cultural Resources**

**Impact 4.4-2: The proposed projects could cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5. (p. 4.4-27)**

**Finding:** As discussed on pages 4.4-27 through 4.4-29 of the Draft EIR, construction and operation of the SCC project alone would result in a less-than-significant impact to historical resources. Mitigation Measure 4.4-2 would only apply to the Hotel project, as identified on page 4.4-30 of the Draft EIR.

**Impact 4.4-3: Implementation of the proposed projects, in combination with other cumulative development, could contribute to the cumulative loss or alteration of paleontological resources, or archaeological resources, including human remains or Tribal Cultural Resources. (p. 4.4-31)**

**Finding:** As discussed on pages 4.4-31 through 4.4-32 of the Draft EIR, the SCC project's contribution to this cumulative impact would be less than considerable. Therefore, no mitigation is required for the SCC project and the cumulative impact as it relates solely to the SCC project would be less than significant. Mitigation Measure 4.4-3 would only apply to the Hotel project, as identified on page 4.4-32 of the Draft EIR.

**Impact 4.4-4: Implementation of the proposed projects, in combination with other cumulative development within the City of Sacramento, could contribute to the cumulative loss or alteration of historic built resources. (p. 4.4-32)**

### **Energy Demand and Conservation**

**Impact 4.5-1: The proposed projects would increase demand for energy, specifically electricity and natural gas, the construction of which could cause significant environmental effects. (p. 4.5-10)**

**Impact 4.5-2: The proposed projects could result in the wasteful, inefficient, or unnecessary use of energy. (p. 4.5-13)**

**Finding:** As discussed on pages 4.5-13 through 4.5-14 of the Draft EIR, construction and operation of the SCC project alone would result in a less-than-significant impact to energy use. Mitigation Measure 4.5-2 would only apply to the Hotel project, as identified on page 4.5-16 of the Draft EIR.

**Impact 4.5-3: The proposed projects, in combination with other cumulative development, would contribute to cumulative increases in demand for energy. (p. 4.5-17)**

### **Global Climate Change**

**Impact 4.6-1: The proposed projects could conflict with the City of Sacramento's Internal Operations Climate Action Plan. (p. 4.6-16)**

**Impact 4.6-2: Implementation of the proposed projects could conflict with the City of Sacramento's Community-Wide Climate Action Plan. (p. 4.6-18)**

### **Hydrology and Water Quality**

**Impact 4.7-1: The proposed projects could degrade water quality during construction. (p. 4.7-13)**

**Impact 4.7-2: Operation of the proposed projects could generate new sources of polluted runoff and degrade water quality. (p. 4.7-15)**

**Impact 4.7-3: The proposed projects could adversely affect groundwater levels or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (p. 4.7-16)**

**Impact 4.7-4: Construction and operation of the proposed projects, in combination with other cumulative development, could contribute to cumulative degradation of water quality. (p. 4.7-18)**

**Impact 4.7-5: Implementation of the proposed projects, in combination with other cumulative development, could contribute to cumulative effects on groundwater levels. (p. 4.7-19)**

### **Noise and Vibration**

**Impact 4.8-2: Operation of uses developed pursuant to the proposed projects could increase local traffic that could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity or conflict with the City of Sacramento noise standards. (p. 4.8-18)**

**Impact 4.8-4: The proposed projects could result in residential interior noise levels of 45 dBA L<sub>dn</sub> or greater caused by noise level increases due to project operation. (p. 4.8-27)**

**Impact 4.8-8: The proposed projects would contribute to cumulative increases in traffic noise levels. (p. 4.8-35)**

**Impact 4.8-9: Development pursuant to the proposed projects would contribute to cumulative increases in stationary noise levels. (p. 4.8-37)**

**Impact 4.8-10: Implementation of the proposed projects would contribute to cumulative increases in residential interior noise levels of 45 dBA L<sub>dn</sub> or greater. (p. 4.8-38)**

### **Transportation**

**Impact 4.9-1: The proposed projects could worsen conditions at intersections in the City of Sacramento. (p. 4.9-83)**

**Impact 4.9-9: The proposed projects could fail to adequately provide access to transit under cumulative conditions. (p. 4.9-100)**

**Impact 4.9-12: The proposed projects could cause construction-related traffic impacts under cumulative conditions. (p. 4.9-103)**

### **Utilities**

**Impact 4.10-2: The proposed projects would increase demand for wastewater treatment. (p. 4.10-10)**

**Impact 4.10-4: Implementation of the proposed projects, in combination with other cumulative development, would contribute to cumulative increases in demand for wastewater treatment capacity at the SRWWTP. (p. 4.10-12)**

**Impact 4.10-5: The collection or disposal of additional solid waste generated by the proposed projects would result in adverse physical environmental effects. (p. 10-19)**

**Impact 4.10-6: Implementation of the proposed projects, in combination with other cumulative development, would contribute to cumulative increases in solid waste. (p. 4.10-21)**

### **B. Significant or Potentially Significant Impacts Mitigated to a Less Than Significant Level.**

The following significant and potentially significant environmental impacts of the projects, including cumulative impacts, would be mitigated to a less-than-significant level and are set out below. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the projects by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the projects. The basis for the finding for each identified impact is set forth below.

### **Aesthetics, Light and Glare**

**Impact 4.1-2: The proposed projects could create a new source of substantial light. (p. 4.1-29)**

**Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:**

4.1-2(a)

*Exterior lighting included shall incorporate fixtures and light sources that focus light on-site to minimize spillover light.*

4.1-2(c)

*Prior to issuance of a building permit for the SCC, the City shall develop plans and specifications for the proposed lighting displays and establish maximum luminance levels for the displays subject to review and approval of the City's Urban Design Manager. The City shall review and monitor the installation and testing of the displays, in order to ensure compliance with all City lighting regulations and these mitigation measures.*

4.1-2(d)

*Project lighting shall not cause more than two foot-candles of lighting intensity or direct glare from the light source at any residential property.*

**Finding:** With implementation of Mitigation Measures 4.1-2(a), 4.1-2(c), and 4.1-2(d), new nighttime light from elements of the proposed SCC project would be sufficiently reduced to avoid disturbance of sensitive receptors. With implementation of the above mitigation measures, this impact would be reduced to a less-than-significant level. Mitigation Measure 4.1-2(b) is not listed here because it applies solely to the Hotel project, as described on page 4.1-31 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Air Quality**

**Impact 4.2-1: Implementation of the proposed projects could conflict with or obstruct implementation of an applicable air quality plan. (p. 4.2-19)**

**Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:**

4.2-1

*The project applicant shall implement the emission reduction strategies contained in the SCC project and Hotel project AQMP (see Appendix C2), or other strategies which achieve equivalent reductions, as approved by*

*the SMAQMD, in order to achieve a minimum 16.4 percent reduction in NO<sub>x</sub>e. Endorsement of the AQMP by the SMAQMD shall be obtained prior to issuance of building permits. Documentation confirming implementation of the AQMP shall be provided to the SMAQMD and the City of Sacramento prior to issuance of occupancy permits.*

**Finding:** The SMAQMD recommends that lead agencies require projects exceeding their significance thresholds of ROG and/or NO<sub>x</sub> to reduce their ozone precursor emissions by 15 percent. SMAQMD calculates this 15 percent using NO<sub>x</sub>e, which is calculated by adding the mitigated ROG emissions (divided by 7) to mitigated NO<sub>x</sub> emissions. Using the SMAQMD *Recommended Guidance for Land Use Emission Reduction*, an AQMP was prepared demonstrating that the SCC project could achieve the requisite percent reduction of NO<sub>x</sub>e after all proposed design features have been implemented; the AQMP can be found in Appendix C2.

With implementation of the above mitigation measure, the SCC project would result in a 16.4 percent reduction in NO<sub>x</sub>e emissions after mitigation. Therefore, because the SCC project would be consistent with the land use parameters established in the SACOG MTP/SCS and would incorporate provisions that would reduce unmitigated emissions by at least 15 percent, the impact would be less than significant.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.2-2: Construction of the proposed projects would result in short-term emissions of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. (p. 4.2-21)**

**Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:**

4.2-2(a)

*The City shall require all construction plans to include the following required SMAQMD Basic Construction Emission Control Practices:*

- *Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.*
- *Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.*

- *Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.*
- *Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).*
- *Pave all roadways, driveways, sidewalks, parking lots as soon as possible. In addition, building pads shall be laid immediately after grading unless seeding or soil binders are used.*
- *Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.*
- *Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.*

#### 4.2-2(b)

*The City shall require all construction plans to include the following SMAQMD Enhanced Exhaust Control Practices:*

- *Provide a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the proposed project to the City and the SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least four business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of construction, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.*
- *Provide a plan in conjunction with the equipment inventory, approved by the SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the*

*most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.*

- *Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.*
- *If at the time of granting of each building permit, the SMAQMD has adopted a more restrictive regulation applicable to construction emissions, the City may completely or partially replace this mitigation with compliance with the new regulation. Consultation with the SMAQMD prior to construction will be necessary to make this determination.*

4.2-2(c)

*The City shall require grading or improvement plans to include the following SMAQMD Fugitive Dust Control Practices:*

- *Water exposed soil with adequate frequency for continued moist soil.*
- *Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.*
- *Install wind breaks (e.g., solid fencing) on windward side(s) of construction areas.*
- *Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.*

- *Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.*
- *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.*

4.2-2(d)

*Prior to the issuance of a building permit, developers shall quantify the construction emissions of NO<sub>x</sub>. The City shall require all construction plans to include the following SMAQMD off-site fee mitigation:*

- *The project applicant shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NO<sub>x</sub> that exceed SMAQMD's daily emission threshold of 85 ppd. The project applicants shall coordinate with the SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the applicable current SMAQMD Fee. The applicants shall keep track of actual equipment use and their NO<sub>x</sub> emissions so that mitigation fees can be adjusted accordingly for payment to the SMAQMD.*

**Finding:** With implementation of the mitigation measures, fugitive dust would be controlled, exhaust emissions would be reduced on-site, and mitigation fees would be provided to SMAQMD for project NO<sub>x</sub> emissions that exceed the SMAQMD significance threshold. SMAQMD uses the fees to fund off-site projects and programs that would offset the project's NO<sub>x</sub> emissions. Implementation of Mitigation Measure 4.2-2 would reduce construction emissions from the proposed project to levels shown in Tables 4.2-8, 4.2-10, 4.2-12, or 4.2-14. Emissions of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions would be reduced to levels below the respective thresholds. These measures would reduce project-related construction emissions of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> to less-than-significant levels.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.2-6: Implementation of the proposed projects would contribute to cumulative increases in short-term (construction) emissions. (p. 4.2-36)**

**Mitigation Measures: The following mitigation measure(s) has been adopted to address this impact:**

4.2-6

*Implement Mitigation Measure 4.2-2.*

**Finding:** With implementation of the above mitigation measure for the proposed SCC, exhaust emissions would be reduced onsite and mitigation fees would be provided to SMAQMD to offset project NO<sub>x</sub> emissions that exceed the SMAQMD significance threshold. SMAQMD uses these fees to fund off-site projects that would offset the project's NO<sub>x</sub> emissions. Although cumulative NO<sub>x</sub> emissions in the SVAB would be significant due to existing violations in the region, with implementation of the above mitigation measure, the contribution from the proposed SCC would be reduced to a level that would result in a less than considerable contribution to the significant cumulative impact, and the impact would be reduced to a less-than-significant level.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Biological Resources**

**Impact 4.3-1: The proposed projects could disturb nesting migratory birds. (p. 4.3-21)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.3-1

*The project applicant shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through August 31) where feasible. For any construction activities that will occur between February 1 and August 31, the applicant shall conduct preconstruction surveys in suitable nesting habitat within 50 feet of the construction area for nesting migratory birds. Surveys shall be conducted by a qualified biologist (one experienced with bird surveys). In addition, all trees slated for removal during the nesting season shall be surveyed by a qualified biologist no more than 48-hours before removal to ensure that no nesting birds are occupying the tree.*

*If active nests are found during the survey, the applicant shall implement mitigation measures to ensure that the species will not be adversely affected, which would include establishing a no-work buffer zone (subject*

to conditional work within the buffer, as described in sub-measure (b), below), as approved by CDFW, around the active nest.

Measures may include, but would not be limited to:

- a) For migratory birds, a no-work buffer zone shall be established, and approved by CDFW, around the active nest. The no-work buffer may vary depending on species and site specific conditions as approved by CDFW.
- b) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on an individual basis, in consultation with the City and CDFW), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist.

**Finding:** With the implementation of the mitigation measure listed above, the proposed SCC would not cause a substantial reduction in local population size or reduce reproductive success to migratory bird species.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

### **Cultural Resources**

**Impact 4.4-1: Construction of the proposed projects could cause a substantial adverse change in the significance of a paleontological resource, or an archaeological resource, including human remains or tribal cultural resources. (p. 4.4-23)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.4-1(a)

*A preconstruction training session conducted by a qualified archaeologist shall be held for all construction personnel and staff performing excavation activities on the project site. Training materials shall address procedures to be followed and appropriate conduct to be adhered to if unanticipated archaeological materials are encountered during the project work. All*

*construction personnel involved in earth moving activities shall attend preconstruction training in person prior to the start of construction. Training shall include:*

- The purpose of archaeological monitoring;*
- How to identify archaeological resources;*
- How to respond to the discovery of a potential resource; and*
- How to maintain proper discovery records and adhere to professional protocols during construction.*

*4.4-1(b)*

*In the event that unanticipated archaeological resources and/or human remains are encountered during construction, compliance with federal and State regulations and guidelines regarding the treatment of cultural resources and/or human remains shall be required.*

- i. If prehistoric or historic-period archaeological resources are encountered during project implementation, all construction activities within 100 feet shall halt and the City shall be notified.*
  - 1) A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings within 24 hours of discovery and report the results of the inspection to the City.*
  - 2) In the event that the identified archaeological resource is determined to be prehistoric, the City and qualified archaeologist will coordinate with and solicit input from the appropriate Native American Tribal Representatives regarding significance and treatment of the resource as a tribal cultural resource. Any tribal cultural resources discovered during project work shall be treated in consultation with the tribe, with the goal of preserving in place with proper treatment.*
  - 3) If the City determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation.*

- 4) *If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement.*
  - 5) *If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the City prior to any excavation at the resource site.*
  - 6) *Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2, including creation of a treatment plan. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.*
- ii. In the event of discovery or recognition of any human remains during project implementation, project construction activities within 100 feet of the find shall cease until the Sacramento County Coroner has been contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains are of Native American origin, they shall contact the NAHC to identify the Most Likely Descendant (MLD). The MLD shall be asked to make a recommendation to the landowner for treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. The City shall comply with requirements identified by the NAHC for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.5[d]).*
- iii. If discovery is made of items of paleontological interest, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City. Any inadvertent discovery of paleontological resources during construction shall be evaluated by a qualified paleontologist. If it is determined that the project*

*could damage a unique paleontological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. If avoidance is not feasible, the paleontologist shall develop a treatment plan in consultation with the City.*

**Finding:** The mitigation measure(s) address the training of a construction crew and discovery of unanticipated archaeological resources, tribal cultural resources, and human remains. Implementation of pre-construction training and accidental discovery procedures during construction would lessen anticipated impacts to prehistoric and historic-period archaeological resources, by ensuring that previously unidentified archaeological resources and human remains are protected.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

### **Energy Demand and Conservation**

**Finding:** No mitigation is required for the identified potential impacts from the SCC project to Energy Demand and Conservation that are evaluated in the Draft EIR. As discussed on pages 4.5-13 through 4.5-14 of the Draft EIR, construction and operation of the SCC project alone would result in a less-than-significant impact to energy use. Mitigation Measure 4.5-2 would only apply to the Hotel project, as identified on page 4.5-16 of the Draft EIR.

### **Global Climate Change**

**Finding:** No mitigation is required for the identified potential impacts from the SCC project to Global Climate Change that are evaluated in the Draft EIR.

