

ORDINANCE NO. 90-036

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUL 17 1990

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SACRAMENTO, CALIFORNIA, AMENDING ORDINANCE
NO. 3086, FOURTH SERIES, AS AMENDED, APPROVING AND
ADOPTING AN AMENDMENT TO THE REDEVELOPMENT
PLAN FOR THE ALKALI FLAT REDEVELOPMENT PROJECT

WHEREAS, the City Council (the "Council") of the City of Sacramento (the "City") adopted Ordinance No. 3086, Fourth Series, on February 10, 1972, as amended by Ordinance No. 4403, Fourth Series, on August 12, 1980 and by Ordinance No. 84-073 on July 17, 1984 (the "Prior Ordinances"), approving and adopting the Redevelopment Plan (the "Plan") for the Alkali Flat Redevelopment Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of Sacramento (the "Agency") is designated as the official redevelopment agency to carry out in the City of Sacramento functions and requirements of the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et. seq.) and to implement the Plan; and

WHEREAS, the Agency has proposed an Amendment to the Plan (the "Amendment") to provide for the exclusion of certain property (the "Deleted Area") from within the boundaries of the Project Area (the "Project Area"); and

WHEREAS, the Planning Commission of the City of Sacramento has reviewed the Amendment and recommended the approval and adoption of the Amendment with its certification that the Amendment conforms to the General Plan for the City of Sacramento; and

WHEREAS, the Council received from the Agency the proposed Amendment, together with the Report of the Agency on the Amendment, and the Final Environmental Impact Report (the "Final EIR") relating thereto; and

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WHEREAS, the Council and the Agency held a joint public hearing on July 2, 1990, on the adoption of the Amendment and approval of the Final EIR on said Amendment, in the City Council Chambers, City Hall, 915 "I" Street, Sacramento, California; and

WHEREAS, a notice of said hearing was duly and regularly published in the Daily Recorder, a newspaper of general circulation in the city of Sacramento, once a week for four successive weeks prior to the date of said hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of public hearing were mailed by certified mail with return receipt requested to the last known address of each assessee of each parcel of land in the existing Project Area as shown on the last equalized assessment roll of the County of Sacramento; and

WHEREAS, the Council has considered the report and recommendations of the Planning Commission, the Report of the Agency, the Amendment and the Final EIR and provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Amendment; and

WHEREAS, the Agency has reviewed and considered the Final EIR on the Amendment, as prepared and submitted pursuant to Public Resources Code Section 21151 and Health and Safety Code Section 33352, and determined that the Amendment will not have a significant effect on the environment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

Section 1: That the purpose and intent of the City Council with respect to the Amendment is to delete from the boundaries of the Project Area an area deemed not necessary for further redevelopment activities as part of this Project, based on the fact that the Deleted Area is being incorporated as part of the proposed Richards Boulevard Redevelopment Project.

Section 2: That the Council does hereby specifically find and determine that:

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a) It is necessary and desirable to amend the Plan to delete the Deleted Area, as described in the "Legal Description of the Deleted Area," attached hereto as Attachment No. 1 and incorporated herein by reference, and as shown on the "Map of the Deleted Area," attached hereto as Attachment No. 2 and incorporated herein by reference, from the Project Area boundaries. This finding is based upon the fact that the blighted conditions which exist in the Deleted Area can be more effectively eliminated as part of the proposed Richards Boulevard Redevelopment Project.

b) The Amendment to the Plan will not interfere with the redevelopment of the remaining Project Area in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that deletion of the Deleted Area will not impair the ability of the Agency to carry out and implement the provisions of the Plan, as amended.

c) The adoption and carrying out of the Amendment is economically sound and feasible. This finding is based upon the fact that no outstanding redevelopment obligations will be impaired by the deletion of the Deleted Area from the Project Area, because the Deleted Area is and will continue to be publicly-owned; therefore, the Agency receives no revenue from the Deleted Area.

d) The Amendment conforms to the General Plan of the City of Sacramento. This finding is based upon the finding of the Planning Commission of the City of Sacramento that the Amendment conforms to the General Plan of the City.

e) The carrying out of the Amendment will promote the public peace, health, safety and welfare of the City of Sacramento and will effectuate the purposes and policy of the Community Redevelopment Law. This finding is based upon the fact that redevelopment, as contemplated by the Plan, as amended by the Amendment, will still benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic, social and physical conditions of the Project Area.

Section 3: That written objections to the Amendment to the Plan filed with the City Clerk before the hour set for hearing have been responded to in writing. In addition, written findings have been adopted in response to each written objection of an affected property owner or taxing entity which has been filed with the City Clerk either before or at the noticed public hearing.

