

RESOLUTION NO. 2004-064

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF NOV 30 2004

**MERGED DOWNTOWN SACRAMENTO REDEVELOPMENT PROJECT AREA:
RECONSTRUCTION OF THE MAGNOLIA/LORDS BUILDING IN OLD SACRAMENTO:
FINDINGS, APPROVAL OF MITIGATED NEGATIVE DECLARATION,
MITIGATION MONITORING PLAN AND AUTHORIZATION FOR EXECUTION
OF A DISPOSITION AND DEVELOPMENT AGREEMENT WITH
MAGNOLIA/LORDS BUILDING PARTNERS REGARDING THE
MAGNOLIA/LORDS RECONSTRUCTION PROJECT AND RELATED AUTHORIZATIONS**

WHEREAS, the Redevelopment Agency of the City of Sacramento ("Agency") has adopted the Merged Downtown Sacramento Redevelopment Plan ("Redevelopment Plan") and an "Implementation Plan" for the Merged Downtown Redevelopment Project Area ("Project Area");

WHEREAS, the Agency owns certain real property ("Property"), in the Project Area and acquired with Project Area tax increment funds and other sources, which Property is generally described as 119 & 121 J Street and more particularly described in the legal description, attached as Exhibit 1 to the proposed Disposition and Development Agreement, a copy of which is on file with the City and Agency Clerk;

WHEREAS, the Agency and the Magnolia/Lords Building Partners ("Developer") desire to enter into a Disposition and Development Agreement ("DDA"), a copy of which is on file with the City and Agency Clerk, which DDA would convey fee interest in the Property, as more specifically described in the DDA, and which would require the improvements within the Property, as further described in the DDA (collectively, "Project");

WHEREAS, in accordance with the California Environmental Quality Act and its implementing regulations, an Initial Study has been prepared for the proposed project as described in the DDA and said Initial Study has disclosed no negative impacts of the proposed project upon the environment which cannot be mitigated to less than significant; and

WHEREAS, a report under Health and Safety Code 33433 ("33433 Report") has been prepared, filed with the City and Agency Clerk and duly made available for public review, and, proper notice having been given, a hearing has been held in accordance with Health and Safety Code Sections 33431 and 33433.

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BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. The Foregoing recitals are true and correct.

Section 2: After preparation and review of the Initial Study for the Project, prepared in accordance with California Code of Regulations ("CCR") 15063, a draft "Mitigated Negative Declaration" has been prepared for the Project in accordance with CCR 15070 and circulated for public review in accordance with CCR15073. A copy of the Mitigated Negative Declaration, including without limitation, findings and mitigation measures, is on file with the City and Agency Clerk. The Mitigated Negative Declaration and all resulting public comments having been considered in accordance with CCR 15074. The Mitigated Negative Declaration, including, without limitation, findings and mitigation measures contained in it and comments and responses entered into the public record, is certified as adequate and complete and reflects the independent judgment of the Agency. The Mitigated Negative Declaration, including without limitation all said findings and mitigation measures, are approved and adopted. The City Manager is directed to file a "Notice of Determination" pursuant to CCR 15075.

Section 3. The statements and findings of the 33433 Report are true and correct and are hereby adopted. The Project will assist in the elimination of blight as stated in the 33433 Report. The Project is consistent with the goals and objectives of the Redevelopment Plan and the Implementation Plan. Goals of the Redevelopment Plan, as stated in the Implementation Plan, include, the elimination of environmental deficiencies in the Merged Project Area, including, among others, mixed and shifting uses, small and irregular lots, obsolete, aged and deteriorated building types, inadequate or deteriorated public improvements, and incompatible and uneconomic land uses; the strengthening of retail and other commercial functions in the downtown area, the strengthening of the economic base of the Merged Project Area and the community by the installation of needed site improvements either inside or outside the Merged Project Area to stimulate new commercial/light industrial expansion, employment and economic growth; the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements, which provide unity and integrity to the entire Merged Project; and the preservation and/or restoration, where feasible, of historically or architecturally significant structures. The DDA shall be deemed an implementing document approved in furtherance of the Redevelopment Plan, the Implementation Plan for the Project Area and all applicable land use plan, studies, and strategies.

Section 4. The consideration given for the interest conveyed under the DDA is not less than the fair reuse value at the use and with the covenants, conditions, restrictions, and necessary development costs authorized by the DDA and conveyance documents.

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Section 5. The DDA is approved and the Executive Director or her designee is authorized to execute the DDA with the Developer and to take such actions, execute such instruments, and amend the budget as may be necessary to effectuate and implement this resolution and the DDA.

HEATHER PALCO

CHAIR

ATTEST:

SHIRLEY CONCOLINO

SECRETARY

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