### **Hydrology and Water Quality**

**Finding:** No mitigation is required for the identified potential impacts from the SCC project to hydrology and water quality that are evaluated in the Draft EIR.

### **Noise and Vibration**

**Impact 4.8-3: Operation of uses developed pursuant to the proposed projects could introduce new stationary noise sources that could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity or conflict with the City of Sacramento noise standards. (p. 4.8-23)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.8-3

*The project applicant shall be required to limit speakers at outdoor stages to be no louder than 100 dBA measured five (5) feet from the source.*

**Finding:** Implementation of mitigation measure described above would reduce noise exposure at nearby sensitive land uses during major events by not allowing speakers to exceed 100 dBA from a distance of five feet. CadnaA was used to estimate the propagation of noise from the proposed outdoor community Center with implementation of Mitigation Measure 4.8-3. Both the St. Paul's Episcopal Church and Maydestone apartments would be located outside of the 50 dBA Leq noise contour and would be exposed to amplified noise levels that would not exceed the City's exterior noise standard.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Transportation**

**Impact 4.9-2: The proposed projects could adversely affect public transit operations. (p. 4.9-84)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-2

*Implement Event Transportation Management Plan (ETMP) to the satisfaction of the City Traffic Engineer and subject to the performance standards set forth within it including:*

1. Pedestrian Flows: *Through pedestrian flow management, pedestrians do not spill out of sidewalks onto streets with moving vehicles, or out of crosswalks when crossing the street, particularly along J Street, K Street, 13<sup>th</sup> Street, and 15<sup>th</sup> Street.*
2. Bicycle Flows: *During events that utilize the outdoor Activities Plaza, ensure that east-west bicycle travel is accommodated within the vicinity of the SCC (between 13<sup>th</sup> and 14<sup>th</sup> streets).*
3. Vehicle Queuing: *Traffic on eastbound J Street does not queue back due to event-related traffic, particularly eastbound right-turning*

vehicles conflicting with pedestrians crossing the south leg crosswalk at the J Street/13<sup>th</sup> Street intersection.

4. Bus/Paratransit: Specific locations are provided to accommodate public buses and paratransit vehicle stops within one block of the SCC.
5. Ridesharing: Specific locations are provided for pick-up / drop-off areas such that Transportation Network Companies (e.g., Uber, Lyft), taxis, and other ridesharing services do not impede vehicular or pedestrian flow.
6. Truck Staging: Delivery trucks exclusively use the truck bays located along K Street west of 15<sup>th</sup> Street and do not block vehicular or bicycle access for extended periods of time.

The ETMP is included in Appendix L. It would be implemented for all large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space. Due to the variation in event size, type, location, and travel characteristics, specific ETMP elements should be reviewed on a case-by-case basis to determine the appropriateness for a specific event day. Key ETMP elements relevant to large events centered at the SCC facility include the following:

- At the J Street/13th Street intersection, position equipment and multiple traffic control officers (TCOs) and operate the intersection in one of the following two ways:
  1. Implement Option 1 (illustrated in Figure 4.9-22), which includes the following temporary measures:
    - Convert the northbound approach to right-turn only and prohibit through movements using traffic cones and advance warning signage.
    - Convert the southbound approach to one through lane and one left-turn lane using traffic cones and advance warning signage.
    - Prohibit use of the east leg crosswalk using barricades and TCOs.
    - Operate the north/south approaches as permissive (i.e., operate concurrently) signal phases.
    - Maintain same cycle length to facilitate coordinated through traffic progression, though signal offset may need to be adjusted.

2. *Implement Option 2 (illustrated in Figure 4.9-23, which includes the following temporary measures:*

- TCOs temporarily take control of the intersection and switch signal operations to flashing red.*
  - TCOs prohibit vehicles from entering the intersection during a 20-second pedestrian crossing window, whereby TCOs wave through pedestrians to cross at all marked crosswalks and diagonally through the intersection.*
  - TCOs prohibit pedestrians from entering crosswalks outside of the pedestrian crossing window and wave through vehicles. TCOs provide approximately 50, 17, and 13 seconds for the eastbound, northbound, and southbound vehicular flows, respectively. These approaches would maintain the same lane configurations as currently present.*
- *At the K Street/13<sup>th</sup> Street intersection, position multiple TCOs to manage pedestrian and vehicular traffic flows.*

**Finding:** With the implementation of the mitigation measure listed above, the temporary ETMP measures described above would diminish queuing, reduce delay, and improve travel times along J Street. Option 1 listed above would reduce delays at the J Street/12<sup>th</sup> Street intersection from 51 seconds (without the ETMP) to 22 seconds (with the ETMP) and delays at the J Street/13<sup>th</sup> Street intersection from 55 seconds to 29 seconds during the PM peak hour. Option 1 would also reduce the travel time on eastbound J Street from 12<sup>th</sup> Street to 16<sup>th</sup> Street by approximately one minute during the PM peak hour. This would yield travel times that would be 20 seconds faster than Baseline No Project conditions. The reduced delay and shortened travel time would enable buses to improve on-time performance.

Option 2 would reduce delays at the J Street/12<sup>th</sup> Street intersection from 51 seconds (without the ETMP) to 31 seconds (with the ETMP) and delays at the J Street/13<sup>th</sup> Street intersection from 55 seconds to 43 seconds during the PM peak hour. Option 2 would also reduce the travel time on eastbound J Street from 12<sup>th</sup> Street to 16<sup>th</sup> Street by approximately forty seconds during the PM peak hour, restoring travel times to approximately the same amount of time as Baseline No Project conditions. The reduced delay and shortened travel time would enable buses to improve on-time performance.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-3: The proposed projects could fail to adequately provide access to transit. (p. 4.9-89)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-3

- i. Coordinate with relevant transit providers, as necessary, to identify a suitable replacement bus stop location and design that does not substantially alter existing service operations.*
- ii. Install replacement bus stop on 15<sup>th</sup> Street near J Street. Potential replacement options include:
  - a. Installation of bus stop on the west side of 15<sup>th</sup> Street immediately south of J Street, north of proposed passenger loading zone.*
  - b. Integration of bus stop within the proposed SCC passenger loading zone on 15<sup>th</sup> Street. The bus stop should include enhanced passenger amenities including shelter, seating, and transit information signage. A portion of the loading zone should be reserved for exclusive use by public transit operators. Sufficient curb space should be reserved to accommodate at least one standard 40-foot bus at a given time.**
- iii. Ensure that the replacement bus stop is constructed and operational prior to the closure of the existing bus stop.*

**Finding:** The installation of a replacement bus stop would minimize the effect of the bus stop removal on existing passengers. Also, relocation of the bus stop along existing route alignments would allow transit operators to maintain existing routes without requiring detours or deviations. Since two options are available to relocate the bus stop, the SCC controls the frontage associated with Option B, and similar bus stop relocations have been implemented elsewhere in downtown, this is considered a feasible mitigation measure.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-4: The proposed projects could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle. (p. 4.9-90)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-4(a)

- i. *As part of the event transportation management plan (ETMP), station multiple traffic control officers (TCOs) at the K Street/13<sup>th</sup> Street intersection to facilitate bicycle crossings during large events.*
- ii. *During outdoor events, ensure that east-west bicycle travel is accommodated within the vicinity of the SCC (between 13<sup>th</sup> and 14<sup>th</sup> streets). Potential options include:*
  - a. *Maintain clear path of travel along the planned Class I bike path through the project site during outdoor events. Situate fencing and/or barriers in a manner that does not physically block the planned bike path. Install signage notifying event attendees of the presence of the bike path and discouraging event attendees from dwelling on the path.*
  - b. *Provide viable east-west bicycle detour around the SCC site during outdoor events. Detours should be sufficiently signed and marked to provide bicyclists with a clear path of travel.*

**Finding:** The presence of TCOs would reduce conflicts between bicyclists/pedestrians on K Street and vehicles on 13<sup>th</sup> Street without adversely impacting 13<sup>th</sup> Street vehicular traffic (by virtue of its modest volumes). Mitigation Measure 4.9-4(b) is not listed here because it applies solely to the Hotel project, as described on page 4.9-91 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-5: The proposed projects could adversely affect existing or planned pedestrian facilities or fail to provide for access for pedestrians. (p. 4.9-92)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-5(a)

- i. *Install pedestrian bulbouts at the following locations:*
  - a. *J Street/13<sup>th</sup> Street intersection – northwest corner*

- b. *K Street/15<sup>th</sup> Street intersection – northeast, southeast, and southwest corners*
  - ii. *Install 15-foot wide continental crosswalks at the following locations:*
    - a. *J Street/13<sup>th</sup> Street intersection – all legs*
    - b. *J Street/14<sup>th</sup> Street intersection – east and west legs*
    - c. *J Street/15<sup>th</sup> Street intersection – west leg*
    - d. *K Street/15<sup>th</sup> Street intersection – all legs*
  - iii. *As part of the ETMP, implement the following temporary measures (illustrated in Figure 4.9-24):*
    - a. *At the J Street/13<sup>th</sup> Street intersection, under Option 1 described above, extend walk intervals to 60, 60, and 21 seconds for the north, south, and west leg crossings, respectively. Under Option 2, TCOs would take manual control of the intersection and operate the intersection with a 20-second pedestrian crossing window.*
    - b. *At the K Street/13<sup>th</sup> Street intersection, position multiple TCOs to manage pedestrian and vehicular traffic flows.*

**Finding:** The mitigation measure described above would improve pedestrian operations to acceptable LOS D or better conditions (see Appendix L of the Draft EIR for technical calculations) through the implementation of Option 1 as described fully under Mitigation Measure 4.9-2 and illustrated in Figure 4.9-22 of the Draft EIR.

4.9-5(b)

*Implement the ETMP (included in Appendix L) for all large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space. Due to the variation in event size, type, location, and travel characteristics, specific ETMP elements should be reviewed on a case-by-case basis to determine the appropriateness for a specific event day. Key ETMP elements relevant to large events centered at the hotel event space include the following:*

- a. *Prohibit westbound traffic from entering the segment of K Street between 15th Street and 16th Street. Position traffic cones, barricades, and signage to prohibit northbound left-turn and westbound through movements at the K Street/16th Street intersection.*

- b. *Position a single Traffic Control Officer at the K Street/15th Street and K Street/16th Street intersections to monitor conditions.*
- c. *At the K Street/13th Street intersection, position multiple TCOs to manage pedestrian and vehicular traffic flows. Position traffic cones and warning signage along east curbside to prevent passenger loading activity from blocking crosswalks.*

**Finding:** The mitigation measure described above would divert 230 PM peak hour vehicular trips away from heavy pedestrian flows at the K Street/15<sup>th</sup> Street intersection, reducing the potential for vehicle-pedestrian conflicts. These trips would instead travel northbound on 16<sup>th</sup> Street, where it is not expected that any subsequent significant indirect impacts would occur.

Mitigation Measure 4.9-5(c) is not listed here because it applies solely to the Hotel project, as described on page 4.9-95 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-6: The proposed projects could cause construction-related traffic impacts. (p. 4.9-95)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-6(a)

- i. *Before issuance of any demolition or building permits for any phase of the project, the project applicant shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways are maintained. At a minimum, the plan shall include:*
  - *The number of truck trips, time, and day of street closures*
  - *Time of day of arrival and departure of trucks*
  - *Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting*
  - *Provision of a truck circulation pattern*

- *Identification of detour routes and signing plan for street closures*
- *Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)*
- *Maintain safe and efficient access routes for emergency vehicles and transit*
- *Manual traffic control when necessary*
- *Proper advance warning and posted signage concerning street/lane closures*
- *Provisions for pedestrian and bicycle safety*

*A copy of the approved construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would partially or fully obstruct roadways.*

- ii. *The project applicant, in coordination with the City of Sacramento, Regional Transit, and other transit providers within the project vicinity and subject to their approval, shall identify temporary bus stop locations and cause ADA-compliant replacement bus stop facilities to be constructed in place of any bus stops that need to be temporarily closed during project construction. The relocation of bus stops may have a secondary impact related to the loss/relocation of a small number of on-street parking spaces and/or loading zones. This secondary impact would not be significant.*

**Finding:** Implementation of the mitigation measure described above would ensure that acceptable operating conditions on local roadways are maintained. Mitigation Measure 4.9-6(b) is not listed here because it applies solely to the Hotel project, as described on page 4.9-96 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-7: The proposed projects could worsen cumulative conditions at intersections in the City of Sacramento. (p. 4.9-97)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-7(a)

*Implement Mitigation Measure 4.9-2.*

**Finding:** With implementation of the mitigation measure listed above, the temporary ETMP described above would diminish queuing and reduce delay along J Street, improving conditions for all modes of travel. Mitigation Measure 4.9-7(b) is not listed here because it applies solely to the Hotel project, as described on page 4.9-99 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-8: The proposed projects could adversely affect cumulative public transit operations. (p. 4.9-99)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-8(a)

*Implement Mitigation Measure 4.9-2 (SCC) (ETMP).*

**Finding:** With implementation of the mitigation measure described above, the temporary ETMP measures would diminish queuing and reduce delay along J Street, improving public transit travel time, on-time performance, and service reliability.

4.9-8(b)

*Final SCC project site plan shall not prohibit construction, by others, of future Downtown Riverfront Streetcar stop on the south side of J Street east of 13th Street.*

**Finding:** With implementation of the mitigation described above, cumulative public transit operations would be improved by allowing for the construction of the planned Downtown Riverfront Streetcar stop.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-10: The proposed projects could adversely affect planned bicycle facilities or fail to provide for access by bicycle under cumulative conditions. (p. 4.9-101)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-10(a)

*Implement Mitigation Measure 4.9-4(a) (SCC), which identifies the need for bicycle improvement elements in an ETMP.*

**Finding:** The presence of TCOs would reduce conflicts between bicyclists/ pedestrians on K Street and vehicles on 13<sup>th</sup> Street without adversely impacting 13<sup>th</sup> Street vehicular traffic (by virtue of its modest volumes). Mitigation Measure 4.9-10(b) is not listed here because it applies solely to the Hotel project, as described on page 4.9-102 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.9-11: The proposed projects could adversely affect planned pedestrian facilities or fail to provide for access for pedestrians under cumulative conditions. (p. 4.9-102)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.9-11(a)

*Implement Mitigation Measure 4.9-5(a) (SCC), which identifies various crosswalk widenings, signal timing modifications, and other ETMP elements.*

**Finding:** The mitigation measures described above would improve pedestrian operations to acceptable conditions. Mitigation Measure 4.9-11(b) is not listed here because it applies solely to the Hotel project, as described on page 4.9-103 of the Draft EIR.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

## Utilities

**Impact 4.10-1: The proposed projects could discharge additional wastewater and stormwater flows to the City's CSS that could exceed existing system capacity. (p. 4.10-8)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.10-1

*The City shall manage wastewater from the project sites such that it shall not exceed existing CSS capacity by implementing the following methods:*

- a) *Require the proposed projects to pay the established CSS mitigation fee.*
- b) *To the extent that the proposed projects would require localized upsizing of existing CSS infrastructure for service, the proposed projects shall pay their fair share for improvements to upsize or upgrade the CSS infrastructure. Fair share fees would be assessed and CSS improvements would be implemented, on a phased basis, consistent with buildout of each of the proposed projects.*

**Finding:** Implementation of the mitigation measure described above would require the implementation of measures to manage wastewater, drainage and dewatered groundwater flows in a manner that would not exceed existing capacity of the CSS.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**Impact 4.10-3: Implementation of the proposed projects, in combination with other cumulative development, would contribute to cumulative increases in demand for wastewater and stormwater facilities. (p. 4.10-11)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.10-3

*Implement Mitigation Measure 4.10-1*

**Finding:** The mitigation measure described above would fully offset the proposed projects' contributions to the CSS by requiring projects to construct appropriate facilities to delay discharge of wastewater or pay the applicable fee to the City to make necessary localized or system-wide improvements.

