

RESOLUTION NO. 2013-0050

Adopted by the Sacramento City Council

February 26 2013

ALLOCATING 150.75 TREATMENT CAPACITY BANK CREDITS TO THE NORTHWEST LAND PARK/SETZER PROPERTY – PHASE 1 PROJECT LOCATED AT 2570 3RD STREET, 2640 5TH STREET (DISTRICT 4)

BACKGROUND

- A. On March 20, 2001, the City Council approved City Agreement No. 2001-177, a Memorandum of Understanding (“**MOU**”) initiating the City’s participation in the Economic Development Treatment Capacity Bank (the “**Bank**”) established by the Sacramento Regional County Sanitation District (“**SRCS**D”).
- B. On June 20, 2006, the City Council approved an amendment of the MOU to increase the amount of Treatment Capacity Bank Credits (“**Credits**”) that may be allocated from the Bank to housing projects.
- C. Resolution No. 2006-457 approved guidelines for allocating Credits to commercial development, Downtown, low-income, and infill / transit-oriented development projects.
- D. The Bank has awarded the City a total of 8,727 Credits. As of February 1, the City had allocated 4,922.96 Credits to eligible projects.
- E. Northwest Land Park, LLC (the “**Recipient**”) is the developer of the Northwest Land Park/Setzer Property – Phase 1 Project at 2570 3rd Street and 2640 5th Street in Sacramento (APN 009-0030-008, 009-0030-019; 009-0286-013, 009-0286-014), which will include 201 multi-family infill dwelling units (the “**Project**”). The Project falls within the guidelines for allocating Credits because it is an infill development that qualifies as “urban,” “infill,” and “residential” under the City’s General Plan.

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

- Section 1. The City Council finds that the Project meets the approved guidelines for allocation of Credits. Accordingly, the City Council hereby allocates a maximum of 150.75 Credits to the Recipient for use on the Project.
- Section 2. Credits allocated under this resolution will expire automatically and without notice if either of the following occurs:
 - (a) the Recipient has not paid its requisite sewer-impact fee to SRCS D within one year after the date of this resolution; or

- (b) all building permits for the 201 multi-family infill dwelling units have not been issued within one year after the date of this resolution.

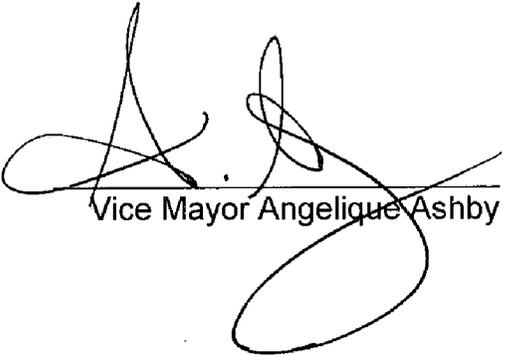
Adopted by the City of Sacramento City Council on February 26, 2013 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, Hansen, McCarty, Pannell, Schenirer, and Warren.

Noes: None.

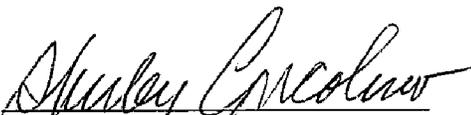
Abstain: None.

Absent: Mayor Johnson.



Vice Mayor Angelique Ashby

Attest:



Shirley Concolino, City Clerk