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Section 4: That the Plan, as adopted and amended by the Prior Ordinances, is hereby further amended as set forth in the "Amendment to the Redevelopment Plan of the Alkali Flat Redevelopment Project," attached hereto as Attachment No. 3 and incorporated herein by reference, including Attachment Nos. 1 and 2 attached thereto. As so amended, the Plan is hereby incorporated herein by reference and designated as the official Redevelopment Plan of the Alkali Flat Redevelopment Project.

The Executive Director of the Agency is hereby authorized to revise the Plan, as amended, into a single document and make any conforming changes thereto, and said document, when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Plan in place of the documents currently constituting said Plan.

Section 5: That the Prior Ordinances are continued in full force and effect, as amended by this Ordinance.

Section 6: That the City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Plan, as herein amended.

Section 7: That the City Clerk is hereby directed to record with the County Recorder of Sacramento County a notice of the approval and adoption of the Amendment pursuant to this Ordinance containing a description of the land within the Deleted Area.

Section 8: That the City Clerk is hereby directed to transmit a copy of this Ordinance, including a description of the Deleted Area, and a description of the land within the Project Area, as herein amended, to the auditor and assessor of the County of Sacramento, to the officer or officers performing the functions of auditor or assessor for any taxing agencies which, in levying taxes, do not use the county assessment roll, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area, as amended, and to the State Board of Equalization.

Section 9: This Ordinance shall be in full force and effect thirty (30) days after its passage.

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Section 10: If any part of this Ordinance or the Amendment which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Amendment, and this Council hereby declares that it would have passed the remainder of the Ordinance, or approved the remainder of the Amendment, if such invalid portion thereof had been deleted.

Section 11: [Dependent Operability] This Amendment is intended as part of a coordinated enactment of the Richards Boulevard Redevelopment Project, and, accordingly, this Amendment shall become operative only if the Richards Boulevard Redevelopment Plan be enacted and become valid, operative and effective. In the event that, for any reason or cause or none at all, the Richards Boulevard Redevelopment Plan, or any findings or determinations of the City and/or Agency necessary to the lawful implementation thereof, should fail to become valid, operative or effective or should subsequently be invalidated or rendered inoperative or ineffective, in whole or in part, by the determination of any court of competent jurisdiction and/or by operation of law prior to the full execution and implementation of the Plan (except by expiration of the Plan pursuant to its terms), this enactment shall thereupon be deemed void ab initio.

PASSED FOR PUBLICATION: June 26, 1990
ENACTED: July 17, 1990
EFFECTIVE: August 16, 1990
PUBLISHED IN FULL: July 20, 1990



MAYOR

ATTEST:



CITY CLERK

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**ALKALI FLAT REDEVELOPMENT PLAN
AMENDMENT**

July 17, 1990

Prepared by

**MC DONOUGH, HOLLAND & ALLEN
for the
REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO**

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AMENDMENT TO THE REDEVELOPMENT PLAN
OF THE ALKALI FLAT REDEVELOPMENT PROJECT

1. Substitute in place of the existing Attachment No. 1, the "Legal Description of the Project Area Boundaries", the "Legal Description of the Project Area Boundaries (Revised 1990)", attached hereto as Attachment No. 1 and incorporated herein by reference.

2. Substitute in place of the existing Attachment No. 2, the "Project Area Boundary Map", the "Project Area Boundary Map (Revised 1990)", attached hereto as Attachment No. 2 and incorporated herein by reference.

Attachment No. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARIES

The Project Area is located immediately adjacent to and north of the City's Central Business District, and is illustrated on the Map attached hereto as Exhibit "A." The area comprises 24 blocks of property in residential, commercial and industrial use.

The legal description of the boundaries of the Project Area, as illustrated on the Map attached hereto as Exhibit "A," is as follows:

All that real property lying within the boundaries described as:

Beginning at the intersection of the easterly right-of-way line of 13th Street and the southerly right-of-way line of the alley in the blocks between G and H Streets; thence from said point of beginning generally westerly along the southerly right-of-way line of said alley in the blocks between G and H Streets to its interception with the westerly right-of-way line of 10th Street; thence generally northerly along the westerly right-of-way line of said 10th Street to its interception with the southerly right-of-way line of G Street; thence generally westerly along the southerly right-of-way line of said G Street to its interception with the westerly right-of-way line of 9th Street; thence generally northerly along the westerly right-of-way line of said 9th Street to its interception with the southerly right-of-way of F Street; thence generally westerly along the southerly right-of-way line of said F Street to its interception with the westerly right-of-way line of 7th Street; thence generally northerly along the westerly right-of-way line of said 7th Street to its interception with the southerly right-of-way line and property line of the Southern Pacific Railroad; thence generally northerly and easterly along said southerly right-of-way line and property line of the lands of said Southern Pacific Railroad to its interception with the easterly right-of-way line of 12th Street; thence southerly along the easterly right-of-way line of said 12th Street to its interception with the northerly right-of-way line of the alley in the blocks between C and D Streets; thence generally easterly along the northerly right-of-way line of said alley to its interception with the easterly right-of-way line of 13th Street; thence generally southerly along the easterly right-of-way line of said 13th Street to the point of beginning.

