

## **RESOLUTION NO. 2019-0001**

Adopted by the Sacramento City Council

January 8, 2019

### **Amending the Updated Railyards Finance Plan**

#### **BACKGROUND**

- A. On November 10, 2016, City Council (the “Council”) conducted a noticed public hearing in accordance with Government Code sections 65355 and 65453 and Sacramento City Code sections 17.812.010 and 17.812.030 at which it received and considered evidence concerning the 2016 Sacramento Railyards Specific Plan Public Facilities Financing Plan (the “Plan”). On conclusion of the public hearing, the Council approved those documents (Resolution No. 2016-0380).
- B. On September 25, 2018, Council conducted a noticed public hearing in accordance with City Code section 18.56.015 and the Mitigation Fee Act to update the Plan (the “Updated Plan”) and establish the Railyards Impact Fee (the “Fee”). On conclusion of the public hearing, Council approved the Updated Plan and established the Fee (Resolution No. 2018-0383).
- C. The Fee is to fund infrastructure in the Railyards as identified in the Updated Plan and includes facilities constructed prior to its establishment which were shown in tables included in both the Plan and the Updated Plan.
- D. Language in the implementation section requiring that a fee credit agreement be in place prior to construction conflicts with tables 5-2 and 5-4 in the Updated Plan. An exception for the completed facilities will remove the conflict and allow for implementation of the fee program as intended.

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

- Section 1. The background statements set forth above are true and correct.
- Section 2. The second paragraph of Section 9 of the Updated Plan relating to Reimbursements and Fee Credits is amended to read as follows:

For instance, if a developer constructs and funds the extension of a roadway contained in the fee program, then the developer would be eligible for a reimbursement or fee credit up to the amount of funding that was to be included in the fee program. In such an instance, **except for the completed projects shown in Tables 5-2 and 5-4**, the City and developer would come to agreement before the improvement construction to determine the amount, timing, and manner of repayment of the advance funding, i.e., fee credit or reimbursement. The City will establish a set of procedures to manage reimbursement/credit agreements. The procedures could include forms of any agreement and accounting procedures to manage the reimbursement/credit program.

Adopted by the City of Sacramento City Council on January 8, 2019, by the following vote:

Ayes: Members Ashby, Guerra, Hansen, Harris, Jennings, Schenirer, and Warren

Noes: None

Abstain: None

Absent: Member Carr and Mayor Steinberg

Attest:

**Mindy Cuppy** Digitally signed by Mindy Cuppy  
Date: 2019.01.22 12:45:13  
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Mindy Cuppy, City Clerk

*The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.*