

## RESOLUTION NO. 2009-620

Adopted by the Sacramento City Council

October 6, 2009

**AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE INDIVIDUAL PROJECT AGREEMENT (2001-0224-224) WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO; EXECUTE AN AGREEMENT FOR TRANSFER OF REAL PROPERTY AND ACCEPT THE PROPERTY AT 3668 MARTIN LUTHER KING, JR. BOULEVARD FROM THE REDEVELOPMENT AGENCY; APPROVE THE MARTIN LUTHER KING, JR. COMMUNITY GARDEN NAME AND MASTER PLAN; AND MAKE RELATED FINDINGS**

### BACKGROUND

- A. The Martin Luther King, Jr. Boulevard Streetscape and Urban Design Master Plan (MLK Master Plan) was accepted by the City Council and funding for Phase 1 improvements, including a community garden, was approved on September 9, 2008. Funding for the construction of a community garden in the amount of \$150,000 was allocated and an Individual Project Agreement (2001-0224-224) with the Department of Parks and Recreation was approved to implement the project.
- B. Long-term designs of public facilities are reviewed and approved by the City Council.
- C. The Martin Luther King, Jr. Community Garden is a proposed 0.3 acre neighborhood park located at 3668 Martin Luther King, Jr. Boulevard. The Martin Luther King, Jr. Community Garden Master Plan was reviewed and supported by the Parks and Recreation Commission on August 13, 2009.
- D. A project budget of \$311,000 was deemed necessary in order to complete the project. Quimby In-Lieu funds (Fund 2508) in the amount of \$75,000 have been allocated to this project to augment the Community Garden Implementation Fund (L19206000), however, a gap of \$86,000 remains.
- E. The City does not have sufficient funding to pay for the remainder of the Community Garden Implementation project, and the City Council finds that there are no other feasible alternative sources of funding available.
- F. The Redevelopment Agency of the City of Sacramento ("Agency") is willing to allocate \$86,000 of Oak Park Tax Increment Developers Assistance Funds to the Community Garden Implementation project in order to benefit the Oak Park Redevelopment Project Area.
- G. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) Sections 15303 and 15304 (b). A Phase I and a Phase II Environmental Site Assessment were performed and no further environmental investigations are recommended.

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

- Section 1. The City Manager, or City Manager's designee, is authorized to execute an amendment to the Individual Project Agreement for the MLK Phase 1 Improvements (with Parks and Recreation) (2001-0224-224) with the Redevelopment Agency of the City of Sacramento increasing the amount by \$86,000.
- Section 2. The FY 08/09 Capital Improvement Program is amended by appropriating \$86,000 in Oak Park Tax Increment Developers Assistance Funds to the MLK, Jr. Boulevard Corridor Improvements project.
- Section 3. The City Manager, or City Manager's designee, is authorized to execute an Agreement for Transfer of Real Property with the Redevelopment Agency for the Martin Luther King Jr. Community Garden located at 3668 Martin Luther King Jr. Boulevard (APN 013-0403-044-0000), to accept the transfer of property from the Redevelopment Agency, and to carry out all activities reasonably necessary to accomplish this transfer of property, including the execution and recordation of a certificate of acceptance.
- Section 4. The name "Martin Luther King, Jr. Community Garden" is approved.
- Section 5. The Martin Luther King, Jr. Community Garden Master Plan, attached as Exhibit A, is approved and is part of this resolution.
- Section 6. Pursuant to Section 33445 of the Health and Safety Code of the State of California (California Redevelopment Law), the City Council makes the following findings:
- a) The Community Garden Implementation project ("Project") is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces. The Project will benefit the Redevelopment Project Area by eliminating blighting conditions caused by vacant lots and deliver first-rate public facilities which are critical towards attracting new development to the area and will improve public recreational and educational opportunities to increase the quality of life for existing and future residents.
  - b) There are no other reasonable means available to complete the financing of the Project.
  - c) The payment of the cost for the Project is consistent with the Oak Park Five-Year Implementation Plan (2005-2009) which includes the strategies of Corridor Enhancement and Great Public Spaces.

**Table of Contents**

**Exhibit A: Martin Luther King, Jr. Community Garden Master Plan**

Adopted by the City of Sacramento City Council on October 6, 2009 by the following vote:

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

Noes: None.

Abstain: Mayor Johnson.

Absent: None.