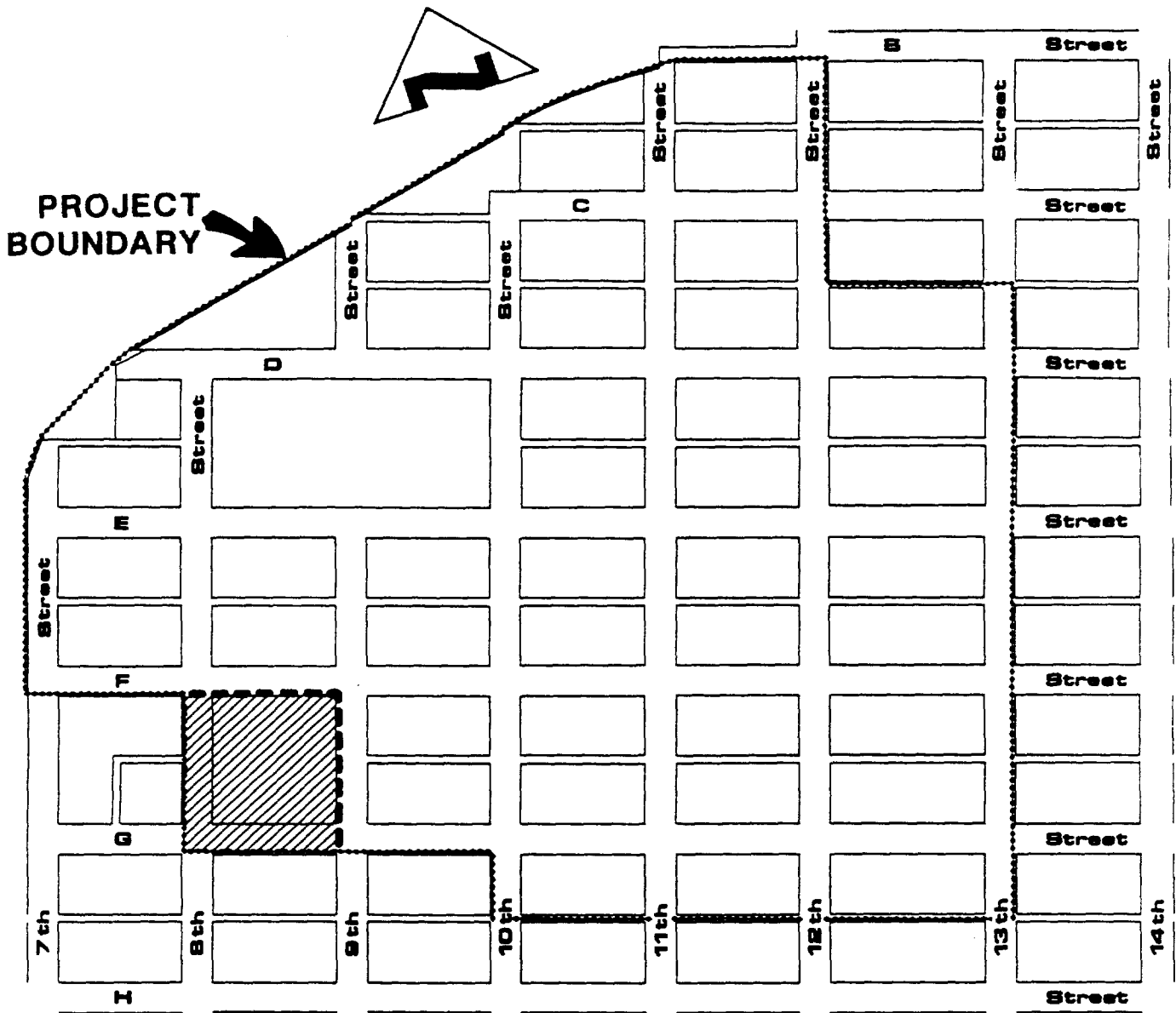
Attachment No. 1

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Revised 6/90

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- EXISTING BOUNDARY
- AMENDED BOUNDARY (1990)
- ////// DELETED AREA

ALKALI FLAT

PROJECT AREA BOUNDARY MAP

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