**With implementation of the mitigation measure(s), this impact is reduced to a less-than-significant level.**

**C. Significant or Potentially Significant Impacts for which Mitigation Measures Are Found To Be Infeasible.**

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the project have been identified. However, pursuant to Section 21081(a)(3) of the Public Resources Code and Section 15091(a)(3) of the CEQA Guidelines, as to each such impact and mitigation measure, the City Council, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible. The impact and mitigation measures and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the City Council elects to approve the projects due to the overriding considerations set forth below in Section F, the statement of overriding considerations.

There are no SCC project impacts that would be significant or potentially significant for which mitigation measures would be infeasible.

**D. Significant and Unavoidable Impacts.**

The following significant and potentially significant environmental impacts of the project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would lessen the significant impact to below the level of significance. Notwithstanding disclosure of these impacts, the City Council elects to approve the project due to overriding considerations as set forth below in Section F, the statement of overriding considerations.

**Air Quality**

**Impact 4.2-3: The proposed projects would result in long-term (operational) emissions of NO<sub>x</sub>, ROG, PM<sub>10</sub>, or PM<sub>2.5</sub>. (p. 4.2-30)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.2-3

*Implement Mitigation Measure 4.2-1. An AQMP has been prepared for the SCC project and Hotel project, demonstrating that the SCC project and Hotel project can achieve SMAQMD's required 15 percent reduction in ozone precursor emissions from transportation sources. Consistent with SMAQMD's CEQA Guidance, no further mitigation is required.*

**Finding:** A 16.4 percent reduction in NO<sub>x</sub>e emissions would be achieved by simply implementing the design features proposed under the SCC project. However, even with achievement of the SMAQMD-required 15 percent reduction in operational mobile source emissions of NO<sub>x</sub>, emissions associated with the SCC project and Hotel project would exceed the applicable SMAQMD threshold.

**For these reasons, the impact remains significant and unavoidable.**

**Impact 4.2-7: The proposed projects would contribute to cumulative increases in long-term (operational) emissions of NO<sub>x</sub>, ROG, PM<sub>10</sub>, and PM<sub>2.5</sub>. (p. 4.2-37)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.2-7

*Implement Mitigation Measure 4.2-1. An AQMP has been prepared for the SCC project and Hotel project, demonstrating that the SCC project and Hotel project can achieve SMAQMD's required 15 percent reduction in ozone precursor emissions from transportation sources. Consistent with SMAQMD's CEQA Guidance, no further mitigation is required.*

**Finding:** The traffic reduction and other emission reductions built into the locality of the proposed project would exceed 15 percent reduction in NO<sub>x</sub>e emissions after mitigation. Much of the reduction would be achieved by location of the SCC within the Sacramento urban core, resulting in access to a variety of transportation options. Nonetheless, NO<sub>x</sub> emissions would still exceed the applicable SMAQMD threshold.

**For these reasons, the impact remains significant and unavoidable.**

### **Noise and Vibration**

**Impact 4.8-1: Construction of the proposed projects could generate noise that would conflict with City standards or result in substantial temporary or periodic increase in ambient noise levels. (p. 4.8-14)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.8-1

*The City shall include in all building permits a requirement that the contractor shall ensure that the following measures are implemented during all phases of construction within the SCC and Hotel areas:*

- a) All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer-installed mufflers.*
- b) Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.*
- c) Use of auger displacement for installation of foundation piles, if feasible (if underlying soils do not require driven piles). If impact pile driving is required, sonic pile drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible, based on geotechnical considerations.*
- d) Prior to construction activities, the building management of the Saint Paul's Episcopal Church and Maydestone apartment building shall be notified of the construction schedule, as well as the name and contact information of the project disturbance coordinator.*
- e) Machines or equipment shall not start up prior to 7:00 a.m., Monday through Saturday, and prior to 9:00 a.m. on Sunday.*
- f) Delivery of materials and equipment shall not occur prior to 7:00 a.m. nor past 6:00 p.m., Monday through Saturday, and prior to 9:30 a.m. nor past 6:00 p.m. on Sunday;*
- g) Stationary construction equipment, such as compressors, shall be placed away from nearby residential areas and shall provide acoustical shielding.*
- h) Idling times of equipment shall be minimized either by shutting equipment off when not in use or reducing maximum idling time to 5 minutes.*
- i) The City (SCC) and/or the project applicant or its designee (Hotel) shall designate a disturbance coordinator and conspicuously post this person's number around the project site, in adjacent public spaces, and in construction notifications. The disturbance coordinator, in coordination with the City, shall be responsible for responding to any complaints about construction activities. The disturbance coordinator*

*shall receive all public complaints about construction disturbances and, in coordination with the City, is responsible for determining the cause of the complaint and implementation of feasible measures to alleviate the problem.*

- j) The City (SCC) and/or the project applicant or its designee (Hotel) shall provide written notice to all known occupied noise-sensitive uses (i.e., residential, religious, lodging) within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule, as well as the name and contact information of the project disturbance coordinator.*

**Finding:** Implementation of the mitigation measure described above would reduce construction noise within the proposed project site and surrounding areas to the extent feasible. Restricting heavy-duty equipment operations in close proximity to buildings would substantially reduce exterior and interior noise at adjacent buildings. Auger displacement pile installation could reduce associated noise by 17 dB (compared to impact pile driving) and intervening noise barriers or buildings could reduce noise exposure at the nearest receptors by 10 to 15 dB. These measures would minimize exterior noise levels at nearby receptors during construction. However, even with implementation of these mitigation measures, it is likely that construction activities would result in increased levels of annoyance, interruption of conversation at the St. Paul's Episcopal Church and Maydestone apartments. In addition, alternative methods to driven pile installation are only feasible if underlying soils would allow for piles installed using auger displacement or sonic pile driving techniques. Thus, underlying soils may require driven piles for project foundations.

**For these reasons, the impact remains significant and unavoidable.**

**Impact 4.8-5: Construction of the proposed projects could expose existing and/or planned buildings, and persons within, to vibration that could disturb people and damage buildings. (p. 4.8-29)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.8-5(a)

*Implement Mitigation Measure 4.8-1(c).*

**Finding:** Implementation of mitigation measure above would ensure that building damage at the nearest historic building structures and human disturbance from construction activities within the proposed project areas would be minimized to the extent feasible. However, alternative methods to driven pile installation are only feasible if underlying soils would allow for piles to be installed using auger displacement or sonic pile driving techniques. As such, underlying

soils may be such that those methods are infeasible and impact pile driving may be a required construction method. If auger displacement or sonic pile driving is found to be feasible and implemented as such, the proposed SCC may still result in substantial vibration during construction that would likely result in disturbance impacts at the nearest receptors where people live and worship during the daytime hours (such as Maydestone apartments, St. Paul's Episcopal Church). While implementation of the mitigation measures described above could avoid or minimize vibration-caused building damage and would reduce vibration impacts to surrounding receptors, they would not guarantee that construction activities would not adversely affect surrounding receptors at times during construction of the proposed SCC project. Mitigation Measure 4.8-5(b) is not listed here because it applies solely to the Hotel project, as described on pages 4.8-31 through 4.8-33 of the Draft EIR.

**For these reasons, the impact remains significant and unavoidable.**

**Impact 4.8-6: The proposed projects would result in exposure of people to cumulative increases in construction noise levels. (p. 4.8-34)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.8-6

*Implement Mitigation Measure 4.8-1.*

**Finding:** Implementation of the mitigation measure above would reduce the contribution of the proposed SCC project to cumulative construction noise levels at the existing noise sensitive land uses located near the project area. However, even with implementation of these mitigation measures, it is likely that construction activities would still result in nuisance impacts at surrounding receptors during the day.

**For these reasons, the impact remains significant and unavoidable.**

**Impact 4.8-7: The proposed projects would contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration. (p. 4.8-34)**

**Mitigation Measure: The following mitigation measure(s) has been adopted to address this impact:**

4.8-7(a)

*Implement Mitigation Measure 4.8-5(a).*

**Finding:** Implementation of the mitigation measure above would ensure that building damage at the nearest historic building structures and human disturbance from construction activities within the proposed SCC project areas would be minimized to the extent feasible. However, alternative methods to driven pile installation are only feasible if underlying soils would allow for piles to be installed using auger displacement or sonic pile driving techniques. As such, underlying soils may be such that those methods are infeasible and impact pile driving may be a required construction method. If auger displacement or sonic pile driving is found to be feasible and implemented as such, the proposed projects may still result in substantial vibration during construction that would likely result in nuisance impacts at surrounding receptors during the day. Mitigation Measure 4.8-7(a) is not listed here because it applies solely to the Hotel project, as described on page 4.8-35 of the Draft EIR.

**For these reasons, the impact remains significant and unavoidable.**

#### **E. Project Alternatives.**

The City Council has considered the project alternatives presented and analyzed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Based on the impacts identified in the Final EIR and other reasons summarized below, and as supported by substantial evidence in the record, the City Council finds that approval and implementation of the Projects as proposed is the most desirable, feasible, and appropriate action and hereby rejects the other alternatives and other combinations and/or variations of alternatives as infeasible based on consideration of the relevant factors set forth in CEQA Guidelines Section 15126.6, subdivision (f). (See also CEQA Guidelines, Section 15091, subd. (a)(3).) Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

#### **Alternatives Considered and Dismissed from Further Consideration**

In identifying alternatives to the proposed SCC project, primary consideration was given to alternatives that could reduce significant unavoidable impacts resulting from the proposed SCC project while still obtaining the project's objectives. Certain impacts that are identified as being significant and unavoidable under the proposed SCC project (e.g., increase in air pollutants from project construction and operation) are due primarily to developing an area that is currently undeveloped or intensifying development activity beyond current levels. These impacts would not be possible to eliminate, but could be reduced, for example, by limiting the scope scale of the proposed SCC project, reconfiguring

uses, or implementing specific measures. Alternatives that reduce the intensity of development in the SCC project are addressed later in this chapter.

As required under Section 15126.6(c) of the State CEQA Guidelines, the City is required to disclose alternatives that were considered but rejected from further analysis in the Draft EIR and provide the rationale for dismissal of those alternatives. Of the alternatives considered for the proposed SCC renovation and expansion, a concept plan presented to the City Council on October 18, 2016 was rejected from further analysis. Although this plan would have added approximately the same amount of meeting, ballroom, and flexible space as the proposed SCC project, the building footprint would have expanded farther south up to the edge of the Community Center Theater. This design would completely eliminate the Activities Plaza and would not provide outdoor space to create a dynamic and synergistic environment between the two buildings and uses. Eliminating the Activities Plaza would have also cut off pedestrian and bicycle access along K Street between 13<sup>th</sup> Street and 14<sup>th</sup> Street. Finally, the cost of this potential design was excessive. Therefore, it was rejected and is not considered further.

### **Summary of Alternatives Considered**

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project or project locations that generally reduce or avoid potentially significant impacts of the project. CEQA requires that every EIR also evaluate a “No Project” alternative. Alternatives provide a basis of comparison to the project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the project. The range of alternatives to the proposed SCC project analyzed in the Draft EIR present specific environmental impacts and how they would differ in severity compared to those associated with the proposed SCC project. For the most part, significant impacts of the alternatives can be mitigated to less-than-significant levels through adoption of mitigation measures identified in Chapter 4 of the Draft EIR, which contains the environmental analysis of the proposed SCC project. To varying degrees, the following alternatives would also avoid and/or lessen impacts, including some or all of the significant and unavoidable impacts, of the proposed SCC project. The alternatives considered in this section include:

- SCC and Hotel Alternative 1: No SCC Project or Hotel Project Alternative
- SCC Alternative 1: No Project Alternative
- SCC Alternative 2: Smaller SCC Expansion
- SCC Alternative 3: Larger SCC Expansion
- SCC Alternative 4: No Panattoni Building Demolition/No East Lobby

The evaluation of alternatives is organized to facilitate a clear comparison between the effects of the alternative and the effects of the proposed SCC project. First, there is a discussion of those impacts of the alternative that would be the same or similar to those of the proposed SCC project. Then there is a discussion of those effects of the alternative that would be less severe than those of the proposed SCC project, followed by those effects of the alternative that would be more severe than those of the proposed SCC project. Each discussion concludes with a discussion of the relationship between the alternative and the basic objectives of the proposed SCC project.

### **SCC and Hotel Alternative 1: No SCC Project or Hotel Project Alternative**

#### **Description**

Under the SCC and Hotel Alternative 1: No SCC Project or Hotel Project Alternative, the SCC would not be renovated or expanded and the Hotel project would be constructed. The SCC would continue to operate at its current capacity. No improvements would be made to the SCC beyond standard maintenance and minor upgrades, so the physical and operational capacity of the SCC would not change, and service facilities and area amenities would be maintained but not materially expanded or improved. The proposed 15th/K Street Hotel would not be developed, and the project site would continue to operate as a commercial surface parking lot.

#### **Relationship to Project Objectives**

Under the No SCC Project or Hotel Project Alternative, none of the SCC project objectives would be achieved.

#### **Facts in Support of Finding of Infeasibility**

With the SCC project being designed to improve the capacity of the SCC to accommodate a greater number of event attendees at a given time and improve the frequency at which the SCC can rotate and host consecutive events, the No SCC Project or Hotel Project Alternative would result in the SCC continuing to operate within its existing capacity. SCC operations would remain subject to existing structural limitations, which impact efficient use of the SCC facility space.

While the No SCC Project or Hotel Project Alternative would avoid impacts associated with the proposed SCC project, this alternative would not further any of the project's objectives or provide any of the benefits contemplated by the project. Therefore, SCC and Hotel Alternative 1 is rejected.

## **SCC and Hotel Alternative 1: No SCC Project**

### **Description**

Under SCC Alternative 1, the No SCC Project Alternative, the SCC would not be renovated or expanded. Under this alternative operational capacity for the SCC, including event capacity and frequency, would remain as existing and the facility would be operated consistent with current practice. Under the No SCC Project Alternative, the City Council would not approve any project, and none of the mitigation measures identified in this document would be implemented. No demolition would occur because the existing SCC and Panattoni building would be retained.

Under SCC Alternative 1, the SCC would continue to operate at its current capacity. No improvements would be made to the SCC beyond standard maintenance and minor upgrades, so the physical and operational capacity of the SCC would not change, and service facilities and area amenities would be maintained but not materially expanded or improved.

Under SCC Alternative 1, the proposed Hotel project, as a separate cumulative project, would be developed as proposed on the adjacent parking lot site, but a second-level pedestrian bridge connecting the hotel to the SCC would not be constructed.

### **Relationship to Project Objectives**

Under the No SCC Project Alternative none of the project objectives for the proposed SCC project would be achieved.

### **Facts in Support of Finding of Infeasibility**

With the SCC project being designed to improve the capacity of the SCC to accommodate a greater number of event attendees at a given time and improve the frequency at which the SCC can rotate and host consecutive events, the No Project Alternative would result in the SCC continuing to operate within its existing capacity. SCC operations would remain subject to existing structural limitations, which impact efficient use of the SCC facility space.

While the No Project Alternative would avoid impacts associated with the proposed SCC project, this alternative would not further any of the project's objectives or provide any of the benefits contemplated by the project. Therefore, SCC Alternative 1 is rejected.

## **SCC Alternative 2: Smaller SCC Expansion Alternative**

### **Description**

The Smaller SCC Expansion Alternative (SCC Alternative 2) would reduce the scale of the SCC expansion and renovation, relative to the proposed SCC project. Under SCC Alternative 2, the SCC would be subject to major renovation of the existing facility which would expand the existing meeting spaces, develop a new east lobby and improve food service.

The first level of the renovated SCC under SCC Alternative 2 would include the following facility upgrades:

- Moved/expanded kitchen;
- Expanded/renovated western exhibit hall;
- Added service connections to the expanded western exhibit hall;
- Expanded pre-function spaces along the western and northern sides of the western exhibit hall;
- New vertical circulation;
- A new 9,637 sf east lobby;
- New food service outlets on the north and western sides of the facility; and
- Expanded west lobby.