  
Vice Mayor Lauren Hammond

Attest:

  
Shirley Concolino, City Clerk

CONCEPT PLAN FOR  
**MARTIN LUTHER KING JR.  
 COMMUNITY GARDEN**  
 CITY OF SACRAMENTO, CALIFORNIA

**PROJECT SUMMARY**

**a** PLOTS:  
 32 10X20 200 SQ FT

OPTIONAL:  
 28 10X20 200 SQ FT  
 8 10X10 200 SQ FT

**b** ACCESSIBLE PLANTERS - 30" TALL:  
 4 4X20 80 SQ FT

**c** ORCHARD TREES:  
 5 FRUIT OR NUT

**d** 2-4 INTERIOR PLANTERS

**e** 3-4 COMPOST BINS

**f** 1 TOOL SHED

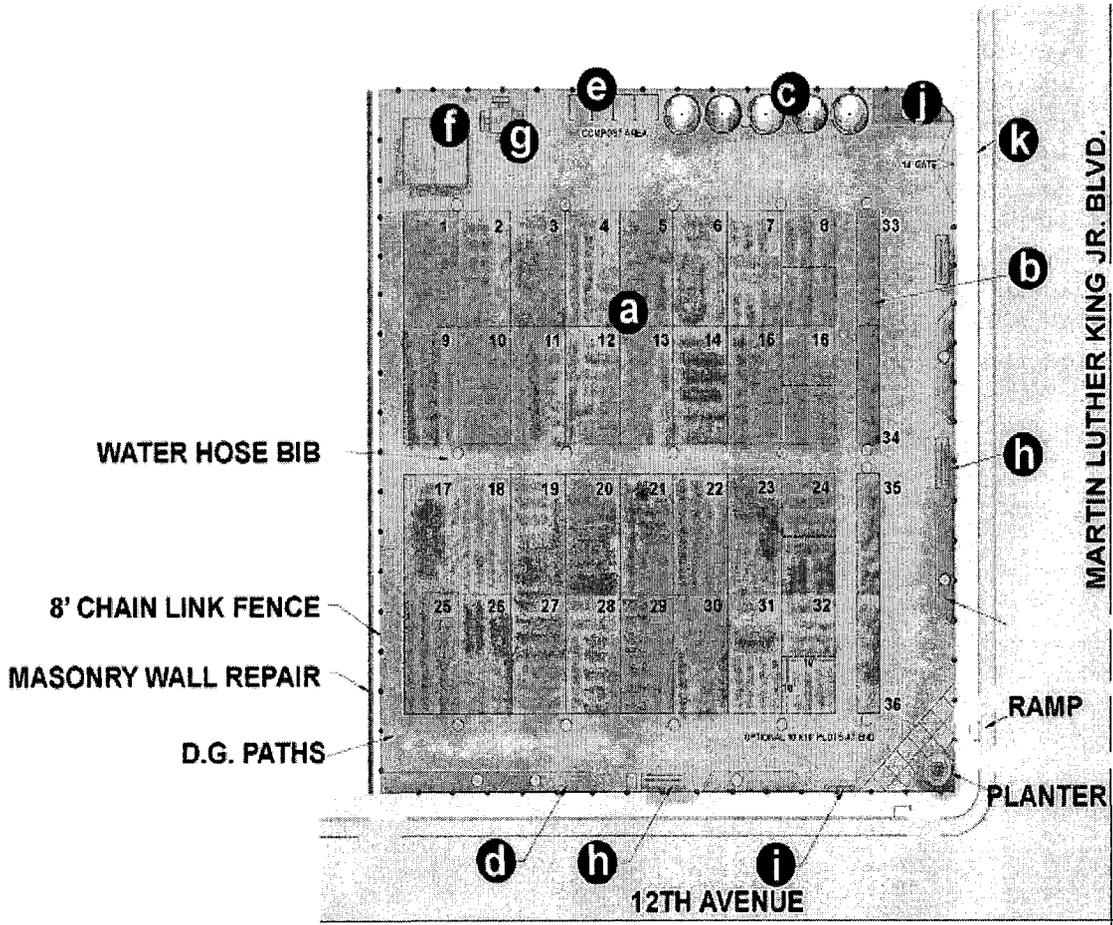
**g** 1 TABLE

**h** 3 BENCHES

**i** 1 BULLETIN BOARD

**j** 1 KIDS GARDENING AREA

**k** NEW DRIVEWAY



NOT TO SCALE

