

RESOLUTION NO. 2006-09

Adopted by the Redevelopment Agency of the City of Sacramento

February 14, 2006

APPROVING A DEVELOPMENT AGREEMENT TO RECONSTRUCT THE EBNER-EMPIRE HOTEL IN OLD SACRAMENTO

BACKGROUND

The Redevelopment Agency of the City of Sacramento ("Agency") has adopted the Merged Downtown Sacramento Redevelopment Plan ("Redevelopment Plan") and an "Implementation Plan" for the Merged Downtown Redevelopment Project Area ("Project Area");

The Agency owns certain real property ("Property"), generally described as 116 and 118 K Street, in the Project Area and acquired the property with Project Area tax increment funds and other sources;

The Agency desire to enter into a Disposition and Development Agreement ("DDA"), a copy of which is on file with the City and Agency Clerk, which conveys fee interest in the Property and requires certain improvements on the Property, as further described in the DDA (collectively, "Project");

In accordance with the California Environmental Quality Act and its implementing regulations, an Initial Study has been prepared for the proposed project as described in the DDA and said Initial Study has disclosed no negative impacts of the proposed project upon the environment which cannot be mitigated to less than significant; and

A report under Health and Safety Code 33433 ("33433 Report") has been prepared, filed with the City and Agency Clerk and duly made available for public review, and, proper notice having been given, a hearing has been held in accordance with Health and Safety Code Sections 33431 and 33433.

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

Section 1.

The statements and findings of the 33433 Report are true and correct and are hereby adopted. The Project will assist in the elimination of blight as stated in the 33433 Report. The Project is consistent with the goals and objectives of the Redevelopment Plan and the Implementation Plan. Goals of the Redevelopment Plan, as stated in the Implementation Plan, include, the elimination of environmental deficiencies in the Merged Project Area, including, among others, mixed and shifting uses, small and

irregular lots, obsolete, aged and deteriorated building types, inadequate or deteriorated public improvements, and incompatible and uneconomic land uses; the strengthening of retail and other commercial functions in the downtown area, the strengthening of the economic base of the Merged Project Area and the community by the installation of needed site improvements either inside or outside the Merged Project Area to stimulate new commercial/light industrial expansion, employment and economic growth; the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements, which provide unity and integrity to the entire Merged Project; and the preservation and/or restoration, where feasible, of historically or architecturally significant structures. The DDA shall be deemed an implementing document approved in furtherance of the Redevelopment Plan, the Implementation Plan for the Project Area and all applicable land use plan, studies, and strategies.

Section 2.

The consideration given for the interest conveyed under the DDA is not less than the fair reuse value at the use and with the covenants, conditions, restrictions, and necessary development costs authorized by the DDA and conveyance documents.

Section 3.

The DDA in the form that is on file with the Agency and City Clerk is approved and the Executive Director or her designee is authorized to execute the DDA with the Developer and to take such actions, execute such instruments, and amend the budget as may be necessary to effectuate and implement this resolution and the DDA.

Section 4.

The Executive Director is authorized and directed to transfer \$3,350,000 from the 2005 Merged Downtown Tax Allocation Bond to the Ebner-Empire Hotel reconstruction project.

Section 5.

The Executive Director is authorized to perform such actions necessary to implement funding assistance as authorized herein to ensure proper repayment of Agency funds, including without limitation, subordination, extensions and restructuring of payment as approved by Agency counsel.

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Exhibit A – Disposition and Development Agreement on file with the Agency and City Clerk.

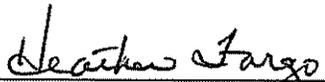
Adopted by the City of Sacramento Redevelopment Agency on February 14, 2006 by the following vote:

Ayes: Members Cohn, Fong, Hammond McCarty Pannell, Sheedy, and Tretheway.

Noes: None.

Abstain: None.

Absent: Councilmember Waters and Mayor Fargo.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk