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DOWNTOWN AND REGIONAL  
ENTERPRISE DEPARTMENT  
DEVELOPMENT GROUP

**CITY OF SACRAMENTO  
CALIFORNIA**

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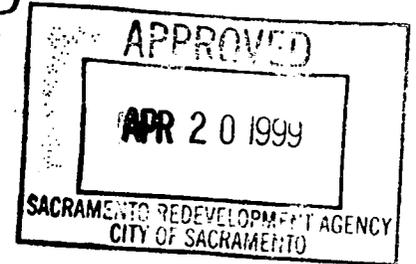
April 8, 1999

City Council  
Redevelopment Agency of the City of Sacramento  
Sacramento, California

**APPROVED**  
BY THE CITY COUNCIL

**APR 20 1999**

OFFICE OF THE  
CITY CLERK



Honorable Members in Session:

**SUBJECT: CONSENT TO HOLD A JOINT PUBLIC HEARING  
ON THE SECOND AMENDMENT TO THE  
MERGED DOWNTOWN AREA REDEVELOPMENT PLAN**

**RECOMMENDATION**

Staff recommends that the Redevelopment Agency and the City Council consent, by resolution, to hold a joint public hearing on May 25, 1999, for the purpose of considering the adoption of the Second Amendment to the Merged Downtown Area Redevelopment Plan. This report also transmits the Report to City Council on the Proposed Second Amendment to the Amended Redevelopment Plan for the Merged Downtown Sacramento Redevelopment Project (a copy of which will be on file at the City Clerk's office) prepared by the firm of Katz Hollis.

**CONTACT PERSON** Wendy Saunders, Development Manager, 264-8196  
Paul Blumberg, Senior Management Analyst, 264-7204

**FOR COUNCIL MEETING OF** April 20, 1999

**SUMMARY**

This staff report recommends that the Redevelopment Agency and the City Council consent to hold a joint public hearing on May 25, 1999 on the proposed Second Amendment to the Merged Downtown Area Redevelopment Plan.

**BACKGROUND**

- On December 8, 1998, the City Council and Redevelopment Agency received a copy of the Second Amendment to the Merged Downtown Redevelopment Area. Staff was directed to transmit it to the City

Planning Commission for review as to for consistency with the applicable General Plan and Community Plans. Staff was also directed to hold a community workshop for the purpose of obtaining the advice of property and business owners, occupants, and community organizations residing within the project area. The workshop was held on February 8, 1999.

- The City Planning Commission will report on consistency of the Second Amendment with the applicable General Plan and Community Plans on April 23, 1999. This staff report recommends that the adoption of the Proposed Second Amendment be considered on May 25, 1999, at a Joint Public Hearing of the Redevelopment Agency and the City Council. The Plan was made available for public review on February 8, 1999. To date no comments have been received.
- The Katz Hollis Report is being distributed to Council members as background information for the Joint Public Hearing. The report provides specific information, documentation, and evidence as required by California Community Redevelopment Law, Health and Safety Code Section 33352, including:
  - (1) Reasons for Amending the Merged Downtown Sacramento Redevelopment Project Area (Project Area);
  - (2) Description of Conditions Existing in the Merged Project Area;
  - (3) Effect of the Second Amendment on Merged Project Area Programs;
  - (4) Effect of the Second Amendment on Method of Financing Redevelopment of the Merged Project Area;
  - (5) Effect of Second Amendment on Method or Plan for Relocation of Families and Persons;
  - (6) Analysis of Preliminary Plan;
  - (7) Report and Recommendation of the Planning Commission and Report Required by Section 65402 of the Government Code
  - (8) Summary of consultations with Merged Project Area Owners, Residents, Community Organizations, and Others;
  - (9) Report Required by Section 21151 of the Public Resources Code (Negative Declaration);
  - (10) Report of County Fiscal Officer;
  - (11) Neighborhood Impact Report
  - (12) Analysis of the Report of the County Fiscal Officer, Summary of Consultation with Affected Taxing Agency and Responses to Written Objections or Concerns of Affected Taxing Agencies; and
  - (13) Implementation Plan Amendment.
- The Katz Hollis report is being transmitted to Council to assist in its consideration of the proposed Second Amendment and in making various determinations pursuant to California law governing redevelopment plan adoptions.
- The following is a list of the remaining hearing dates and actions that will occur prior to adoption of the Second Amendment. The Project Area contains both incorporated and unincorporated areas, and all actions will require dual approval by the City Council and County Board of Supervisors.