The second level of the renovated SCC under SCC Alternative 2 would include a renovation of the existing meeting space at the southwestern end of the facility.

- Renovations to the 3<sup>rd</sup> floor of the SCC, under SCC Alternative 2 would include the following:
  - New meeting spaces;
  - New connector space;
  - New vertical circulation;
  - Renovation of the ballroom/meeting space; and
  - New administrative space on the upper floor of the Panattoni building.

Under SCC Alternative 2 the SCC renovation would not require demolition of the western half of the SCC or demolition of the Panattoni building. In addition, much

of the 2<sup>nd</sup> level exhibit areas would remain as-is. There would be no changes to the SCC loading areas. On the western side of the SCC the expanded pre-function areas on the north and west sides of the facility and the expanded/new west lobby would extend the SCC footprint closer to J and 13<sup>th</sup> streets.

The renovated SCC under SCC Alternative 2 would have more event square footage, relative to the existing SCC, but would have less event square footage relative to the proposed SCC project, by approximately 37,773 sf. Thus, under SCC Alternative 2, the renovated SCC would have a higher attendee capacity than could be accommodated at the existing SCC facility but a lower capacity than could be accommodated by the proposed SCC project. In addition, SCC Alternative 2 would not include improvements to event staging areas (a feature that would allow for improved staging and subsequent higher frequency of events), which are included in the proposed SCC project. Thus, the renovated SCC under SCC Alternative 2 would have lower attendee capacity and lower event frequency capacity relative to the proposed SCC project.

Under SCC Alternative 2, there would be fewer improvements to SCC service and logistical facilities, relative to the proposed SCC project. Improvements under the proposed SCC project, including a renovated central plant, new storage, and new service kitchen on the second level, would not take place under SCC Alternative 2.

Construction under SCC Alternative 2 would not require demolition of the western half of the SCC or the Panattoni building, however elimination of the eastern terrace and construction of second level meeting spaces would be included. Renovation of the SCC under SCC Alternative 2 would be less intensive than construction under the proposed SCC project, reducing the anticipated duration and intensity of construction.

Because there would be no addition of an east lobby under SCC Alternative 2, the adjacent Hotel project would not include a second level pedestrian bridge between the hotel and the SCC facility.

### **Relationship to Project Objectives**

SCC Alternative 2 would result in expansion and renovation of the SCC in a less intensive manner than under the proposed SCC project, resulting in a smaller overall structure and differing mix of service and event spaces. While this alternative would result in a smaller renovation and expansion project than the proposed SCC project, SCC Alternative 2 would expand the SCC event and service spaces allowing for larger events than under existing conditions. This would achieve the City's SCC objectives, but to a lesser extent than the proposed SCC project, including achieving a positive economic impact (Objective 1), increasing demand for hotel room nights (Objective 2), improving the City's profile as a convention destination (Objective 3), increasing the amount of exhibit

and ball room space (Objective 5), improving the condition of the SCC facilities (Objective 6), facility sustainability (Objective 7), improving the SCC and its connection to the area (Objective 8), strengthening the economic vitality of the eastern end of downtown (Objective 9), encouraging redevelopment of underutilized downtown properties (Objective 10), and developing the SCC to be a first-class destination (Objective 11).

SCC Alternative 2 would not include facility improvements that would enhance efficiency of event staging and logistical facilities (Objective 4).

### **Facts in Support of Finding of Infeasibility**

Many impacts caused by Alternative 2 would either be the same as or similar to the impacts of the proposed SCC project, while yielding less usable Convention Center space than the proposed project. While Alternative 2 would result in a moderate expansion of the SCC, it would not include improvements to event staging areas, a feature that would allow for improved staging and subsequent higher frequency of events. The ability to “stack” events and allow for concurrent move-in and move-out of events is important to the functionality of the building and for the City’s ability to attract more events. With the addition of more, and longer, events stacked at the SCC, additional hotel rooms in the City could be occupied by event attendees, thereby increasing the amount of transient occupancy tax (TOT) that can be collected.

Additionally, Alternative 2 would not construct a new east lobby at the northwest corner of 15<sup>th</sup> Street and K Street. As a result, an adjacent project, the 15<sup>th</sup>/K Street Hotel, would not be able to construct a planned pedestrian bridge connecting the Hotel project to a new SCC east lobby. The inability to connect these two project sites would eliminate direct pedestrian access between the two project sites and reduce the amount of synergy between the sites.

Further, without the construction of an east lobby, Alternative 2 would fail to divert a substantial number of vehicle drop-offs and pedestrian traffic toward the east lobby, and all added vehicle drop off and pedestrian traffic from the project would be focused at the north and west lobbies. Therefore, it is anticipated that traffic conditions at the J and 13th Street and K and 13th Street intersections would be more severe, relative to the proposed SCC project. Worsened conditions at the J and 13th Street intersections would also be expected to create more severe transit delays for bus transit along J Street. Worsened conditions along J Street generally would also be anticipated to increase conflicts between vehicles and bicyclists and pedestrians, relative to the proposed SCC project. Therefore, SCC Alternative 2 is rejected.

## **SCC Alternative 3: Larger SCC Expansion Alternative**

### **Description**

The Larger SCC Expansion Alternative (SCC Alternative 3) would expand the scope and scale of the SCC expansion and renovation relative to the proposed SCC project. Under SCC Alternative 3, the SCC project would include demolition of the western half of the SCC and the Panattoni building, similar to the proposed SCC project. SCC Alternative 3 would, in addition, include renovation and expansion of the existing subgrade level, to include a new storage area and a new shared central plant.

The first level of the renovated SCC under SCC Alternative 3 would include the following facility upgrades:

- A new 62,780 sf exhibit hall in the northwest corner of the facility;
- A new 37,927 sf ballroom/multi-use room, located south of the proposed northwest exhibit hall. The footprint of the new ballroom would be in place of existing west lobby, service, and office facilities and the landscaped walkway between the existing SCC and the Community Center Theater, to the south;
- A 6,600 sf flex hall between the new exhibit hall and new ballroom/multi-use room;
- Pre-function space along the western and northern perimeters of the renovated west SCC;
- New 11,250 sf east lobby on the site of the existing Panattoni building; and
- New west lobby in the proposed pre-function space to the west of the new ballroom.

The second level of the expanded and renovated SCC under SCC Alternative 3 would include the following facility upgrades:

- 18,000 sf new 2nd-level west meeting space;
- A new 40,000 sf 2nd level ballroom above the proposed new 1st level ballroom/multi-use room;
- 9,757 sf of new meeting space constructed in place of the existing east terrace,
- Renovated small meeting spaces on the 2nd level;
- 6,033 sf administrative area above the new east lobby; and

- Elevated pedestrian bridge connecting the upper floor of the SCC east lobby to an above-ground-level floor of the proposed 15th/K Street hotel.

As with the proposed SCC project, under SCC Alternative 3 the SCC renovation would require demolition of the western half of the SCC and demolition of the Panattoni building. In addition, much of the 2nd level exhibit and meeting areas would be renovated or replaced. Proposed changes to the SCC loading areas would be similar to changes proposed for the SCC expansion and renovation, and as with the proposed SCC project, on the western side of the SCC the expanded pre-function areas on the north and west sides of the facility and the expanded/new west lobby would extend the SCC footprint closer to J and 13th streets.

Under SCC Alternative 3, the renovated SCC would have approximately 47,204 sf more event space than under the proposed SCC project, an increase of 19% compared to the proposed SCC project. SCC Alternative 3 would also include more square footage for event staging areas, which would complement the increase in event space, improving event staging to allow for stacking of events, similar to the improved event-staging capabilities of the proposed SCC project.

Under SCC Alternative 3 improvements to SCC service and logistical facilities would be similar to the proposed SCC project, including a new shared central plant and new storage areas. However, Alternative 3 would propose a new shared and expanded central plant on the basement level of the SCC, while the proposed SCC project would only renovate the existing shared plant.

As with the proposed SCC project, construction under SCC Alternative 3 would require demolition of the western half of the SCC and the Panattoni building along with elimination of the eastern terrace. Renovation and expansion of the SCC under SCC Alternative 3 would be anticipated to be more intensive than construction under the proposed SCC project, thereby increasing the anticipated duration and intensity of construction.

### **Relationship to Project Objectives**

Under SCC Alternative 3 the SCC would be expanded and renovated to expand event square footage, expanding capacity, and improving event staging facilities to tighter transition between events, increasing the potential number of annual events. The City's objectives for the SCC relevant to improved capacity and operations would be met under Alternative 3 (Objectives 1, 2, 3, 4, 5, 6, 9 and 11). Under SCC Alternative 3, the SCC facility improvements would be designed to meet LEED Silver (or equivalent) standards (Objective 7). The SCC renovation and expansion under SCC Alternative 3 would be designed to have better connectivity between the existing section of the SCC to be retained, and would further be connected, via a pedestrian bridge, to the proposed 15th/K Street Hotel. This improved connectivity would improve pedestrian and corridor links to

other sections of downtown (SCC Objective 8). Development of the SCC in combination with the proposed 15th/K Street Hotel represent development growth in the eastern Central Business District that would be anticipated to encourage new development at nearby under-utilized sites (Objective 10).

### **Facts in Support of Finding of Infeasibility**

Under Alternative 3, environmental impacts would be equal to or more severe than under the proposed SCC project. Under SCC Alternative 3, the SCC would have 19% more indoor event space and would have a larger footprint than under the proposed SCC project. Thus, under SCC Alternative 3, impacts to historic, tribal cultural, and archaeological resources would be expected to be more severe than under the proposed SCC project because construction would include expansion of the existing subgrade level, increasing the amount of excavation relative to the proposed SCC project and expansion of the SCC footprint to consume the existing courtyard between the SCC and the Community Center Theater. Because construction would occur over a longer period of time, SCC Alternative 3 would have more severe construction impacts, including construction-related air emissions, noise and vibration, and degradation of water quality. In addition, SCC Alternative 3 would be anticipated to have more severe construction-related traffic impacts due to a greater volume of construction.

Under SCC Alternative 3 the SCC would have a larger structure, which would include approximately 19% more event space, capable of accommodating a larger number of attendees and a higher frequency of events on an annual basis. Consequently, this alternative would have more severe impacts related to an increase in the event capacity of the SCC. These include impacts associated with demand for water and wastewater conveyance and treatment, electricity and natural gas, which would be increased based on a higher volume of attendees annually. Increased event capacity and/or event frequency would also be anticipated to have more severe impacts related to transportation and operations, including air emissions and ambient exterior and interior noise. Due to higher attendance levels, there would be a higher number of vehicle drop-offs near each of the SCC lobbies, relative to the proposed SCC project. Higher vehicle and pedestrian activity would increase delays at area intersections, which would be anticipated to increase transit delays along J Street, relative to the proposed SCC project.

Under Alternative 3, the footprint of the SCC would be expanded to the south, which would include the area designated as an outdoor Activities Plaza under the proposed SCC project and eliminate the pedestrian link along K Street between 13th and 14th streets. In combination with a greater number of vehicle trips to and from the SCC, which would increase vehicle conflicts with pedestrians, this impact would be more severe than the impact to pedestrian facilities under the proposed SCC project. Similarly, an increase in vehicle activity in the vicinity of the SCC, under SCC Alternative 3, would increase conflicts between vehicles

and bicyclists. Higher SCC event pedestrian activity at the 13th and K Street intersection would be expected to increase delay for bicycle transportation along the Class II bicycle lanes on 13th Street, similar to the vehicle delays. Therefore, SCC Alternative 3 is rejected.

### **SCC Alternative 4: No East Lobby Alternative**

#### **Description**

SCC Alternative 4 would implement the proposed SCC project with the exception that it would not include demolition of the Panattoni Building and construction of a new east lobby in its place. Under SCC Alternative 4, the Panattoni building would remain and would continue to function as administrative offices for the SCC. Because the east lobby would not be developed for the SCC, the pedestrian bridge between the SCC and the adjacent 15th/K Street Hotel could not be constructed if the separate Hotel project is approved. Relative to the proposed SCC project, under SCC Alternative 4 the SCC would have a similarly sized structure, but would not have a true east lobby.

SCC operations under SCC Alternative 4 would have the same event space as would be available under the proposed SCC project. It is anticipated that operational capacity would be similar to the proposed SCC project, however the lack of an east lobby would limit the facility's ability to accommodate concurrent large events on opposing sides of the SCC. This applies to a type of event that would require exclusive use of a lobby for extended event activities and controlled entry. Separate east and west lobbies would allow for two such events to take place simultaneously, and a continued lack of an east lobby, as would occur under Alternative 4, would maintain that limiting factor. Thus, it is reasonable to conclude that under SCC Alternative 4, overall event attendee numbers and annual event frequency would be less than could occur under the proposed SCC project. In addition, all attendee entrée into the SCC would be directed through the west lobby, which would divert pedestrians and vehicle drop-offs from the site of the east lobby, as is planned under the proposed SCC project, toward the west side of the SCC, at the 13th and J Street and 13th and K Street intersections. This would decrease the pedestrian volume at the K and 15th Street intersection and lower sidewalk and crosswalk pedestrian flows on the east side of the SCC.

Under SCC Alternative 4, SCC demolition and construction would be less intensive relative to the proposed SCC project because the Panattoni Building would be retained and the SCC east lobby would not be constructed. Other components of the proposed SCC project would still take place on the east side of the SCC so some construction-related impacts would be similar to the proposed SCC project. It is anticipated that retaining the Panattoni building and omitting construction of an east lobby would shorten the duration of project

construction and decrease the intensity of construction activities on the east side of the SCC.

### **Relationship to Project Objectives**

Under SCC Alternative 4, the SCC would be renovated and expanded to be of similar size to the proposed SCC project, but would not include the addition of an east lobby or connection to the proposed hotel project. As described above, this would result in smaller events and fewer events, due to less effective staging of events and pre-function areas. Smaller and/or less frequent events at the SCC, relative to the proposed SCC project, would reduce potential economic benefits from the project in other parts of the City. As it relates to City's SCC objectives, benefits related to economic vitality (Objectives 1, 9, and 10), growth in hotel usage (Objective 2), expansion of exhibit space (Objective 5), and development of the SCC to be LEED Silver (or equivalent) (Objective 7), could all be achieved, but to a lesser extent than would be achieved under the proposed SCC project.

The main difference between SCC Alternative 4 and the proposed SCC project would be the retention of the Panattoni building, and elimination of the proposed SCC east lobby. The lack of an east lobby under SCC Alternative 4 would not eliminate sellable event space within the SCC, which would be the same at project completion as would exist under the proposed SCC project. However, the lack of an east lobby would inhibit or limit the potential for the accommodation of large concurrent events at the SCC, as described above.

While the SCC expansion and renovation under SCC Alternative 4 would meet some SCC projects objectives, some of the basic objectives of the SCC project would be achieved to a lesser extent than could be achieved by the proposed SCC project. For example, Objectives 3, 4, 6, 8, and 11 call for making the SCC more competitive as a convention destination, improving facility efficiency, facility conditions, connectivity to the surrounding downtown area, and elevating the facility as a first-class event venue. Under SCC Alternative 4, the SCC would be less competitive relative convention centers that have multiple lobbies for hosting concurrent events. Under SCC Alternative 4, the SCC would operate less efficiently because all events would have to utilize the same lobby, and connectivity to areas east of the SCC would continue to be limited. Therefore, Alternative 4 would meet objectives 3, 4, 6, 8, and 11, to a lesser extent than would be achieved by the proposed SCC project.

