

RESOLUTION NO. 2009-613

Adopted by the Sacramento City Council

September 29, 2009

ESTABLISH A CAPITAL IMPROVEMENT PROJECT, APPROPRIATE FUNDS AND DISBURSEMENT OF FUNDS – RAILYARDS PROPOSITION 1C TRANSIT ORIENTED DEVELOPMENT GRANT PROJECT

BACKGROUND

- A. On February 12, 2008, City Council approved submittal of an application to the State Department of Housing and Community Development (HCD) for Transit Oriented Development (TOD) Housing Program funding on behalf of the Railyards development project because only public agencies are permitted to request TOD grants.
- B. In June 2008, HCD awarded the City \$17 million in TOD funding for the Railyards project. The funding will be used for extension of 5th Street over the relocated Union Pacific Railroad (UPRR) tracks to improve access to the Sacramento Valley Station in consideration for the development of the first phase Railyards affordable and market rate housing within a certain time period after completion of infrastructure improvements.
- C. On June 23, 2009, City Council authorized acceptance of the TOD grant, under which S. Thomas Enterprises of Sacramento, LLC (Thomas) is a sub-recipient and approval of the Assignment Agreement under which Thomas is obligated to indemnify the City of Sacramento for any defaults under the terms of the TOD grant agreement.
- D. On September 23, 2009, HCD disbursed the first payment of TOD funds through a check in the amount of \$653,274, paid to the City of Sacramento. HCD mistakenly designated the City of Sacramento as the payee and future TOD disbursements will be paid directly to Thomas.

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

- Section 1. The Railyards Proposition 1C TOD Grant Project (T15029050) is established as a new Capital Improvement Project.
- Section 2. The FY09/10 Capital Improvement Program is amended by appropriating \$653,274 (Fund 3702) to the Railyards Proposition 1C TOD Grant Project (T15029050).
- Section 3. The City Manager is authorized to disburse funds to S. Thomas Enterprises of Sacramento, LLC in the amount of \$653,274.

Adopted by the City of Sacramento City Council on September 29, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

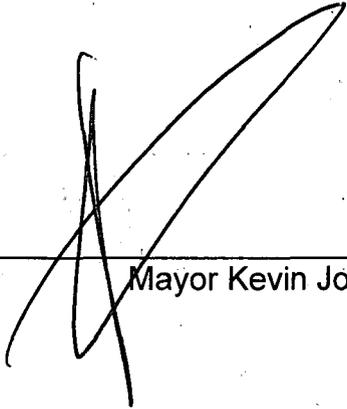
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino
Shirley Concolino, City Clerk



Mayor Kevin Johnson