**ACTION/HEARING****COUNCIL/BOARD DATE**

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City Planning Commission action approving a resolution finding that the Second Amendment is consistent with General/Community Plans

4/23/99

Certification of Adequacy of Final Negative Declaration

5/25/99

Joint Redevelopment Agency and City Council Public Hearing and First Reading of the ordinance adopting the Second Amendment. If written objections are received from affected Project Area property owners, the public hearing must be continued for the purpose of responding to all written comments.

5/25/99

Second Reading of City ordinance adopting the Redevelopment Plan and, if required, continued Joint Public Hearings for the purpose of responding to written comments received at the May 25, 1999 hearings.

6/1/99

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- Prior to the Public Hearing of May 25, 1999, the Agency Clerk will publish notice of the joint public hearing for four consecutive weeks. Agency staff will also notify all property owners of record and affected taxing entities by mail as to the date, time, place, and purpose of the hearing. Interested parties and organizations as well as all residents will also be noticed of the May 25, 1999, hearing date.
  - The public will be invited to make written and oral comments on the Proposed Second Amendment at the Joint Public Hearing of May 25, 1999. The Agency shall prepare written responses to any comments received at the public hearing for consideration by the City Council at the meeting of June 1, 1999.

**FINANCIAL CONSIDERATIONS**

Aside from some minimal noticing expenses, there are no direct costs associated with the transmission of this report and the setting of a joint public hearing.

**POLICY CONSIDERATIONS**

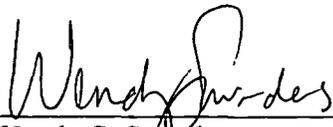
The action proposed in this staff report is consistent with previously approved policy and no policy changes are being recommended.

**ENVIRONMENTAL REVIEW**

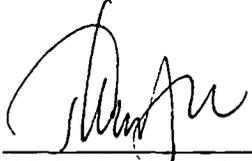
The proposed actions are administrative measures required by the redevelopment planning process. The Draft Negative Declaration has been circulated for review and comment. The Final Negative Declaration is scheduled to be certified by the Redevelopment Agency on May 25, 1999. It will be used by the Council and Redevelopment Agency for the May 25, 1999 public hearing, with appropriate findings and mitigation measures adopted at that time.

**ESBD CONSIDERATIONS**      Not Applicable

Respectfully Submitted,

  
\_\_\_\_\_  
Wendy S. Saunders  
Downtown Development Manager

RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
ROBERT P. THOMAS  
City Manager

*for*

APPROVED:

  
\_\_\_\_\_  
THOMAS V. LEE  
Deputy City Manager



APR 20 1999

RESOLUTION NO. 99-171

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE  
CITY CLERK

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO  
RECEIVING THE PROPOSED SECOND AMENDMENT TO THE AMENDED  
REDEVELOPMENT PLAN FOR THE MERGED DOWNTOWN SACRAMENTO  
REDEVELOPMENT PROJECT AND THE AGENCY'S REPORT ON THE SECOND  
AMENDMENT, AND CONSENTING TO AND CALLING A JOINT PUBLIC  
REDEVELOPMENT PLAN FOR THE MERGED DOWNTOWN SACRAMENTO  
REDEVELOPMENT PROJECT**