### **Fact in Support of Finding of Infeasibility**

The proposed SCC project would cause increases in vehicular travel times along J Street, which would be at their peak during SCC event arrival and departure time periods. Increased vehicular travel times would cause delays in transit routes in the vicinity of the SCC, during events. Under SCC Alternative 4, lower

attendee volumes would have fewer vehicle trips relative to the proposed SCC project. However, construction of an east lobby under the proposed SCC would divert a substantial number of vehicle drop-offs and pedestrian traffic toward the east lobby, at K and 15th Street. Under Alternative 4, no east lobby would be constructed, and all added vehicle drop off and pedestrian traffic from the project would be focused at the north and west lobbies. Therefore, it is anticipated that traffic conditions at the J and 13th Street and K and 13th Street intersections would be more severe, relative to the proposed SCC project. Worsened traffic conditions at the J and 13th Street intersections would also be anticipated to create more severe transit delays for bus transit along J Street. Worsened conditions along J and 13th streets would also be anticipated to increase conflicts between vehicles and bicyclists and pedestrians, relative to the proposed SCC project. Therefore, SCC Alternative 4 is rejected.

#### **F. Statement of Overriding Considerations:**

Pursuant to Guidelines Section 15092, the City Council finds that in approving the proposed project it has eliminated or substantially lessened all significant and potentially significant effects of the project on the environment where feasible. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the plan against the remaining unavoidable environmental risks in determining whether to approve the plan and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with Section 15093 of the CEQA Guidelines in support of approval of the project.

The City of Sacramento has considered the information contained in and related to the Final EIR (the Draft EIR, Comments and Responses to those documents, text changes and other revisions to the EIR, and all other public comments, responses to comments, accompanying technical memoranda and staff reports, and findings included in the public record for the plan). Pursuant to CEQA Guidelines Section 15092, the City Council finds that in approving the proposed SCC Renovation and Expansion project, it has eliminated or substantially lessened all significant and potentially significant effects of the project on the environment where feasible as shown in the findings. The City Council further finds that it has balanced the economic, social, technological and other benefits of the project against the remaining unavoidable environmental risks in determining whether to approve the project and has determined that those benefits outweigh the unavoidable risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with CEQA Guidelines Section 15093 in support of approval of the project. Specifically, in the City Council's judgment, the each of the benefits of the project as proposed separately and independently outweigh all of the unmitigated adverse impacts and the proposed project should be approved.

The overall goal of the proposed SCC project is to expand and renovate the SCC to improve upon the existing capacity of the facility. Based on the objectives identified in the Final EIR and administrative record, and through extensive public participation, the City Council has determined that the proposed project should be approved, and any remaining significant environmental impacts attributable to the proposed project are outweighed by the following specific economic, fiscal, social, and other overriding considerations. Each benefit set forth below is supported by substantial evidence in the record and constitutes an overriding consideration warranting approval of the proposed project, independent of the other benefits, despite each and every unavoidable impact.

The considerations that have been taken into account by the City Council in making this decision are identified below.

**Policy Considerations.** The renovation and expansion of the SCC will allow the facility to remain attractive and competitive into the future, while providing a nationally-recognized convention venue for residents, visitors and convention attendees. It is also anticipated to grow TOT revenue as more events will likely lead to more hotel night stays and may generate the need for additional hotel development in the Downtown. The requested actions support the following City General Plan policy:

- ERC 4.1.5 The City shall support renovation and expansion of Convention Center facilities and adjacent supportive infrastructure, including hotels, to attract top tier national and international events.

**Economic Impacts.** Based on an analysis prepared by Visit Sacramento, which assumed an additional 350-room hotel as well as the new Sawyer hotel, the Convention Center expansion would, within 5 years after completion, result in an estimated increase in Convention Center occupancy from 48% to 62.4% within the City of Sacramento. In addition, the estimated number of Group A events (i.e., citywide conventions that generate significant hotel demand and drive economic impact) would increase by 36 each year. This would result in an estimated annual increase of over 170,000 new hotel room nights in the City, resulting in approximately \$22 million annually in new hotel revenues. The City's TOT revenue will increase by almost \$2.7 million annually based on these estimates.

An October 2016 analysis by CBRE estimated a new 400-room hotel would generate an additional \$2.3 million in new annual TOT revenue. A more recent update in May 2017 by CBRE that factored in the expansion of the Convention Center and the aforementioned hotel, showed a \$6.4 million increase in new annual TOT growth by 2026. That TOT amount would grow to an \$18.5 million increase by 2056. These analyses do not account for spending by Convention Center attendees. According to the Bay Area Council Economic Institute (BACEI) average spending from visitors is about \$108 per person per day and average hotel room rates in Sacramento for conventions is \$152 per night.

Not only can the proposed SCC project accommodate more and larger conventions, the addition of more meeting, event, flexible, pre-function, and lobby space allows for the facility to accommodate overlapping events more easily. Group A, citywide events can be booked while smaller Group B business can fill in the building and provide supplemental business to the Convention Center and surrounding hotels.

The SCC project would increase the number of part-time employees from approximately 110 to approximately 130.

**Sustainability.** The SCC project is consistent with the SACOG MTP/SCS by keeping large civic uses in a centralized location, proximate to transit systems, thereby reducing greenhouse gas emissions and lowering vehicle miles traveled. This location and accessibility to multiple transportation systems and visitor resources such as hotels will, in turn, decrease consumption of natural resources, particularly fossil fuels.

The project will be designed utilizing energy efficient standards and will reduce the carbon footprint contribution, therefore helping meet the City of Sacramento's sustainability goal. The facility will be designed in accordance with City policy LU 8.1.5 LEED Standard for City-Owned Buildings, which requires LEED (Leadership in Energy and Environmental Design) Silver or equivalent standard.

**Social Considerations.** The project expands the SCC building capacity, makes the building easier to navigate, expands the use of flexible space, upgrades the interior and technology and includes indoor/outdoor meeting and function areas. The project would improve accessibility to the meeting rooms, and would improve internal circulation by better connecting pre-function and kitchen spaces to event and meeting spaces. Improved internal building circulation would reduce customer confusion and more efficiently deliver resources, equipment, and catering to event spaces.

The creation of an active outdoor Activities Plaza between the SCC and the Community Center Theater provides a new entertainment venue for smaller community acts, and provides an outdoor performance space that compliments events at the SCC and/or Community Center Theater, providing opportunities for social interaction and civic activity resulting in a strengthened civic and public realm.

**Transportation.** The SCC project will enhance pedestrian, bicycle, transit, and passenger loading access to and around the project site.

- **Enhanced Pedestrian Access.** Event attendees would access the SCC facility via three primary locations, including the reconfigured J Street Lobby (at 14<sup>th</sup> Street), the reconfigured West Lobby, and the new East Lobby at the northwest corner of the K Street/15<sup>th</sup> Street intersection. The project would include reconfigured sidewalks along the J Street,

13<sup>th</sup> Street, and 15<sup>th</sup> Street frontages of the SCC facility. A new outdoor Activities Plaza would include a pedestrian pathway traversing east-west through the project site, connecting 13th Street with 14th Street along the K Street alignment.

- **Bicycle Access.** Event attendees accessing the SCC facility via bicycle would utilize existing bike facilities on 13th Street (Class II north of L Street and Class II south of L Street) and K Street (Class I west of 13th Street, Class III east of 14th Street, and Class II east of 15th Street). New bicycle storage would be provided near the West and East Lobbies.
- **Transit Access.** Access to existing light rail transit and bus routes would largely remain unchanged. The proposed SCC would be designed to accommodate the future construction of a Downtown/Riverfront Streetcar stop on J Street.
- **Passenger Loading.** On-street passenger loading would be available at two primary curbside locations surrounding the SCC. The south side of J Street would continue to be signed and advertised for passenger loading between 13th Street and 15th Street. A new passenger loading area would be provided on the west side of 15th Street south of J Street near the new SCC East Lobby. Both primary loading areas would provide on-street bays to allow for passenger loading activity to occur outside of the adjacent travel lane.

Having considered the benefits outlined above, the City Council finds that each and every one of the benefits of approving the proposed project outweigh and override the unavoidable adverse environmental effects associated with the project, and therefore, the project's unavoidable adverse environmental effects are acceptable.

## CHAPTER 4

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# Sacramento Convention Center Renovation and Expansion Project Mitigation Monitoring Plan

### 4.1 Introduction

Public Resources Code section 21081.6 and section 15097 of the California Environmental Quality Act (CEQA) Guidelines require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

Separate Mitigation Monitoring Plans (MMPs) were prepared for the Sacramento Convention Center Renovation and Expansion (SCC) project and the 15th/K Street Hotel (Hotel) project. The intent of the MMPs is to track and successfully implement the mitigation measures identified within the Draft Environmental Impact Report (Draft EIR) for the proposed projects. Separate MMPs were prepared to clearly delineate between the projects and allow for separate project approval processes. The MMP for the SCC project is included in Table 4-1, below.

### 4.2 Mitigation Measures

The mitigation measures are taken from the Sacramento Convention Center Renovation and Expansion and 15<sup>th</sup>/K Street Hotel Projects Draft EIR and are assigned the same number as in the Draft EIR. The MMPs describe the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. Mitigation measures that are applicable only to the SCC project, or to both the SCC project and the Hotel project, are included in the MMP.

### 4.3 MMP Components

The components of the attached tables, which contain applicable mitigation measures, are addressed briefly, below.

**Impact:** This column summarizes the impact stated in the Draft EIR.

**Mitigation Measure:** All mitigation measures identified in the Sacramento Convention Center Renovation and Expansion and 15<sup>th</sup>/K Street Hotel Projects Draft EIR applicable to the SCC project will be presented, as revised in the Final EIR, and numbered accordingly.

**Action(s):** For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

**Implementing Party:** This item identifies the entity that will undertake the required action.

**Timing:** Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

**Monitoring Party:** The City of Sacramento is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project. Other agencies, such as the Sacramento Metropolitan Air Quality Management District, may also be responsible for monitoring the implementation of mitigation measures. As a result, more than one monitoring party may be identified.

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
<b>4.1 Aesthetics</b>					
4.1-2: The proposed project could create a new source of substantial light.	<b>4.1-2(a)</b> <i>Exterior lighting included shall incorporate fixtures and light sources that focus light on-site to minimize spillover light.</i>	Implement the exterior lighting requirements described in Mitigation Measure 4.1-2(a)	City of Sacramento Community Development Department, project contractor	Prior to the issuance of a building permit	City of Sacramento Community Development Department
	<b>4.1-2(c)</b> <i>Prior to the issuance of a building permit for the SCC, the City shall develop plans and specifications for the proposed lighting displays and establish maximum luminance levels for the displays subject to review and approval of the City's Urban Design Manager. The City shall review and monitor the installation and testing of the displays, in order to ensure compliance with all City lighting regulations and these mitigations measures.</i>	Develop plans, specifications, and maximum luminance levels for the proposed lighting displays  Review and monitor the installation and testing of the displays	City of Sacramento Community Development Department	Prior to the issuance of a building permit	City of Sacramento Community Development Department
	<b>4.1-2(d)</b> <i>Project lighting shall not cause more than two foot-candles of lighting intensity or direct glare from the light source at any residential property.</i>	Implement the project lighting requirements described in Mitigation Measure 4.1-2(d)	City of Sacramento Community Development Department	Prior to the issuance of a building permit	City of Sacramento Community Development Department
<b>4.2 Air Quality</b>					
4.2-1: Implementation of the proposed project could conflict with or obstruct implementation of an applicable air quality plan.	<b>4.2-1</b> <i>The project applicant shall implement the emission reduction strategies contained in the SCC project AQMP (see Appendix C2), or other strategies which achieve equivalent reductions, as approved by the SMAQMD, in order to achieve a minimum 16.4 percent reduction in NO<sub>x</sub>e. Endorsement of the AQMP by the SMAQMD shall be obtained prior to issuance of building permits. Documentation confirming implementation of the AQMP shall be provided to the SMAQMD and the City of Sacramento prior to issuance of occupancy permits.</i>	Implement the emission reduction strategies contained in the SCC project AQMP (Appendix C2 of the EIR) according to the parameters described in Mitigation Measure 4.2-1	City of Sacramento Community Development Department	Endorsement obtained prior to the issuance of building permits, documentation confirming implementation of AQMP provided prior to issuance of occupancy permits	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
4.2-2: Construction of the proposed project would result in short-term emissions of NO <sub>x</sub> , PM <sub>10</sub> , and PM <sub>2.5</sub> .	<p><b>4.2-2(a)</b> <i>The City shall require all construction plans to include the following required SMAQMD Basic Construction Emission Control Practices:</i></p> <ul style="list-style-type: none"> <li><i>Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</i></li> <li><i>Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.</i></li> <li><i>Use wet power vacuum street sweepers to remove any visible track-out mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.</i></li> <li><i>Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</i></li> <li><i>Pave all roadways, driveways, sidewalks, parking lots as soon as possible. In addition, building pads shall be laid immediately after grading unless seeding or soil binders are used.</i></li> <li><i>Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.</i></li> <li><i>Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.</i></li> </ul>	Include the SMAQMD Basic Construction Emission Control Practices described in Mitigation Measure 4.2-2(a) in all construction plans	City of Sacramento Community Development Department, project contractor	Prior to the issuance of demolition or grading permits	City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<p><b>4.2-2(b)</b> <i>The City shall require all construction plans to include the following SMAQMD Enhanced Exhaust Control Practices:</i></p> <ul style="list-style-type: none"> <li><i>Provide a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the proposed project to the City and the SMAQMD. The inventory shall include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The construction contractor shall provide the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. This information shall be submitted at least four business days prior to the use of subject heavy-duty off-road equipment. The inventory shall be updated and submitted monthly throughout the duration of construction, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.</i></li> <li><i>Provide a plan in conjunction with the equipment inventory, approved by the SMAQMD, demonstrating that the heavy-duty (50 horsepower or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO<sub>x</sub> reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</i></li> </ul>	<p>Include construction equipment specifications listed in Mitigation Measure 4.2-2(b) in all construction plans</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>Prior to the issuance of demolition or grading permits</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<ul style="list-style-type: none"> <li><i>Emissions from all off-road diesel powered equipment used on the project site shall not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supersede other SMAQMD or state rules or regulations.</i></li> <li><i>If at the time of granting of each building permit, the SMAQMD has adopted a more restrictive regulation applicable to construction emissions, the City may completely or partially replace this mitigation with compliance with the new regulation. Consultation with the SMAQMD prior to construction will be necessary to make this determination.</i></li> </ul>				
	<p><b>4.2-2(c)</b> <i>The City shall require grading or improvement plans to include the following SMAQMD Fugitive Dust Control Practices:</i></p> <ul style="list-style-type: none"> <li><i>Water exposed soil with adequate frequency for continued moist soil.</i></li> <li><i>Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.</i></li> <li><i>Install wind breaks (e.g., solid fencing) on windward side(s) of construction areas.</i></li> <li><i>Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.</i></li> </ul>	<p>Include construction equipment specifications listed in Mitigation Measure 4.2-2(c) in all construction plans</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>Prior to the issuance of demolition or grading permits</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<ul style="list-style-type: none"> <li><i>Treat site accesses to a distance of 100 feet from the paved road with a 6 to 12-inch layer of wood chips, mulch, or gravel to reduce generation of road dust and road dust carryout onto public roads.</i></li> <li><i>Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the District shall also be visible to ensure compliance.</i></li> </ul>				
	<p><b>4.2-2(d)</b> <i>Prior to the issuance of a building permit, developers shall quantify the construction emissions of NO<sub>x</sub>. The City shall require all construction plans to include the following SMAQMD off-site fee mitigation:</i></p>	<p>Quantify the construction emissions of NO<sub>x</sub></p> <p>Include the SMAQMD off-site fee mitigation described in Mitigation Measure 4.2-2(d) in all construction plans</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>Prior to the issuance of a building permit</p>	<p>City of Sacramento Community Development Department, Sacramento Metropolitan Air Quality Management District (SMAQMD)</p>
	<ul style="list-style-type: none"> <li><i>The project applicant shall pay into the SMAQMD's construction mitigation fund to offset construction-generated emissions of NO<sub>x</sub> that exceed SMAQMD's daily emission threshold of 85 ppd. The project applicants shall coordinate with the SMAQMD for payment of fees into the Heavy-Duty Low-Emission Vehicle Program designed to reduce construction related emissions within the region. Fees shall be paid based upon the applicable current SMAQMD Fee. The applicants shall keep track of actual equipment use and their NO<sub>x</sub> emissions so that mitigation fees can be adjusted accordingly for payment to the SMAQMD.</i></li> </ul>				

