

Item No. 29

Supplemental Material

For
City of Sacramento
City Council
Agenda Packet

For the Meeting of: May 28, 2019

- Additional Material
 Revised Material

Contact Information: Garrett Norman, Associate Planner, 916-808-7934
gnorman@cityofsacramento.org

Project Name: Natomas Hyatt House and Place (P18-071)

Subject: Added language to Ordinance for Development Agreement

The following *italicized* language is being added to Section 3 of the Ordinance pertaining to the Development Agreement:

SECTION 3

The attached Development Agreement is hereby approved, and the Mayor is authorized to execute the Development Agreement on behalf of the City of Sacramento after the effective date of this Ordinance, *but subject to the City Attorney approving the Development Agreement as to form based on (1) the Landowner, with City cooperation, causing the removal of the prior expired Development Agreement as an exception in a preliminary title report, and (2) the Landowner either causing the removal of any deeds of trust shown as exceptions in a preliminary title report by proof to the title company of payment of debt and reconveyance or, if not, the City may require as a condition execution of the Development Agreement that a lender, if any, sign the lender execution page of the Development Agreement.* This approval and authorization is based upon the California Environmental Quality Act Addendum which is the subject of a separate resolution adopted by City Council prior to or concurrent with the adoption of this Ordinance.

ORDINANCE NO. 2019 –

Adopted by the Sacramento City Council

May 28, 2019

AN ORDINANCE RELATING TO THE APPROVAL OF A DEVELOPMENT AGREEMENT FOR THE NATOMAS HYATT HOUSE AND PLACE PROJECT (P18-071) ON PROPERTY LOCATED IN NORTH NATOMAS APN: 225-0080-070-0000; 4850 DUCKHORN DRIVE

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1

This Ordinance incorporates, and by this reference makes part hereof, that certain Development Agreement, by and between the City of Sacramento and Bobby Gosal, GB Commercial, LLC., a copy of which is attached.

SECTION 2

The City Council enacts this ordinance against the following background:

- A. The agreement is consistent with the city general plan and the goals, policies, standards and objectives of the North Natomas Community Plan (NNCP).
- B. The project should be encouraged in order to meet important economic, social, environmental or planning goals of the NNCP.
- C. The project would be unlikely to proceed in the manner proposed in the absence of a Development Agreement.
- D. The landowner will incur substantial costs in order to provide public improvements, facilities or services from which the general public will benefit.
- E. The landowner will participate in all programs established and/or required under the general plan and the NNCP and all of its approving resolutions (including any mitigation monitoring plan), and has agreed to financial participation required under any applicable financing plan and its implementation measures, all of which will accrue to the benefit of the public.
- F. The form of the development agreement is as specified in Ordinance No. 95-012.
- G. The local flood management agency has made adequate progress (as defined in California [Government Code](#) section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the

urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system.

SECTION 3

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SECTION 4

Consistent with City Council Resolution 94-494, the Exhibits to the Development Agreement as they appear in Exhibit A to this Ordinance may be modified by City, in cooperation with Landowner, after City Council approval and execution by the Parties, and prior to recordation, of the Development Agreement, in order to conform to the final City Council approval of the Project.

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Exhibit A: Development Agreement

Adopted by the City of Sacramento City Council on May 28, 2019, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: