



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2018-01724

December 18, 2018

Consent Item 09

Title: Ordinance Amending Section 18.56.940 of the Sacramento City Code Relating to Credits and Reimbursements for the Railyards Impact Fee [In lieu of Pass for Publication Ordinance will be published in its entirety within 10-days of adoption per City Charter section 32(d)]

Location: District 3

Recommendation: 1) Pass a Motion allowing City Council to review and adopt an ordinance to amend Section 18.56.940 of the Sacramento City Code, relating to credits and reimbursements for the Railyards Impact Fee without the Law and Legislation Committee's prior review (City Council Rules of Procedure, Chapter 13, Section B.1.i(ii)); and 2) adopt an Ordinance amending Section 18.56.940 of the Sacramento City Code, relating to credits and reimbursements for the Railyards Impact Fee and publish in its entirety within 10-days of adoption per City Charter section 32(d), in lieu of pass for publication.

Contact: Arwen Wacht, Program Specialist, (916) 808-7535; Sheri Smith, Special Districts Manager, (916) 808-7204, Department of Finance

Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Ordinance (Redline)
- 3-Ordinance (Clean)

Description/Analysis

Issue Detail: On September 25, 2018, City Council approved the Updated Railyards Finance Plan (Finance Plan) and established the associated Railyards Impact Fee (RIF). Several public improvement facilities were identified in the Finance Plan that were constructed prior to the adoption of the Finance Plan. The current RIF section of the Sacramento City Code (S.C.C. 18.56.940) allows for development credits for a landowner that constructs infrastructure and facilities, with advance approval by a written fee credit or reimbursement agreement. This requirement does not allow for the previously constructed facilities, identified in the Finance Plan, to be eligible for credits. Therefore, staff is requesting to amend Section 18.56.940 of the Sacramento City Code to allow an exception for projects completed prior to the adoption of the Finance Plan and specifically identified as a component of the RIF. Staff recommends City Council pass a motion bypassing review by the Law and Legislation Committee and adopt the ordinance to amend Section 18.56.940 of the Sacramento City Code, relating to credits and reimbursements for the Railyards Impact Fee.

Policy Considerations: Adoption of the proposed ordinance amendment will allow implementation of the previously adopted Finance Plan and fee program.

Economic Impacts: None.

Environmental Considerations: The proposed ordinance amendment will amend Section 18.56.940 of the Sacramento City Code to implement the underlying intent of the approved Finance Plan for the Railyards Specific Plan. The Railyards Specific Plan Updated Environmental Impact Report (P15-040) was completed as part of the Sacramento Railyards project amendment and certified by City Council on November 10, 2016 (Resolution 2016-0379).

Further, under the California Environmental Quality Act (CEQA) Guidelines, the proposed amendment does not constitute a project and is therefore exempt from review [CEQA Guidelines Section 15378(b)(4)].

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: Approval of this amendment will ensure that the reimbursement of public infrastructure funded by development impact fee revenue complies with the underlying intent of the Finance Plan for facilities that were constructed prior to the adoption of the Finance Plan and specifically identified as components of the RIF.

Financial Considerations: The reimbursements or fee credits for the associated facilities are funded by fee revenue collected as part of the RIF program, the most current version of which was adopted by City Council on September 25, 2018 (Resolution 2018-0383). Fees are collected solely within the boundaries of the Railyards Specific Plan Area and can be used only for the purposes outlined in the Finance Plan. There are no impacts on other funds of the City.

Local Business Enterprise (LBE): Not applicable.

ATTACHMENT 2 – ORDINANCE (REDLINE)

ORDINANCE NO.

Adopted by the Sacramento City Council

December 18, 2018

**AN ORDINANCE AMENDING SECTION 18.56.940 OF THE SACRAMENTO CITY CODE, RELATING
TO THE RAILYARDS IMPACT FEE**

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

SECTION 1.

- A. Subsection A.1. of section 18.56.940 of the Sacramento City Code is amended to read as follows:
1. A landowner may only construct ~~infrastructure and~~ Railyards facilities for development credits with advance approval by a written fee credit or reimbursement agreement, except for the Railyards facilities that are identified as completed improvements in the Updated Railyards finance plan adopted by the city council in resolution 2018-0383 on September 25, 2018.
- B. Except as amended by subsection A above, all provisions of section 18.56.940 remain unchanged and in full effect.

ATTACHMENT 3 – ORDINANCE (CLEAN)

ORDINANCE NO.

Adopted by the Sacramento City Council

December 18, 2018

AN ORDINANCE AMENDING SECTION 18.56.940 OF THE SACRAMENTO CITY CODE, RELATING
TO THE RAILYARDS IMPACT FEE

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

SECTION 1.

- A. Subsection A.1. of section 18.56.940 of the Sacramento City Code is amended to read as follows:
 - 1. A landowner may only construct Railyards facilities for development credits with advance approval by a written fee credit or reimbursement agreement, except for the Railyards facilities that are identified as completed improvements in the Updated Railyards finance plan adopted by the city council in resolution 2018-0383 on September 25, 2018.
- B. Except as amended by subsection A above, all provisions of section 18.56.940 remain unchanged and in full effect.