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
4.2-6: Implementation of the proposed project would contribute to cumulative increases in short-term (construction) emissions.	<b>4.2-6</b> <i>Implement Mitigation Measure 4.2-2.</i>	See Mitigation Measure 4.2-2	See Mitigation Measure 4.2-2	See Mitigation Measure 4.2-2	See Mitigation Measure 4.2-2
<b>4.3 Biological Resources</b>					
4.3-1: The proposed project could disturb nesting migratory birds.	<b>4.3-1</b> <i>The project applicant shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through August 31) where feasible. For any construction activities that will occur between February 1 and August 31, the applicant shall conduct preconstruction surveys in suitable nesting habitat within 50 feet of the construction area for nesting migratory birds. Surveys shall be conducted by a qualified biologist (one experienced with bird surveys). In addition, all trees slated for removal during the nesting season shall be surveyed by a qualified biologist no more than 48-hours before removal to ensure that no nesting birds are occupying the tree.</i>  <i>If active nests are found during the survey, the applicant shall implement mitigation measures to ensure that the species will not be adversely affected, which would include establishing a no-work bugger zone (subject to conditional work within the buffer, as described in sub-measure (b), below), as approved by CDFW.</i>  <i>Measures may include, but would not be limited to:</i>  a) <i>The applicant shall conduct any tree removal activities required for project construction outside of the migratory bird breeding season (February 1 through August 31) where feasible.</i>	Conduct nesting surveys prior to tree removal  Conduct any tree removal and construction activities according to the parameters described in Mitigation Measure 4.3-1  Include tree removal timing and/or tree protection requirements on Grading and Construction Plans	City of Sacramento Community Development Department, project contractor	Between February 1 and August 31, conduct surveys no more than 48 hours before tree removal	City of Sacramento Community Development Department, California Department of Fish and Wildlife (CDFW)

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<p>b) <i>Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on an individual basis, in consultation with the City and CDFW), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager. The construction manager shall stop construction activities within the buffer until the nest is no longer active. Completion of the nesting cycle shall be determined by a qualified biologist.</i></p>				
<b>4.4 Cultural Resources</b>					
<p>4.4-1: Construction of the proposed project could cause a substantial adverse change in the significance of paleontological resource, or an archaeological resource, including human remains or tribal cultural resources.</p>	<p><b>4.4-1(a)</b>  <i>A preconstruction training session conducted by a qualified archaeologist shall be held for all construction personnel and staff performing excavation activities on the project site. Training materials shall address procedures to be follows and appropriate conduct to be adhered to if unanticipated archaeological materials are encountered during the project work. All construction personnel involved in earth moving activities shall attend preconstruction training in person prior to the start of construction. Training shall include:</i></p> <ul style="list-style-type: none"> <li>• <i>The purpose of archaeological monitoring;</i></li> <li>• <i>How to identify archaeological resources;</i></li> <li>• <i>How to respond to the discovery of a potential resource; and</i></li> <li>• <i>How to maintain proper discovery records and adhere to professional protocols during construction.</i></li> </ul>	<p>All construction personnel involved in earth moving activities will attend preconstruction training conducted by a qualified archaeologist</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>Prior to the start of construction</p>	<p>City of Sacramento Community Development Department</p>

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SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<p><b>4.4-1(b)</b> <i>In the event that unanticipated archaeological resources and/or human remains are encountered during construction, compliance with federal and State regulations and guidelines regarding the treatment of cultural resources and/or human remains shall be required.</i></p> <p><i>i. If prehistoric or historic period archaeological resources are encountered during project implementation, all construction activities within 100 feet shall halt and the City shall be notified.</i></p> <p>1) <i>A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings within 24 hours of discovery and report the results of the inspection to the City.</i></p>	Cease work and notify the City	City of Sacramento Community Development Department, project contractor	During ground- disturbing activities throughout project implementation	City of Sacramento Community Development Department
	2) <i>In the event that the identified archaeological resource is determined to be prehistoric, the City and qualified archaeologist will coordinate with and solicit input from the appropriate Native American Tribal Representatives regarding significance and treatment of the resource as a tribal cultural resource. Any tribal cultural resources discovered during project work shall be treated in consultation with the tribe, with the goal of preserving in place with proper treatment.</i>	Coordinate with the appropriate Native American Tribal Representatives regarding significance and treatment of the resource as a tribal cultural resource	City of Sacramento Community Development Department, project contractor	During ground- disturbing activities throughout project implementation	City of Sacramento Community Development Department
	3) <i>If the City determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation.</i>	Implement mitigation in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4, consistent with CEQA Guidelines Section 15126.4(b)(3)	City of Sacramento Community Development Department, project contractor	During ground- disturbing activities throughout project implementation	City of Sacramento Community Development Department

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<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	4) <i>If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement.</i>	Implement one of the actions listed in Mitigation Measure 4.4-1(b)(i)(4)	City of Sacramento Community Development Department, project contractor	Prior to ground disturbance such as grading and excavation activities	City of Sacramento Community Development Department
	5) <i>If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the City prior to any excavation at the resource site.</i>	Prepare an Archaeological Mitigation Plan, if necessary.	City of Sacramento Community Development Department, project contractor	Prior to ground disturbance such as grading and excavation activities	City of Sacramento Community Development Department
	6) <i>Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2, including creation of a treatment plan. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.</i>	Prepare a treatment plan, if necessary.	City of Sacramento Community Development Department, project contractor	Following discovery of a unique archaeological resource	City of Sacramento Community Development Department

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Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>ii. <i>In the event of discovery or recognition of any human remains during project implementation, project construction activities within 100 feet of the find shall cease until the Sacramento County Coroner has been contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains are of Native American origin, they shall contact the NAHC to identify the Most Likely Descendant (MLD). The MLD shall be asked to make a recommendation to the landowner for treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. The City shall comply with requirements identified by the NAHC for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.5[d]).</i></p>	<p>Cease work and notify the County Coroner. Follow the protocol for further notification including to the NAHC, if applicable. Contact the Native American Heritage Commission to identify the Most Likely Descendant, if applicable.</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>During ground-disturbing activities throughout project implementation</p>	<p>City of Sacramento Community Development Department</p>
	<p>iii. <i>If discovery is made of items of paleontological interest, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City. Any inadvertent discovery of paleontological resources during construction shall be evaluated by a qualified paleontologist. If it is determined that the project could damage a unique paleontological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. If avoidance is not feasible, the paleontologist shall develop a treatment plan in consultation with the City.</i></p>	<p>Cease work and notify the City. Implement mitigation in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, if applicable. Develop a treatment plan in consultation with the City, if necessary.</p>	<p>City of Sacramento Community Development Department, project contractor</p>	<p>During ground-disturbing activities throughout project implementation</p>	<p>City of Sacramento Community Development Department</p>

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SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
<b>4.8 Noise and Vibration</b>					
4.8-1: Construction of the proposed project could generate noise that would conflict with City standards or result in substantial temporary or periodic increase in ambient noise levels.	<b>4.8-1</b> <i>The City shall include in all building permits a requirement that the contractor shall ensure that the following measures are implemented during all phases of construction within the SCC and Hotel areas:</i>	Implement the requirement for manufacturer-installed mufflers to be on all heavy equipment or stationary noise sources.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	a) <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer-installed mufflers.</i>				
	b) <i>Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors.</i>	Locate construction equipment staging areas away from residential areas.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	c) <i>Use of auger displacement for installation of foundation piles, if feasible (if underlying soils do not require driven piles). If impact pile driving is required, sonic pile drivers shall be used, unless engineering studies are submitted to the City that show this is not feasible, based on geotechnical considerations.</i>	Implement auger displacement or sonic pile driver requirements.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	d) <i>Prior to construction activities, the building management of the Saint Paul's Episcopal Church and Maydestone apartment building shall be notified of the construction schedule, as well as the name and contact information of the project disturbance coordinator.</i>	Notify building management of the Saint Paul's Episcopal Church and Maydestone apartment building of construction schedule and project disturbance coordinator contact information.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
e) <i>Machines or equipment shall not start up prior to 7:00 a.m., Monday through Saturday, and prior to 9:00 a.m. on Sunday.</i>	Implement restrictions for machine or equipment start times as described in Mitigation Measure 4.8-1.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department	

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	f) <i>Delivery of materials and equipment shall not occur prior to 7:00 a.m. nor past 6:00 p.m., Monday through Saturday, and prior to 9:30 a.m. nor past 6:00 p.m. on Sunday.</i>	Implement restrictions for delivery of materials and equipment as described in Mitigation Measure 4.8-1.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	g) <i>Stationary construction equipment, such as compressors, shall be placed away from nearby residential areas and shall provide acoustical shielding.</i>	Provide acoustical shielding for stationary construction equipment.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	h) <i>Idling times of equipment shall be minimized either by shutting equipment off when not in use or reducing maximum idling time to 5 minutes.</i>	Minimize equipment idling time.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	i) <i>The City (SCC) and/or the project applicant or its designee (Hotel) shall designate a disturbance coordinator and conspicuously post this person's number around the project site, in adjacent public spaces, and in construction notifications. The disturbance coordinator, in coordination with the City, shall be responsible for responding to any complaints about construction activities. The disturbance coordinator shall receive all public complaints about construction disturbances and, in coordination with the City, is responsible for determining the cause of the complaint and implementation of feasible measures to alleviate the problem.</i>	Designate a disturbance coordinator responsible for responding to any complaints about construction activities.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department
	j) <i>The City (SCC) and/or the project applicant or its designee (Hotel) shall provide written notice to all known occupied noise-sensitive uses (i.e., residential, religious, lodging) within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule, as well as the name and contact information of the project disturbance coordinator.</i>	Provide written notice and project disturbance coordinator contact information to all known occupied noise-sensitive uses within 400 feet of project site boundary at least 2 weeks prior to the start of each construction phase.	City of Sacramento Community Development Department, project contractor	During all phases of construction	City of Sacramento Community Development Department

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<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
4.8-3: Operation of uses developed pursuant to the proposed project could introduce new stationary noise sources that could result in a substantial permanent increase in ambient exterior noise levels in the project vicinity or conflict with the City of Sacramento noise standards.	<b>4.8-3</b> <i>The project applicant shall be required to limit speakers at outdoor stages to be no louder than 100 dBA measured five (5) feet from the source.</i>	Implement speaker limitations as described in Mitigation Measure 4.8-3	City of Sacramento Community Development Department	Prior to the issuance of building permits	City of Sacramento Community Development Department
4.8-5: Construction of the proposed project could expose existing and/or planned buildings, and persons within, to vibration that could disturb people and damage buildings.	<b>4.8-5(a)</b> <i>Implement Mitigation Measure 4.8-1(c).</i>	See Mitigation Measure 4.8-1(c)	See Mitigation Measure 4.8-1(c)	See Mitigation Measure 4.8-1(c)	See Mitigation Measure 4.8-1(c)
4.8-6: The proposed project would result in exposure of people to cumulative increases in construction noise levels.	<b>4.8-6</b> <i>Implement Mitigation Measure 4.8-1.</i>	See Mitigation Measure 4.8-1	See Mitigation Measure 4.8-1	See Mitigation Measure 4.8-1	See Mitigation Measure 4.8-1

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4.8-7: The proposed project would contribute to cumulative construction that could expose existing and/or planned buildings, and persons within, to significant vibration.	<b>4.8-7(a)</b> <i>Implement Mitigation Measure 4.8-5(a).</i>	See Mitigation Measure 4.8-5(a)	See Mitigation Measure 4.8-5(a)	See Mitigation Measure 4.8-5(a)	See Mitigation Measure 4.8-5(a)
<b>4.9 Transportation</b>					
4.9-2: The proposed project could adversely affect public transit operations.	<b>4.9-2</b> <i>Implement Event Transportation Management Plan (ETMP) to the satisfaction of the City Traffic Engineer and subject to the performance standards set forth within it including:</i>	Implement ETMP subject to the performance standards and Implementation Options described in Mitigation Measure 4.9-2	City of Sacramento Department of Public Works	During large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space at the SCC facility	City of Sacramento Community Development Department
	<ol style="list-style-type: none"> <li>1. <i><u>Pedestrian Flows</u>: Through pedestrian flow management, pedestrians do no spill out of sidewalks onto streets with moving vehicles, or out of crosswalks when crossing the street, particularly along J Street, K Street, 13<sup>th</sup> Street, and 15<sup>th</sup> Street.</i></li> <li>2. <i><u>Bicycle Flows</u>: During event that utilize the outdoor Activities Plaza, ensure that east-west bicycle travel is accommodated within the vicinity of the SCC (between 13th and 14th streets).</i></li> <li>3. <i><u>Vehicle Queuing</u>: Traffic on eastbound J Street does not queue back due to event-related traffic, particularly eastbound right-turning vehicles conflicting with pedestrians crossing the south leg crosswalk at the J Street/13<sup>th</sup> Street intersection.</i></li> <li>4. <i><u>Bus/Paratransit</u>: Specific locations are provided to accommodate public buses and paratransit vehicle stops within one block of the SCC.</i></li> </ol>				

**TABLE 4-1**  
**SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	5. <i>Ridesharing</i> : Specific locations are provided for pick-up / drop-off areas such that Transportation Network Companies (e.g., Uber, Lyft), taxis, and other ridesharing services do not impede vehicular or pedestrian flow.				

