

RESOLUTION NO. 2011-117

Adopted by the Sacramento City Council

March 1, 2011

ESTABLISH CAPITAL IMPROVEMENT PROJECTS FOR NORTH NATOMAS FINANCING PLAN FEE-CREDIT PROJECTS

BACKGROUND:

- A. The North Natomas Finance Plan ("NNFP") and Sacramento City Code chapter 18.24 provide for credits against development-impact fees where the developer has constructed an authorized public facility or has dedicated authorized required lands beyond standard dedications. After construction is verified or the lands acquired, the City takes possession of the facility or property and the developer is issued credits that can be used to offset fees owed when building permits are issued.
- B. To facilitate administration of the process described in Paragraph A, and as authorized by Sacramento City Code chapter 18.18 and Resolution Nos. 2000-429, 2004-890, and 2006-918, the City Council has approved standard-form agreements for use on development projects subject to the NNFP. The City Manager is authorized to sign these agreements and, with the City Attorney's approval, is permitted to make minor, non-substantive changes needed to tailor an agreement to a project.
- C. Through the use of the standard-form agreements, the City acquires assets already approved for acquisition and construction as part of the NNFP, the latest version of which was approved by Resolution No. 2009-341. Acquisition of these assets is a Council-authorized capital project for which the City pays the developer with fee credits, not cash.
- D. The current City Budget Resolution (No. 2010-388) does not account for fee-credit projects. Under the usual cash-funded projects, the City Council authorizes projects by establishing a capital-improvement program (CIP) and any necessary appropriations. In the case of fee-credit projects, approval and construction are included in the NNFP and the procedure for using approved standard-form agreements.
- E. To account for fee-credit projects in the current fiscal year, project numbers and associated appropriations for fee-credit projects should be created for those assets already constructed and acquired or reasonably expected to be acquired by July 1, 2011.
- F. To account for fee-credit projects in future fiscal years, the Budget Resolution for Fiscal Year (FY) 2011/12 will propose language excepting fee-credit projects from the cash-related project and appropriation process.

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

- Section 1 The City Council finds that the statements in the Background are true and adopts them as findings.

- Section 2 The Developer Fee-Credit Projects and associated appropriations described in Exhibit A are hereby established.

- Section 3 Exhibit A is part of this Resolution.

- Section 4 The City Manager is directed to incorporate proposed language in the FY2011/12 Budget Resolution excepting fee-credit projects from the cash-related project and appropriation process.

Table of Contents:

Exhibit A: NNFP Developer Fee-Credit Projects

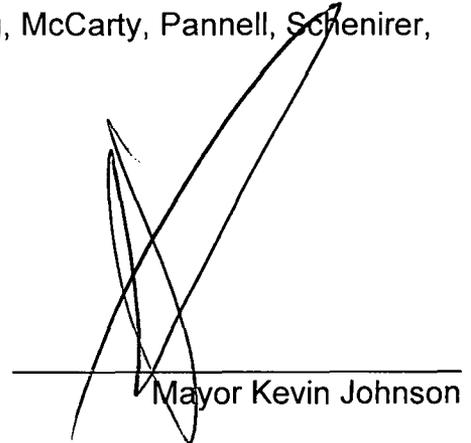
Adopted by the City of Sacramento City Council on March 1, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:


Shirley Concofino, City Clerk

North Natomas Finance Plan Developer Fee-Credit Projects

<u>Proposed CIP</u>	<u>Description</u>	<u>Developer</u>	<u>Agreement No.</u>
J22203900	E. Commerce Landscaping , Seg 35	KSP Arena Corportate Center	CMA #2006-0750-1
J22204000	Terraces at Commerce Station - Frontage Street Improvements - East Commerce Way	Shea Homes	CMA 2007-0267
J22204100	.772 acre - Del Paso Overwidth	K. Hovnanian Forecast Homes	CMA 2008-0579
J22204200	1.871 acres - Fire Station Site	K. Hovnanian Forecast Homes	CMA 2008-0579
J22204300	8550 LF Bike Path, Segment 18	K. Hovnanian Forecast Homes	CMA 2008-0501
J22204400	18.306 acres - Freeway Buffer	Alleghany Properties LLC	CMA 2008-0152
J22204500	2.34 acre - Community Center	Alleghany Properties LLC	CMA 2001-223
J22204600	11.73 acres - portion of Lot F "Ag Buffer" - additional cost	Lennar Winncrest, LLC	CMA 2002-179
J22204700	1.37 acres - Lot L - Fire Station Site	Lennar Winncrest, LLC	CMA 2002-707
J22204800	1.32 acres - Westlake Water Main Easement	Winncrest Natomas LLC	CMA 2009-0637
J22204900	1.904 acres - Right of Way Overwidth on East Commerce Way	Beazer Homes Holdings Corp.	CMA 2009-0014
J22205000	Truxel & Arena Commons Drive - Traffic Signal #6	Natomas- Truxel, LLC	CMA 2004-0108
J22205100	Truxel Rd. & Prosper St. - Traffic Signal #55	Natomas Crossing Phase I, LLC & Diepenbrock Investment Properties	CMA 2004-0347
J22205200	Arena & Truxel Rd. - Bike Trail #89	Natomas Crossing Phase I, LLC & Diepenbrock Investment Properties	CMA 2004-0348
J22205300	East Commerce @ Northpark - Traffic Signal #44	Schumacher	CMA 2008-0785
J22205400	Natomas Field - Segment & Traffic Signals	Beazer Homes Holdings Corp.	CMA 2009-0156