WHEREAS, the Sacramento Redevelopment Agency ("Agency") submitted to the City Council of the City of Sacramento ("City Council") the proposed Second Amendment to the Amended Redevelopment Plan for the Merged Downtown Sacramento Redevelopment Project ("Second Amendment"), accompanied by the Agency's Report to the City Council, and consented to and requested that the City Council call a joint public hearing of the Agency and the City Council to consider and act upon the proposed Second Amendment; and

WHEREAS, Sections 33355 and 33458 of the California Community Redevelopment Law (Health and Safety Code, Section 33000 *et seq.*) authorize a joint public hearing on the proposed Second Amendment with the consent of the Agency and the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento as follows:

Section 1. The City Council hereby receives the proposed Second Amendment to the Amended Redevelopment Plan for the Merged Downtown Sacramento Redevelopment Project and the Agency's Report to the City Council on the proposed Second Amendment.

Section 2. The City Council hereby consents t, and, at the request of the Agency, calls a joint public hearing of the Agency and The City Council in the Sacramento Council Chambers, to consider and act upon the proposed Second Amendment and all documents and evidence pertaining thereto. The time and date of such joint public hearing shall be determined by the City Clerk of the City of Sacramento.

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FOR CITY CLERK USE ONLY

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

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

Section 3. The City Clerk of the City of Sacramento shall, in cooperation with the Executive Director of the Agency, prepare, publish and mail such notices and documents and do all other acts as may be necessary to carry out the purposes of this resolution.

\_\_\_\_\_  
MAYOR

ATTEST:

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

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

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

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

**PROPOSED SECOND AMENDMENT  
to the  
AMENDED REDEVELOPMENT PLAN  
for the  
SACRAMENTO MERGED DOWNTOWN REDEVELOPMENT PROJECT**

**SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY  
SACRAMENTO, CALIFORNIA**

**November, 1998**

## PREFACE

The Sacramento Redevelopment Agency ("Agency") has prepared a second amendment ("Second Amendment") to the Amended Redevelopment Plan for the merged Downtown Redevelopment Project ("Project" or "Project Area") that was adopted by the Sacramento City Council on June 17, 1986, by Ordinance Nos. 86-063, 86-064, 86-065, 86-066, 86-067. The Sacramento Merged Downtown Plan was amended effective November 3, 1994 by Ordinance No. 94-046 to comply with the provisions of AB-1290.

This Second Amendment reestablishes the authority for eminent domain proceedings to acquire non-residential property in the Project. The time limit for the amendment of the use of eminent domain proceedings is twelve years from the date of adoption of the Second Amendment. This proposed Second Amendment does not alter the boundaries of the Project Area.

PROPOSED SECOND AMENDMENT  
to the  
AMENDED REDEVELOPMENT PLAN  
for the  
SACRAMENTO MERGED DOWNTOWN  
REDEVELOPMENT PROJECT

AMENDMENT NO. 1

That the title page be amended to show the date of adoption and adoption ordinance number for this Second Amendment.

AMENDMENT NO. 2

That Section 308 (Acquisition of Real Property) be revised to read as follows:

- D. [308] Property Acquisition
  - 1. [309] Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Merged Downtown Project Area by any means authorized by law, except those on which persons reside as provided by CRL 33385.3.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Amended Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Merged Downtown Project Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method.

Eminent domain proceedings, if used, must be or must have been commenced within twelve (12) years from the date of the ordinance adopting this Second Amendment to the Plan.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions and requirements of this Amended Plan, and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Amended Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Merged Downtown Project Area is completed, unless the Agency and

the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

**The Agency shall not have the power of eminent domain with respect to any parcel containing a structure or structures lawfully occupied at the time of proposed acquisition as the residential dwelling unit of one or more persons (including any parcel so occupied as a residential dwelling which also includes one or more non-residential structures). Notwithstanding the foregoing the Agency may with prior written consent of the affected property owner use the power of eminent domain to acquire a parcel containing an owner occupied single family residence.**

AMENDMENT NO. 3

That the pages of the Amended Redevelopment Plan as amended by this Second Amendment be retyped to reflect the changes made by this Amendment.