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Impact	Mitigation Measure	Action(s)	Implementing Party	Timing	Monitoring Party
	<p>6. <i>Truck Staging: Delivery trucks exclusively use the truck bays located along K Street west of 15<sup>th</sup> Street and do not block vehicular or bicycle access for extended periods of time.</i></p> <p><i>The ETMP is included in Appendix L. It would be implemented for all large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space. Due to the variation in event size, type, location, and travel characteristics, specific ETMP elements should be reviewed on a case-by-case basis to determine the appropriateness for a specific event day. Key ETMP elements relevant to large events centered at the SCC facility include the following:</i></p> <ul style="list-style-type: none"> <li>• <i>At the J Street/13<sup>th</sup> Street intersection, position equipment and multiple traffic control officers (TCOs) and operate the intersection in one of the following two ways:</i> <ol style="list-style-type: none"> <li>1. <i>Implement Option 1 (illustrated in Figure 4.9-22), which includes the following temporary measures:</i> <ul style="list-style-type: none"> <li>- <i>Convert the northbound approach to right-turn only and prohibit through movements using traffic cones and advance warning signage.</i></li> <li>- <i>Convert the southbound approach to one through lane and one left-turn lane using traffic cones and advance warning signage.</i></li> <li>- <i>Prohibit use of the east leg crosswalk using barricades and TCOs.</i></li> <li>- <i>Operate the north/south approaches as permissive (i.e., operate concurrently) signal phases.</i></li> <li>- <i>Maintain same cycle length to facilitate coordinated through traffic progression, though signal offset may need to be adjusted.</i></li> </ul> </li> </ol> </li> </ul>				

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	<p>2. <i>Implement Option 2 (illustrated in Figure 4.9-23), which includes the following temporary measures:</i></p> <ul style="list-style-type: none"> <li>- <i>TCOs temporarily take control of the intersection and switch signal operations to flashing red.</i></li> <li>- <i>TCOs prohibit vehicles from entering the intersection during a 20-second pedestrian crossing window, whereby TCOs wave through pedestrians to cross at all marked crosswalks and diagonally through the intersection.</i></li> <li>- <i>TCOs prohibit pedestrians from entering crosswalks outside of the pedestrian crossing window and wave through vehicles. TCOs provide approximately 50, 17, and 13 seconds for the eastbound, northbound, and southbound vehicular flows, respectively. These approaches would maintain the same lane configurations as currently present.</i></li> </ul> <ul style="list-style-type: none"> <li>• <i>At the K Street/13<sup>th</sup> Street intersection, position multiple TCOs to manage pedestrian and vehicular traffic flows.</i></li> </ul>				
4.9-3: The proposed project could fail to adequately provide access to transit.	<p><b>4.9-3</b></p> <p>i. <i>Coordinate with relevant transit providers, as necessary, to identify a suitable replacement bus stop location and design that does not substantially alter existing service operations.</i></p> <p>ii. <i>Install replacement bus stop on 15<sup>th</sup> Street near J Street. Potential replacement options include:</i></p> <p>a. <i>Installation of bus stop on the west side of 15<sup>th</sup> Street immediately south of J Street, north of proposed passenger loading zone.</i></p>	Implement the actions listed in Mitigation Measure 4.9-3	City of Sacramento Department of Public Works	Prior to the closure of the existing bus stop	City of Sacramento Community Development Department

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	<ul style="list-style-type: none"> <li>b. <i>Integration of bus stop within the proposed SCC passenger loading zone on 15<sup>th</sup> Street. The bus stop should include enhanced passenger amenities including shelter, seating, and transit information signage. A portion of the loading zone should be reserved for exclusive use by public transit operators. Sufficient curb space should be reserved to accommodate at least one standard 40-foot bus at a given time.</i></li> <li>iii. <i>Ensure that the replacement bus stop is constructed and operational prior to the closure of the existing bus stop.</i></li> </ul>				
4.9-4: The proposed project could adversely affect existing or planned bicycle facilities or fail to provide for access by bicycle.	<p><b>4.9-4(a)</b></p> <ul style="list-style-type: none"> <li>i. <i>As part of the event transportation management plan (ETMP), station multiple traffic control officers (TCOs) at the K Street/13<sup>th</sup> Street intersection to facilitate bicycle crossings during large events.</i></li> <li>ii. <i>During outdoor events, ensure that east-west bicycle travel is accommodated within the vicinity of the SCC (between 13<sup>th</sup> and 14<sup>th</sup> streets). Potential options include:</i> <ul style="list-style-type: none"> <li>a. <i>Maintain clear path of travel along the planned bicycle travel pathway through the project site during outdoor events. Situate fencing and/or barriers in a manner that does not physically block the planned bike path. Install signage notifying event attendees of the presence of the bike path and discouraging event attendees from dwelling on the path.</i></li> <li>b. <i>Provide viable east-west bicycle detour around the SCC site during outdoor events. Detours should be sufficiently signed and marked to provide bicyclists with a clear path of travel.</i></li> </ul> </li> </ul>	Implement the actions listed in Mitigation Measure 4.9-4(a).	City of Sacramento Department of Public Works	During large or outdoor events within the vicinity of the SCC	City of Sacramento Community Development Department

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4.9-5: The proposed project could adversely affect existing or planned pedestrian facilities or fail to provide for access to pedestrians.	<p><b>4.9-5(a)</b></p> <p><i>i. Install pedestrian bulbouts at the following locations:</i></p> <p><i>a. J Street/13<sup>th</sup> Street intersection – northwest corner</i></p> <p><i>b. K Street/15<sup>th</sup> Street intersection – northeast, southeast, and southwest corners</i></p> <p><i>ii. Install 15-foot wide continental crosswalks at the following locations:</i></p> <p><i>a. J Street/13<sup>th</sup> Street intersection – all legs</i></p> <p><i>b. J Street/14<sup>th</sup> Street intersection – east and west legs</i></p> <p><i>c. J Street/15<sup>th</sup> Street intersection – west leg</i></p> <p><i>d. K Street/15<sup>th</sup> Street intersection – all legs</i></p>	Implement the actions listed in Mitigation Measure 4.9-5(a).	City of Sacramento Department of Public Works	Prior to the issuance of building permits	City of Sacramento Community Development Department
	<p><i>i. As part of the ETMP, implement the following temporary measures (illustrated in Figure 4.9-24):</i></p> <p><i>a. At the J Street/13<sup>th</sup> Street intersection, under Option 1 described above, extend walk intervals to 60, 60, and 21 seconds for the north, south, and west leg crossings, respectively. Under Option 2, TCOs would take manual control of the intersection and operate the intersection with a 20-second pedestrian crossing window.</i></p> <p><i>b. At the K Street/13<sup>th</sup> Street intersection, position multiple TCOs to manage pedestrian and vehicular flows.</i></p>	Implement the temporary measures described in Mitigation Measure 4.9-5(a)(iii)	City of Sacramento Department of Public Works	During large events centered at the SCC facility	City of Sacramento Community Development Department
	<p><b>4.9-5(b)</b></p> <p><i>Implement the ETMP (included in Appendix L) for all large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space. Due to the variation in event size, type, location, and travel characteristics, specific ETMP elements should be reviewed on a case-by-case basis to determine the appropriateness for a specific event day. Key ETMP elements relevant to large events centered at the hotel event space include the following:</i></p>	Review and implement key ETMP elements as described in Mitigation Measure 4.9-5(b)	City of Sacramento Department of Public Works	During all large events with a combined daily attendance of 5,000 persons or more between the SCC and hotel event space	City of Sacramento Community Development Department

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	<p>a. <i>Prohibit westbound traffic from entering the segment of K Street between 15<sup>th</sup> Street and 16<sup>th</sup> Street. Position traffic cones, barricades, and signage to prohibit northbound left-turn and westbound through movements at the K Street/ 16th Street intersection.</i></p> <p>b. <i>Position a single Traffic Control Officer at the K Street/15<sup>th</sup> Street and K Street/16<sup>th</sup> Street intersections to monitor conditions.</i></p> <p>c. <i>At the K Street/13<sup>th</sup> Street intersection, position multiple TCOs to manage pedestrian and vehicular traffic flows. Position traffic cones and warning signage along east curbside to prevent passenger loading activity from blocking crosswalks.</i></p>				
<p>4.9-6: The proposed project could cause construction-related traffic impacts.</p>	<p><b>4.9-6(a)</b></p> <p>i. <i>Before issuance of any demolition or building permits for any phase of the project, the project applicant shall prepare a detailed Construction Traffic Management Plan that will be subject to review and approval by the City Department of Public Works, in consultation with affected transit providers, and local emergency service providers including the City of Sacramento Fire and Police departments. The plan shall ensure that acceptable operating conditions on local roadways are maintained. At a minimum, the plan shall include:</i></p> <ul style="list-style-type: none"> <li>o <i>The number of truck trips, time, and day of street closures</i></li> <li>o <i>Time of day of arrival and departure of trucks</i></li> <li>o <i>Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting</i></li> <li>o <i>Provision of a truck circulation pattern</i></li> <li>o <i>Identification of detour routes and signing plan for street closures</i></li> </ul>	<p>Prepare a detailed Construction Traffic Management Plan to ensure that acceptable operating conditions on local roadways are maintained.</p>	<p>City of Sacramento Department of Public Works, project contractor</p>	<p>Prior the issuance of any demolition or building permits for any phase of the project</p>	<p>City of Sacramento Department of Public Works</p>

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	<ul style="list-style-type: none"> <li>○ <i>Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas)</i></li> <li>○ <i>Maintain safe and efficient access routes for emergency vehicles and transit</i></li> <li>○ <i>Manual traffic control when necessary</i></li> <li>○ <i>Proper advance warning and posted signage concerning street/lane closures</i></li> <li>○ <i>Provisions for pedestrian and bicycle safety</i></li> </ul> <p><i>A copy of the approved construction traffic management plan shall be submitted to local emergency response agencies and transit providers, and these agencies shall be notified at least 30 days before the commencement of construction that would partially or fully obstruct roadways.</i></p>				
	<p>ii. <i>The project applicant, in coordination with the City of Sacramento, Regional Transit, and other transit providers within the project vicinity and subject to their approval, shall identify temporary bus stop locations and cause ADA-compliant replacement bus stop facilities to be constructed in place of any bus stops that need to be temporarily closed during project construction. The relocation of bus stops may have a secondary impact related to the loss/relocation of a small number of on-street parking spaces and/or loading zones. This secondary impact would not be significant.</i></p>	Identify temporary bus stop locations and cause ADA-compliant replacement bus stop facilities to be constructed, if necessary.	City of Sacramento Department of Public Works	During project construction	City of Sacramento Department of Public Works, Regional Transit
4.9-7: The proposed project could worsen cumulative conditions at intersections in the City of Sacramento.	<b>4.9-7(a)</b> <i>Implement Mitigation Measure 4.9-2 (SCC) (ETMP).</i>	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2

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4.9-8: The proposed project could adversely affect cumulative public transit operations.	<b>4.9-8(a)</b> <i>Implement Mitigation Measure 4.9-2 (SCC) (ETMP).</i>	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2	See Mitigation Measure 4.9-2
	<b>4.9-8(b)</b> <i>Final SCC project site plan shall not prohibit construction, by others, of future Downtown Riverfront Streetcar stop on the south side of J Street east of 13<sup>th</sup> Street.</i>	Ensure SCC project site plan will not prohibit construction of future Downtown Riverfront Streetcar.	City of Sacramento Community Development Department	Prior the issuance of any demolition or building permits	City of Sacramento Community Development Department
4.9-10: The proposed project could adversely affect planned bicycle facilities or fail to provide for access by bicycle under cumulative conditions.	<b>4.9-10(a)</b> <i>Implement Mitigation Measure 4.9-4(a) (SCC), which identifies the need for bicycle improvement elements in an ETMP.</i>	See Mitigation Measure 4.9-4(a)	See Mitigation Measure 4.9-4(a)	See Mitigation Measure 4.9-4(a)	See Mitigation Measure 4.9-4(a)
4.9-11: The proposed project could adversely affect planned pedestrian facilities or fail to provide for access for pedestrians under cumulative conditions.	<b>4.9-11(a)</b> <i>Implement Mitigation Measure 4.9-5(a) (SCC), which identifies various crosswalk widenings, signal timing modifications, and other ETMP elements.</i>	See Mitigation Measure 4.9-5(a)	See Mitigation Measure 4.9-5(a)	See Mitigation Measure 4.9-5(a)	See Mitigation Measure 4.9-5(a)
<b>4.10 Utilities</b>					
4.10-1: The proposed project could discharge additional wastewater and stormwater flows to the City's CSS that could exceed existing system capacity.	<b>4.10-1</b> <i>The City shall manage wastewater from the project sites such that it shall not exceed existing CSS capacity by implementing the following methods:</i> a) <i>Require the proposed projects to pay the established CSS mitigation fee.</i>	Pay the established CSS mitigation fee and pay share for improvements to upsize or upgrade the CSS infrastructure. Fair share fees would be assessed on a phased basis	City of Sacramento Department of Utilities	To be determined, consistent with buildout of each of the proposed projects	City of Sacramento Public Works Department

**TABLE 4-1  
SACRAMENTO CONVENTION CENTER MITIGATION MONITORING PLAN**

<b>Impact</b>	<b>Mitigation Measure</b>	<b>Action(s)</b>	<b>Implementing Party</b>	<b>Timing</b>	<b>Monitoring Party</b>
	<p>b) <i>To the extent that the proposed projects would require localized upsizing of existing CSS infrastructure for service, the proposed projects shall pay their fair share for improvements to upsize or upgrade the CSS infrastructure. Fair share fees would be assessed and CSS improvements would be implemented, on a phased basis, consistent with buildout of each of the proposed projects.</i></p>				
<p>4.10-3: Implementation of the proposed project, in combination with other cumulative development, would contribute to cumulative increases in demand for wastewater and stormwater facilities.</p>	<p><b>4.10-3</b> <i>Implement Mitigation Measure 4.10-1.</i></p>	<p>See Mitigation Measure 4.10-1</p>			

## **RESOLUTION NO. 2018-**

Adopted by the Sacramento City Council

### **APPROVING THE DESIGN OF THE SACRAMENTO CONVENTION CENTER RENOVATION AND EXPANSION PROJECT AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE PROJECT**

#### **Background**

- A. On October 18, 2016, the City Council directed staff to further evaluate the potential renovation and expansion of the Convention Center.
- B. On October 18, 2016, in Motion No. 2016-0320, the City Council suspended competitive bidding to allow for a design-assist delivery method for the Convention Center project.
- C. The Convention Center renovation and expansion is needed not only to modernize and improve the facility but also to accommodate, retain, and attract existing and new convention and event business as well as to generate additional growth in transient-occupancy tax revenues.
- D. On January 24, 2017, the City Council approved Resolution No. 2017-0036, which declared the City Council's "official intent" to reimburse the City from bond proceeds for design and other predevelopment costs associated with the Community Center Theater, Memorial Auditorium, and Convention Center projects.
- E. On May 30, 2017, the City Council in Resolution No. 2017-0216 approved a contract with Populous for the design of the Convention Center Renovation and Expansion Project.
- F. On July 25, 2017, the City Council in Motion No. 2017-0202 approved a contract with AECOM-Hunt for design-assist services on the Convention Center project.
- G. On December 12, 2017, the City Council in Motion No. 2017-0376 directed staff to proceed with the design of the full program for the renovation and expansion of the Convention Center, which added the future ballroom to the current phase of work.
- H. On May 10, 2018, the City's Planning Director found, in accordance with City Code section 17.912.030.B and Government Code section 65402, that the Convention Center project is consistent with the City's General Plan goals and policies.

- I. On June 6, 2018, the Convention Center steering committee unanimously approved the proposed design and recommended the City Council move forward with the project.
- J. On June 14, 2018, at a publicly noticed hearing, the City's Design Director reviewed and supported the proposed Convention Center design.

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

- Section 1. The City Council (a) approves the design, adopts the findings of fact, and approves the letter of General Plan consistency for the Convention Center Renovation and Expansion Project in accordance with City Code section 17.912.030.B and Government Code section 65402; and (b) directs the City Manager to proceed with the Convention Center Renovation and Expansion Project.

**RESOLUTION NO. 2018-**

Adopted by the Sacramento City Council

**APPROVING THE DESIGN OF THE SACRAMENTO  
COMMUNITY CENTER THEATER RENOVATION  
PROJECT AND AUTHORIZING THE CITY MANAGER TO  
PROCEED WITH THE PROJECT**

**RESOLUTION NO. 2018-**

Adopted by the Sacramento City Council

**APPROVING THE DESIGN OF THE SACRAMENTO  
COMMUNITY CENTER THEATER RENOVATION  
PROJECT AND AUTHORIZING THE CITY  
MANAGER TO PROCEED WITH THE PROJECT**

**Background**

- A. On March 9, 2010, the City Council in Resolution No. 2010-0125 suspended competitive bidding, approved a design-assist delivery method, approved a \$3 facility fee charged on each ticket sold, and directed staff to proceed with the renovation of the Community Center Theater (the “CCT”) in order to transform the building, address accessibility concerns, and improve the patron experience.
- B. On March 15, 2010, the City issued an RFQ for design-assist support services for the CCT projects and Kitchell CEM, Inc. was selected as the most qualified firm.
- C. On April 27, 2010, the City Council found the CCT renovation to be exempt from CEQA, citing CEQA Guidelines section 15302, which provides that projects involving replacement or reconstruction of existing structures and facilities are exempt from CEQA (Resolution No. 2010-208).
- D. On August 10, 2010, the City Council in Resolution No. 2010-471 approved the selection of Kitchell CEM, Inc. for the CCT renovation.
- E. On March 26, 2013, the City Council in Resolution No. 2013-0144 approved \$8.5 million toward the CCT renovation.
- F. On November 19, 2013, the City Treasurer recommended that the City Council defer financing of the CCT renovation.

