

APPROVED  
BY THE CITY COUNCIL

MAR 30 1999

OFFICE OF THE  
CITY CLERK



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CITY OF SACRAMENTO  
CALIFORNIA

DEPARTMENT OF  
PUBLIC WORKS  
TECHNICAL SERVICES DIVISION

AS99-060

DEVELOPMENT  
SERVICES  
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March 15, 1999

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** JACINTO CREEK PLANNING AREA - APPROVAL OF REIMBURSEMENT  
AGREEMENT

**LOCATION/COUNCIL DISTRICT:**

South Sacramento  
Council District 8 (Map Exhibit A)

**RECOMMENDATION:**

This report recommends the City Council approve the attached resolution relating to a reimbursement agreement between the City and certain landowners within the Jacinto Creek Planning Area (JCPA).

**CONTACT PERSON:** Rita Goolkasian, Special Districts Analyst, 264-5236

**FOR COUNCIL MEETING OF:** March 30, 1999

**SUMMARY:**

Certain landowners within the JCPA have, over time, funded work required to prepare JCPA area-wide planning documents. The proposed reimbursement agreement provides a mechanism for reimbursing those landowners for area-wide planning costs they have incurred.

Department of

**PUBLICWORKS**  
CITY OF  
SACRAMENTO

City Council  
JCPA - Approval of Reimbursement Agreement  
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**COMMITTEE/COMMISSION ACTION:**

None.

**BACKGROUND INFORMATION:**

Certain landowners have provided advance funding of \$211,303 for area-wide planning costs for the JCPA (Exhibit B of the Agreement) including:

- Land Use Planning Documents, Land Use Environmental Impact Report, and related costs;
- Infrastructure Planning Documents;
- Finance Plan and Nexus Study; and
- Staff Administration and Incidental Expenses.

The Jacinto Creek Planning Area Financing Plan and Nexus Study provide for these planning costs to be reimbursed over time through a portion of the fees to be collected from benefitting properties as they develop. This reimbursement agreement:

- provides a record of the planning costs that will be reimbursed through development fees; including specific amounts to individual "participating" landowners;
- expressly limits the source of reimbursement to the portion of the JCPA Development Fee intended to reimburse developer-funded planning costs;
- provides for funds, advanced by landowners and unencumbered, to be dispersed to participating landowners and City for staff time; and
- allows individual landowners to participate without requiring signatures from all eligible parties.

Final agreements were recently mailed to all nine (9) eligible landowners. Six (6) landowners have signed the agreement to date. The attached resolution provides for the City Manager to accept at a later date the signatures of remaining property owners who have not yet signed the agreement.

City Council  
JCPA - Approval of Reimbursement Agreement  
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**FINANCIAL CONSIDERATIONS:**

There is currently \$24,338 available for distribution from the original \$211,303 advancement. The city is retaining \$10,335 for administrative costs and incidentals. The remaining \$14,003 is identified for initial reimbursement directly to landowners (Exhibit C of the agreement). The \$10,335 and other prepaid costs totaling \$197,300.56 will be reimbursed to landowners at future dates through the JCPA Development Impact Fees per subject agreement. The funds retained by the city will be utilized as follows:

Planning Department Staff Time	\$5,000
Public Works Staff Time	\$5,000
Incidentals	\$ 335

The proposed action has no impact on the City's General Fund. Funds to reimburse participating landowners for area-wide planning costs will be collected from benefitting developing properties through development fees.

**ENVIRONMENTAL CONSIDERATIONS:**

The Jacinto Creek Planning Area EIR was approved by City Council on June 20, 1995. The City Council's action in approving the reimbursement agreement is solely for the purpose of making the funding of backbone infrastructure equitable among developers and is itself therefore, not a project for purposes of the California Environmental Quality Act.

**POLICY CONSIDERATIONS:**


The development fee program has been prepared in accordance with Title 84 of the Sacramento City Code and is only applicable to the Jacinto Creek Planning Area.

City Council  
JCPA - Approval of Reimbursement Agreement  
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**ESBD CONSIDERATIONS:**

City Council adoption of the reimbursement agreement and the resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Gary Alm  
Manager, Special Districts

Approved:



Duane J. Wray  
Manager, Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS  
City Manager

