

[CAPITAL GATEWAY II]

ORDINANCE NO. 87-036

AN ORDINANCE OF THE CITY OF SACRAMENTO APPROVING A DEVELOPMENT AGREEMENT RELATIVE TO CERTAIN PROPERTIES IN THE NORTH NATOMAS COMMUNITY PLAN AREA

APPROVED BY THE CITY COUNCIL

MAY 5 1987

OFFICE OF THE CITY CLERK

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

Section 1. This Ordinance incorporates, and by this reference makes a part hereof, that certain Development Agreement, substantially in the form on file with the City Clerk (hereafter the "Development Agreement"), by and between the City of Sacramento and certain parties (the "Developers"), relative to the development of certain property in the North Natomas Community Plan Area, as generally shown on the map attached hereto, being a portion of the property rezoned pursuant to the Capital Gateway II Application for rezoning and referred to, for reference only, as "Capital Gateway II".

Section 2. This Ordinance is adopted under the authority of Government Code Section 65864 et seq. and pursuant to the provisions of City Council Resolution No. 87-143 establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq., as amended and restated by City Council Resolution No. _____ (hereafter the "Procedural Resolution").

Section 3. The City Council, as required by Section 204 of the Procedural Resolution, hereby adopts the the following findings in conjunction with the approval of the Development Agreement: (1) the Development Agreement is consistent with the General Plan of the City of Sacramento and the policies, goals, standards and objectives of the North Natomas Community Plan (hereafter

"Community Plan"); (2) the project should be encouraged in order to meet important economic, social, environmental or planning goals of the Community Plan; (3) the project would be unlikely to proceed in the manner proposed in the absence of a Development Agreement; (4) the Developers will incur substantial costs in order to provide public improvements, facilities or services from which the general public will benefit; (5) the Developers will participate in monitoring programs and other programs established pursuant to the Community Plan, including financial participation as required, from which the general public will benefit; and (6) the Developers have made commitments to a high standard of quality and agreed to development limitations beyond those required by existing City codes.

The City Council further finds and determines that the Development Agreement and the entering into thereof by the City is consistent with the terms and conditions of that extension of time granted by the State Office of Planning and Research on January 20, 1987, as modified on April 15, 1987, for revisions to the City's General Plan.

Section 4. The City Council hereby approves the Development Agreement, substantially in the form on file with the City Clerk, subject to such minor and clarifying changes consistent with the terms thereof as may be approved by the City Attorney prior to execution thereof, including but not limited to completion of references, addition of exact titles and designations of parties constituting the Developers, completion of Exhibit A thereto pertaining to legal descriptions of parcels and ownership thereof, and conformity of all exhibits thereto.

Section 5. The Mayor is hereby authorized and directed to execute the Development Agreement on behalf of the City of Sacramento after the effective date of this Ordinance.

Section 6. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Development Agreement pursuant to the Procedural Resolution and the terms of the Development Agreement, including approval of certain amendments as authorized therein.

Section 7. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption. The effective date of the Development Agreement shall be the effective date of this Ordinance.

Section 8. Within ten (10) days after the effective date of the Development Agreement, the City Clerk shall record the Development Agreement and this Ordinance with the County Recorder of the County of Sacramento.

ADOPTED this _____ day of _____, 1987, by the following vote:

PASSED FOR PUBLICATION:

AYES:

NOES:

ABSENT:

EFFECTIVE:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