- G. On October 18, 2016 after the completion of the project definition effort, the City Council directed staff to proceed with the design of CCT renovation.
- H. On May 30, 2018 the CCT steering committee unanimously approved the proposed design and recommended that the City Council move forward with the project.
- I. On June 4, 2018, the City's Planning Director found, in accordance with City Code section 17.912.030.B and Government Code section 65402, that the Sacramento Convention Center project is consistent with the City's General Plan goals and policies.
- J. On June 14, 2018, at a publicly noticed hearing, the City's Design Director reviewed and supported the proposed CCT design.

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

- Section 1. The City Council (a) approves the design, adopts the findings of fact, and approves the letter of General Plan consistency for the CCT renovation project in accordance with City Code section 17.912.030.B and Government Code section 65402; and (b) directs the City Manager to proceed with the project.
- Section 2. The City Council rescinds Resolution No. 2017-0458, which authorized the City to apply for a \$15 million loan from the California Infrastructure and Economic Development Bank.

## **RESOLUTION NO. 2018-**

Adopted by the Sacramento City Council

### **DIRECTING CITY STAFF TO RETURN WITH THE ORDINANCE AND RESOLUTIONS NECESSARY TO ENACT LOCAL HIRING AND LOCAL BUSINESS INVOLVEMENT PROGRAMS FOR THE CONVENTION CENTER AND COMMUNITY CENTER THEATER PROJECTS**

#### **Background**

- A. The City of Sacramento seeks to connect local residents with employment opportunities, including those who may face barriers to employment.
- B. Large public investments in City projects create job, training and contracting opportunities for residents and businesses which might otherwise not exist.
- C. Local residents benefit and businesses when the City invests its funds in public projects where local hiring, training, and contracting programs exist.
- D. Many economically disadvantaged individuals, veterans, former offenders, public assistance recipients, foster youth, homeless, and women are typically under-represented in the workforce and often have difficulty overcoming barriers to employment.
- E. Increasing local participation in the construction of City projects such as the Community Center Theater and Convention Center projects helps to retain and create jobs and a skilled workforce in the City, particularly in its most economically challenged communities when local hiring programs exist.
- F. Ensuring that opportunities exist for local business participation in City projects provide benefits not only to businesses but also to the workers they employ.
- G. As directed by City Council on October 18, 2016, staff is completing local hiring, training and local business involvement programs to present to City Council.

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

- Section 1. City Manager or his designee shall return to City Council to present local hiring and local business involvement programs prior to the start of the

Convention Center Renovation and Expansion Project and the Community Center Theater Renovation Project.

## RESOLUTION NO. 2018-

Adopted by the Sacramento City Council

**AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK FOR FINANCING THE COMMUNITY CENTER THEATER RENOVATION PROJECT (M17100102), AUTHORIZING THE INCURRING OF AN OBLIGATION PAYABLE TO IBANK FOR THE FINANCING OF A CAPITAL IMPROVEMENT PROJECT IF IBANK APPROVES THE APPLICATION, DECLARING THE CITY'S OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF AN OBLIGATION, AND APPROVING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

### BACKGROUND

- A. The California Infrastructure and Economic Development Bank (“**IBank**”) administers a financing program to assist local governments with the financing of eligible projects in accordance with the Bergeson-Peace Infrastructure and Economic Development Bank Act (Gov. Code § 63000–63089.98 (the “**Act**”).
- B. IBank created the Infrastructure State Revolving Fund Program (the “**ISRF Program**”) under the Act.
- C. IBank has instituted an application process for financing under its ISRF Program.
- D. IBank’s *Criteria, Priorities, and Guidelines for the Selection of Projects for Financing under the ISRF Program*, dated February 23, 2016, and as amended from time to time (the “**Criteria**”), establishes requirements for the financing of projects under the ISRF Program.
- E. The City of Sacramento (the “**Applicant**”) desires to submit an application (the “**Financing Application**”) to IBank under the ISRF Program for financing and refinancing the costs of the Community Center Theater Renovation Project (the “**Project**”) in an amount not to exceed \$25 million.
- F. The Act and the Criteria require the Applicant to make, by resolution of its governing body, certain findings before a project is selected for financing by IBank.

- G. The Applicant expects to incur or pay certain expenditures in connection with the Project from revenues of its Transient Occupancy Tax that are reimbursable with the proceeds of tax-exempt bonds or other tax-exempt securities under Federal Tax Law (defined in section 3 below) before incurring indebtedness for the purpose of financing costs associated with the Project on a long-term basis (the “**Reimbursement Expenditures**”).
- H. The Reimbursement Expenditures include expenditures for architectural, engineering, surveying, soil testing, and similar costs that were incurred before the commencement of the acquisition, construction, or rehabilitation of the Project and constitute “preliminary expenditures” as defined in Treasury Regulation 1.150-2(f)(2) (collectively, the “**Preliminary Expenditures**”).
- I. The Preliminary Expenditures do not exceed 20% of the amount of the Obligation (defined in paragraph J below).
- J. The Applicant reasonably expects that a financing arrangement in an amount not to exceed \$25 million (the “**Obligation**”) will be entered into under, and memorialized by, one or more financing agreements and related documents (collectively, the “**Financing Agreement**”) and that certain proceeds of the Obligation will be used to reimburse the Applicant for Reimbursement Expenditures incurred or paid before incurring the Obligation.
- K. On January 24, 2017, the Applicant’s governing body, the Sacramento City Council, adopted Resolution No. 2017-0036 declaring that the maximum principal amount of the tax-exempt obligations to be issued or incurred by the City (or by a related entity) to finance not just the Project but also the renovation of the Sacramento Convention Center and the Memorial Auditorium was not expected to exceed \$270,000,000. Since then, the expected costs have increased, thereby causing the expected amount of tax-exempt obligations to be issued or incurred for the Project, the Sacramento Convention Center, and the Memorial Auditorium to increase as well. As of the date of this resolution, the maximum principal amount of all tax-exempt obligations currently expected to be issued or incurred is not expected to exceed \$350,000,000.
- L. The Applicant acknowledges that because IBank funds the ISRF Program, in part, with the proceeds of tax-exempt bonds, IBank has certain compliance obligations that may require it to have the Applicant enter into one or more new financing agreements to replace the Financing Agreement (collectively, the “**Replacement Agreement**”) on terms and conditions substantially

identical to the original Financing Agreement.

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

- Section 1. The City Manager or his designee (collectively, the “**City Manager**”) is hereby authorized to sign and submit to the IBank a Financing Application in an amount not to exceed \$25 million and any document related thereto.
- Section 2. The City Council hereby approves the filing of a Financing Application with IBank for the Project and, in connection that approval, finds and certifies that—
- a. the Project facilitates the effective and efficient use of existing and future public resources to promote both economic development and conservation of natural resources;
  - b. the Project develops and enhances public infrastructure in a manner that will attract, create, and sustain long-term employment opportunities;
  - c. the Project is consistent with the City of Sacramento 2035 General Plan and, to the extent applicable, the Sacramento County General Plan of 2005-2030;
  - d. the proposed financing is appropriate for the Project;
  - e. the Project is consistent with the Criteria; and
  - f. it has considered (1) the impact of the Project on California’s land resources and the need to preserve those resources; (2) whether the Project is economically or socially desirable; and (3) whether the project is consistent with, and in furtherance of, the State Environmental Goals and Policy Report (as defined in the Criteria).
- Section 3. The Applicant hereby declares its official intent to use proceeds of the Obligation to reimburse itself for the Reimbursement Expenditures with the proceeds of tax-exempt bonds or other tax-exempt securities issued under the Internal Revenue Code of 1986, as amended, and the implementing Treasury Regulations (collectively, “**Federal Tax Law**”). This declaration is made solely for purposes of establishing compliance with applicable requirements of Federal Tax Law, and its date is controlling for purposes of reimbursement under Federal Tax Law. It does not bind the Applicant to

make any expenditure, incur any indebtedness, or proceed with the Project.

Section 4. All Reimbursement Expenditures, except for certain Preliminary Expenditures, were made no earlier than 60 days before the date of this resolution. The Applicant will allocate proceeds of the Obligation to pay Reimbursement Expenditures within eighteen months of the later of the date the Reimbursement Expenditures were paid or the date the Project was placed in service or abandoned, but in no event more than three years after the Reimbursement Expenditures were paid.

Section 5. The City Manager or the City Manager's designee is hereby authorized and directed to act on behalf of the Applicant in all matters pertaining to the Financing Application and (if IBank approves the Financing Application) the Obligation. This authorization and direction includes signing and delivering the Financing Agreement, any Replacement Agreement, any related financial documents that are needed—

- (1) to pledge to the repayment of the Obligation, on a parity basis with the Applicant's obligations in connection with any existing debt, all revenues (including penalties and interest) from the Transient Occupancy Tax levied and collected under sections 3.28.030 and 3.28.040 of the Sacramento City Code (Code) *other than* revenues collected under section 3.28.040 of the Code and used to fund the Sacramento Convention and Visitors Bureau (also known as Visit Sacramento) in accordance with that section;
- (2) to provide covenants relating to, among other things, maintaining the debt-service-coverage ratio required by IBank, the rates and charges to be pledged, and any other security or collateral securing the Obligation; and
- (3) to take any other action necessary or desirable to enable the Applicant to enter into the Financing Agreement and incur the Obligation.

## RESOLUTION NO. 2018-XXXX

Adopted by the Sacramento City Council

**AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK FOR FINANCING THE CONVENTION CENTER RENOVATION AND EXPANSION PROJECT (M17100101), AUTHORIZING THE INCURRING OF AN OBLIGATION PAYABLE TO IBANK FOR THE FINANCING OF A CAPITAL IMPROVEMENT PROJECT IF IBANK APPROVES THE APPLICATION, DECLARING THE CITY'S OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF AN OBLIGATION, AND APPROVING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH**

### BACKGROUND

- A. The California Infrastructure and Economic Development Bank (“**IBank**”) administers a financing program to assist local governments with the financing of eligible projects in accordance with the Bergeson-Peace Infrastructure and Economic Development Bank Act (Gov. Code § 63000–63089.98 (the “**Act**”).
- B. IBank created the California Lending for Energy and Environmental Needs Program (the “**CLEEN Program**”) under the Act.
- C. IBank has instituted an application process for financing under its CLEEN Program.
- D. IBank’s *Criteria, Priorities, and Guidelines for the Selection of Projects for Financing under the CLEEN Program*, dated August 25, 2015, and as amended from time to time (the “**Criteria**”), establishes requirements for the financing of projects under the CLEEN Program.
- E. The City of Sacramento (the “**Applicant**”) desires to submit an application (the “**Financing Application**”) to IBank under the CLEEN Program for financing and refinancing the costs of the Convention Center Renovation and Expansion Project (the “**Project**”) in an amount not to exceed \$30 million.
- F. The Act and the Criteria require the Applicant to make, by resolution of its governing body, certain findings before a project is selected for financing by IBank.

- G. The Applicant expects to incur or pay certain expenditures in connection with the Project from revenues of its Transient Occupancy Tax that are reimbursable with the proceeds of tax-exempt bonds or other tax-exempt securities under Federal Tax Law (defined in section 3 below) before incurring indebtedness for the purpose of financing costs associated with the Project on a long-term basis (the “**Reimbursement Expenditures**”).
- H. The Reimbursement Expenditures include expenditures for architectural, engineering, surveying, soil testing, and similar costs that were incurred before the commencement of the acquisition, construction, or rehabilitation of the Project and constitute “preliminary expenditures” as defined in Treasury Regulation 1.150-2(f)(2) (collectively, the “**Preliminary Expenditures**”).
- I. The Preliminary Expenditures do not exceed 20% of the amount of the Obligation (defined in paragraph J below).
- J. The Applicant reasonably expects that a financing arrangement in an amount not to exceed \$30 million (the “**Obligation**”) will be entered into under, and memorialized by, one or more financing agreements and related documents (collectively, the “**Financing Agreement**”) and that certain proceeds of the Obligation will be used to reimburse the Applicant for Reimbursement Expenditures incurred or paid before incurring the Obligation.
- K. On January 24, 2017, the Applicant’s governing body, the Sacramento City Council, adopted Resolution No. 2017-0036 declaring that the maximum principal amount of the tax-exempt obligations to be issued or incurred by the City (or by a related entity) to finance not just the Project but also the renovation of the Community Center Theater and the Memorial Auditorium was not expected to exceed \$270,000,000. Since then, the expected costs have increased, thereby causing the expected amount of tax-exempt obligations to be issued or incurred for the Project, the Community Center Theater, and the Memorial Auditorium to increase as well. As of the date of this resolution, the maximum principal amount of all tax-exempt obligations currently expected to be issued or incurred is not expected to exceed \$350,000,000.
- L. The Applicant acknowledges that because IBank funds the CLEEN Program, in part, with the proceeds of tax-exempt bonds, IBank has certain compliance obligations that may require it to have the Applicant enter into one or more new financing agreements to replace the Financing Agreement

(collectively, the “**Replacement Agreement**”) on terms and conditions substantially identical to the original Financing Agreement.

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

- Section 1. The City Manager or his designee (collectively, the “**City Manager**”) is hereby authorized to sign and submit to the IBank a Financing Application in an amount not to exceed \$30 million and any document related thereto.
- Section 2. The City Council hereby approves the filing of a Financing Application with IBank for the Project and, in connection that approval, finds and certifies that—
- a. the Project facilitates the effective and efficient use of existing and future public resources to promote both economic development and conservation of natural resources;
  - b. the Project develops and enhances public infrastructure in a manner that will attract, create, and sustain long-term employment opportunities;
  - c. the Project is consistent with the City of Sacramento 2035 General Plan and, to the extent applicable, the Sacramento County General Plan of 2005-2030;
  - d. the proposed financing is appropriate for the Project;
  - e. the Project is consistent with the Criteria; and
  - f. it has considered (1) the impact of the Project on California’s land resources and the need to preserve those resources; (2) whether the Project is economically or socially desirable; and (3) whether the project is consistent with, and in furtherance of, the State Environmental Goals and Policy Report (as defined in the Criteria).
- Section 3. The Applicant hereby declares its official intent to use proceeds of the Obligation to reimburse itself for the Reimbursement Expenditures with the proceeds of tax-exempt bonds or other tax-exempt securities issued under the Internal Revenue Code of 1986, as amended, and the implementing Treasury Regulations (collectively, “**Federal Tax Law**”). This declaration is made solely for purposes of establishing compliance with applicable requirements of Federal Tax Law, and its date is controlling for purposes of reimbursement under Federal Tax Law. It does not bind the Applicant to

make any expenditure, incur any indebtedness, or proceed with the Project.

Section 4. All Reimbursement Expenditures, except for certain Preliminary Expenditures, were made no earlier than 60 days before the date of this resolution. The Applicant will allocate proceeds of the Obligation to pay Reimbursement Expenditures within eighteen months of the later of the date the Reimbursement Expenditures were paid or the date the Project was placed in service or abandoned, but in no event more than three

Section 5. The City Manager or the City Manager's designee is hereby authorized and directed to act on behalf of the Applicant in all matters pertaining to the Financing Application and (if IBank approves the Financing Application) the Obligation. This authorization and direction includes signing and delivering the Financing Agreement, any Replacement Agreement, any related financial documents that are needed—

- (1) to pledge to the repayment of the Obligation, on a parity basis with the Applicant's obligations in connection with any existing debt, all revenues (including penalties and interest) from the Transient Occupancy Tax levied and collected under sections 3.28.030 and 3.28.040 of the Sacramento City Code (Code) *other than* revenues collected under section 3.28.040 of the Code and used to fund the Sacramento Convention and Visitors Bureau (also known as Visit Sacramento) in accordance with that section;
- (2) to provide covenants relating to, among other things, maintaining the debt-service-coverage ratio required by IBank, the rates and charges to be pledged, and any other security or collateral securing the Obligation; and
- (3) to take any other action necessary or desirable to enable the Applicant to enter into the Financing Agreement and incur the Obligation.