

RESOLUTION NO. 2020-0055

Adopted by the Sacramento City Council

February 11, 2020

Approving Park Impact Fee Reimbursement Agreements and Increasing the Expenditure Budget in L19167900 and L19159400 for Reimbursement of Fees Paid by Tim Lewis Communities LLC and KB Homes Sacramento Inc.

BACKGROUND:

- A. Sutter Park is located within the Sutter Park neighborhood development project in East Sacramento. Sutter Park Development Co., LLC (Developer) agreed to build the park in exchange for \$270,085 in Park Impact Fee (PIF) credits.
- B. Sutter Park Development Co., LLC transferred the PIF credits to Tim Lewis Communities. Tim Lewis Communities paid \$77,000 in PIF in lieu of applying the PIF credits. Sutter Park has been completed by Sutter Park Development Co., LLC, so Tim Lewis Communities is eligible to be reimbursed for the PIF paid.
- C. The Shasta Park Frontage Improvements and Fee Credit/Reimbursement Agreement allowed for PIF credits of \$112,910 to KB Homes Sacramento Inc. for the cost of constructing street frontage improvement abutting Shasta Park. KB Homes Sacramento Inc. failed to apply the PIF credits, paid the PIF, completed the construction of the frontage improvements, and has request reimbursement of the cost of construction.
- D. Fund transfers are needed to cover the cost of these PIF reimbursements.

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

- Section 1. The First Amendment to the Park Impact Fee Agreement with Sutter Park Development Co., LLC and Tim Lewis Communities for reimbursement of \$77,000 in park impact fees is approved.
- Section 2. The First Amendment to the Park Impact Fee Agreement with KB Homes Sacramento Inc. for reimbursement of \$112,910 in park impact fees is approved.

- Section 3. The City Manager or the City Manager's designee is authorized to execute these park impact fee agreement amendments
- Section 4. Delegating authority to the City Manager to enter into park impact fee reimbursement agreements when the developer under a park development agreement, in lieu of applying the park impact fee credits, pays the park impact fee under a fee deferral agreement.
- Section 5. The City Manager or the City Manager's designee is authorized to:
- (A) increase the expenditure budget in L19167900 by appropriating \$77,000 from the Park Impact fees (Fund 3204) available fund balance; and
 - (B) increase the expenditure budget in L19159400 by appropriating \$112,910 from the Park Impact fees (Fund 3204) available fund balance.

Adopted by the City of Sacramento City Council on February 11, 2020, by the following vote:

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

Noes: None

Abstain: None

Absent: Member Carr

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2020.02.19 16:48:46 -08'00'
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.