

RESOLUTION NO. 2009-657

Adopted by the Sacramento City Council

October 20, 2009

AUTHORIZING AN AGREEMENT WITH TWIN RIVERS UNIFIED SCHOOL DISTRICT FOR THE DESIGN AND CONSTRUCTION OF A PARK BY THE DISTRICT AT THE DISTRICT'S FORMER PLOVER SCHOOL SITE AT 1741 FRIENZA AVENUE

BACKGROUND

- A. On October 11, 2005, City Council authorized the City Manager to identify projects for a Community Reinvestment Capital Improvement Program (CRCIP) bond issuance. On April 18, 2006, City Council approved the Final Tier 1 project list to be financed with the bond proceeds. The Tier 1 list included \$1 million for District 3 improvements to the Ben Ali neighborhood for curbs, gutters, streetlights and parks. On May 23, 2006, City Council authorized the issuance of approximately \$150 million in 2006 bonds, authorized funding for the Tier 1 CRCIP projects, and adopted policy directives.
- B. Staff is recommending that the remaining \$325,513 of the original \$1 million allocation for the Ben Ali neighborhood be allocated to the Twin Rivers Unified School District (District) for the District to design and construct a public park on the District's former Plover School site located at 1741 Frienza Avenue in the Ben Ali neighborhood. The remaining \$4,487 for the \$330,000 project would come from the Parks and Recreation Department's FY2009/10 operating budget.
- C. The District will construct a park that will be open to the public for at least ten years from dawn to dusk outside of normal school operating hours. The District will be responsible for maintenance and repairs. Subject to the City's approval of the design and budget, the District expects to construct an outdoor play area consisting of turf, irrigation, benches and/or picnic tables and fencing.
- D. The proposed agreement with the District includes a City waiver of any rights that may arise prior to May 1, 2020, should the District choose to sell or lease the project site eight years or more after the site is used for outdoor recreational purposes. Under normal circumstances State law would provide the City the right to purchase or lease the property if the District wanted to sell or lease the project site eight years after the project is completed, which would begin in the year 2018. The waiver shifts the date when the City could exercise its rights to May 1, 2020. This waiver was a requirement of the District before it would agree to construct the park facility on its underused land.

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

- Section 1. The City Manager or his designee is authorized to execute an agreement and any amendments between the City of Sacramento and the Twin Rivers Unified School District (District) for a public park project on property owned by the District at 1741 Fianza Avenue in the Ben Ali neighborhood.
- Section 2. The appropriation of \$325,513 of the original \$1 million for District 3/Ben Ali Improvements from the Community Reinvestment Capital Improvement Program (CRCIP) bond funds and \$4,487 of Parks and Recreation FY2009/10 operating budget funds for the design and construction of a public park by the District is approved.

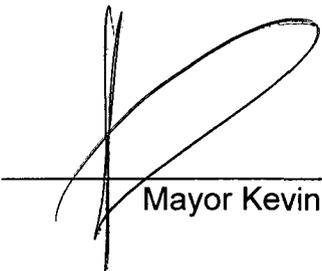
Adopted by the City of Sacramento City Council on October 20, 2009 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk