

## RESOLUTION NO. 2019-0145

Adopted by the Sacramento City Council

May 14, 2019

### **Appropriating Jacinto Creek Planning Area Fee Revenue and Associated Interest to Reimburse Landowners for Planning Costs**

#### **BACKGROUND**

- A. On June 20, 1995, the City Council adopted Resolution No. 1995-0351, which amended the South Sacramento Community Plan and created the Jacinto Creek Planning Area (the “JCPA”) to provide for the orderly development of the area bounded by Sheldon Road on the South, West Stockton Boulevard on the East, Bruceville Road on the West, and Cotton Lane on the North. The JCPA was established as a primarily residential community with City-owned public improvements including parks, an extensive drainage basin system, and roadways.
- B. On January 7, 1997, the City Council adopted Resolution No. 97-012, which established the amount of the Jacinto Creek Infrastructure Fee (the “JCPA Fee”) in accordance with the Mitigation Fee Act to fund drainage, water, and roadway improvements. The JCPA Fee is comprised of various component fees that cover facilities and related matters described in the JCPA Financing Plan and Nexus Study (the “Finance Plan”) dated November 20, 1996 and approved by Resolution No. 1997–011 on January 7, 1997.
- C. JCPA landowners provided advance funding of certain costs related to developing the JCPA community plan, the community plan Environmental Impact Report, the Finance Plan, and the facilities plans. These advanced costs were included in Finance Plan and a separate JCPA Fee component was identified to earmark JCPA Fee revenue in order to reimburse property owners for their contributions (the “Planning Fee Component”).
- D. On March 30, 1999, City Council adopted Resolution No. 99-138, authorizing the execution of the *Reimbursement Agreement by and Between the City of Sacramento and Landowners in the Jacinto Creek Planning Area Relating to Private Funding of Jacinto Creek Planning Area Planning Costs* (“Agreement #99-060”). The City entered into Agreement #99-060 with eight separate landowners to reimburse them for advance funded planning costs if sufficient amounts of the Planning Fee Component are collected.

- E. On March 15, 2000, Bruceville/Sheldon Partners assigned its full reimbursement rights to Mark Skreden under an Assignment and Assumption Agreement (“Agreement #2000-131”).
- F. On November 28, 2000, J&L Properties assigned a portion its reimbursement rights to Beazer Homes under an Assignment and Assumption Agreement (“Agreement #2000-663”), bringing to the total number of landowners due a reimbursement to nine.
- G. The initial reimbursement amounts owed to landowners was outlined in Exhibit C to Agreement #99-060. As of July 1, 2018, a total of \$208,870 is still owed to landowners under Agreement #99-060, Agreement #2000-131, and Agreement #2000-663 based on amounts previously reimbursed and with the remaining balances adjusted each year for inflation.
- H. With the recent increase in development activity in the JCPA, staff has verified that sufficient Planning Fee Component revenue has been collected to fully reimburse the landowners for the outstanding amount of \$208,870 and fulfill the City’s obligations under Agreement #99-060, Agreement #2000-131, and Agreement #2000-663.

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

- Section 1. The City Council finds and determines that background statements A through H are true and correct.
- Section 2. The JCPA Project (I22205100) expenditure budget shall be increased by \$208,870 with a transfer from the JCPA Fee Fund (Fund 3203).
- Section 3. The City Manager is hereby authorized to distribute the appropriated funds in accordance with, and to the landowners identified in, Exhibit A, or their verified successors in interest as determined by the City Manager or City Manager’s designee.
- Section 4. Exhibit A is part of this resolution.

**Table of Contents:**

Exhibit A – Reimbursement Amounts

Adopted by the City of Sacramento City Council on May 14, 2019, by the following vote:

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

Noes: None

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy  
Date: 2019.05.16 11:29:47  
-07'00'

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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.*

## Exhibit A

### Reimbursement Amounts

Landowner	Total Credits as of 6/30/2018	Inflation Posted 7/1/2018 3.49%	Credit Balances 7/1/2018
J&L Properties	\$10,742.69	\$375.02	\$11,117.71
Rose Karadsheh	\$6,075.53	\$212.09	\$6,287.62
Y.C. Lu	\$12,800.10	\$446.85	\$13,246.95
J W Bill Stone Profit	\$12,411.59	\$433.28	\$12,844.87
Live Oak Associates	\$71,521.62	\$2,496.79	\$74,018.41
Raymus Development	\$50,743.16	\$1,771.42	\$52,514.58
Mark Skreden	\$5,994.98	\$209.28	\$6,204.26
Sheldon Farms	\$26,847.02	\$937.22	\$27,784.24
Beazer Homes	\$4,687.66	\$163.64	\$4,851.30
<b>Totals</b>	<b>\$201,824.35</b>	<b>\$7,045.59</b>	<b>\$208,869.94</b>