

RESOLUTION NO. 2007-032

Adopted by the Redevelopment Agency
of the City of Sacramento

June 26, 2007

APPROVAL FOR AN EXTENSION OF EXCLUSIVE RIGHT TO NEGOTIATE AND REVISED BUSINESS TERMS FOR THE DOCKS AREA REDEVELOPMENT PROJECT

BACKGROUND

- A. In July 2003, the City Council accepted the Sacramento Riverfront Master Plan (Master Plan). Included in the Master Plan was the identification of the Docks Area as an opportune redevelopment site. The original concept for the Docks Area included a mixed-use neighborhood with a riverfront parkway/promenade.
- B. In 2005, the City engaged in an extensive community planning process to further define the Docks Area. The 2005 Docks Area Community Planning Process resulted in a more detailed concept design which included a high-density, mixed-use neighborhood with a riverfront parkway/promenade.
- C. On January 5, 2006 the Redevelopment Agency of the City of Sacramento (Agency) approved an Exclusive Right to Negotiate (ERN) with KSWM Docks Partners, LLC (Developer) as the Master Developer for the Docks Area. The developer submitted a \$100,000 deposit to the Agency.
- D. The ERN with the KSWM Docks Partners, LLC was extended on August 22, 2006 until June 30, 2007.
- E. The vision for the redevelopment of the Docks Area is based on the 2003 Sacramento Riverfront Master Plan and 2005 Docks Area Community Planning Process.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

- Section 1. All of the evidence presented having been duly considered, the findings, including the environmental findings regarding this action, as stated in the staff report that accompanies this Resolution, are approved.
- Section 2. The City Manager or his designee, on behalf of the Agency, is authorized to extend the term of the agreement with KSWM Docks Partners, LLC for the Exclusive Right to Negotiate for the development of the Docks Area along the Sacramento riverfront to March 31, 2008. Staff is directed to follow the adopted *Guidelines for Individual Project Review*.

Section 3. The Term Sheet is approved for the Docks Area redevelopment project. The responsibility of the Agency and the Developer are as follows:

Developer Responsibilities

- a. Continue to work with the Agency to ensure the entitlements for the project area reflect a feasible and marketable development;
- b. Fund a market feasibility study for the Project Site;
- c. Coordinate the remediation of the project area with the Agency's Environmental Oversight Agreement (EOA) with the Department of Toxic Substances Control (DTSC); and
- d. Develop 300-500 units in Phase I of the project, once remediation and infrastructure issues have been completed.
- e. Deposit an additional \$75,000 for the preparation of the Environmental Impact Report (EIR) and Docks Area Specific Plan. The deposit is refundable according to the terms of the ERN and Term Sheet if the Developer does not proceed with Phase I or any portion of the Docks project.

Agency Responsibilities

- a. Complete the acquisition of all properties located in Phase I of the Project Site;
- b. Complete the entitlements for the properties north of Pioneer Bridge and west of Front Street;
- c. Complete the remediation process through the EOA with DTSC for all properties north of Pioneer Bridge and west of Front Street;
- d. Complete all infrastructure improvements for Phase I of the project, subject to funding availability;
- e. Work with the City to determine plan for the repair/replacement of Pioneer Reservoir; and
- f. Work with the City to continue developing the riverfront promenade.

Section 4. Staff is directed to return to the Agency with a Disposition and Development Agreement for Phase I of the Docks Area redevelopment project. Phase I generally includes all of the properties north of the Pacific Gas and Electric (PG&E) parcel (APN: 009-0012-003) to Q Street.

Adopted by the City of Sacramento Redevelopment Agency on June 26, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor, Heather Fargo

Attest:



Shirley Concolino, City Clerk