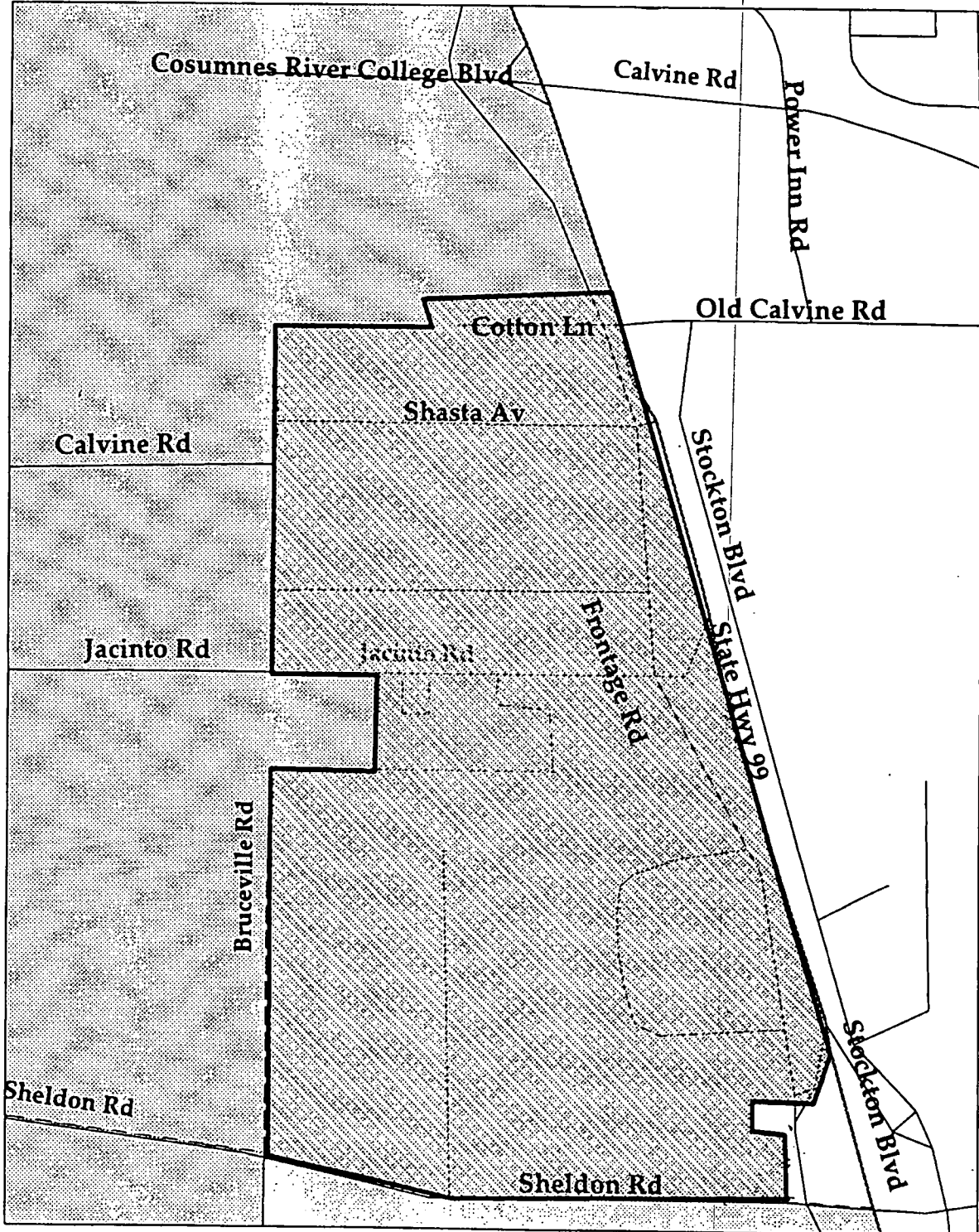
Approved:



Michael Kashiwagi  
Director of Public Works

JB:dt  
s:techsvc/projdel/devsvs/counciljcpacletter  
03.0599.3  
Attachment

# Map 1 Jacinto Creek Planning Area Boundary Map



JCPA Area

**RESOLUTION NO. 99-138**

**APPROVED**  
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**MAR 30 1999**

ON DATE OF \_\_\_\_\_

OFFICE OF THE  
CITY CLERK

**A RESOLUTION APPROVING EXECUTION OF A REIMBURSEMENT AGREEMENT  
RELATED TO JACINTO CREEK PLANNING AREA PLANNING DOCUMENTS**

**WHEREAS, THE CITY COUNCIL OF THE CITY OF SACRAMENTO FINDS AND DETERMINES  
AS FOLLOWS:**

- A. Through Ordinance No. 97-002 and City Council Resolution 97-011 City has formed a fee district ("Fee District") and established the "JCPA Facilities Fee" for the purpose of funding certain specified infrastructure required for development within the Jacinto Creek Planning Area ("JCPA") of the City.
- B. Landowners own certain properties within the JCPA and have provided advance funding of certain costs associated with the planning and preparation of planning studies, the JCPA Finance Plan and Nexus Study.
- C. In addition to the return of certain unencumbered funds provided to the City, Landowners desire to be reimbursed for the funds which they have expended or provided to the City for purposes of facilitating the formation of the JCPA Fee District. Landowners anticipate that the sole source of any such reimbursements will be through the Developer Planning Fund component of the JCPA Facilities Fee as described on page 59 of the JCPA Financing Plan and in the Nexus Study adopted by City Council, Resolution 97-012.
- D. The City desires to enter into an agreement to reimburse landowners for certain costs associated with the planning and preparation of the JCPA Finance Plan in the event sufficient amounts of the developer planning fund component to the fee are collected to reimburse those costs.
- E. City desires to return to Landowners certain excess payments made by Landowners.

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:**

The City Manager is hereby authorized and directed to execute *Reimbursement Agreement by and Between the City of Sacramento and Landowners in the Jacinto Creek Planning Area Relating to Private Funding of Jacinto Creek Planning Area Planning Costs* ("Agreement") on file with the City Clerk.

The City Manager is also authorized to accept signatures of those landowners who are listed on the agreement and who have not yet signed the agreement. The City Manager is further authorized to execute such other documents and take such other actions necessary to carry out the purposes and intents of the Agreement and this Resolution.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

s:techsvd\projdel\devsvs\council\jcpaccletter  
03.0599.2

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_