



Agency Rpt
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SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

FILED
SACRAMENTO REDEVELOPMENT AGENCY
CITY OF SACRAMENTO

May 18, 1983

Withdrawn

CITY MANAGER'S OFFICE

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Redevelopment Agency of the
City of Sacramento
Sacramento, California

Honorable Members in Session

Subject: Certificates of Completion for Old Sacramento
Redevelopment Projects, Project Areas No. 3 and No. 4

SUMMARY

The issuance of a Certificate of Completion acknowledges the acceptability of a building or other improvements as constructed pursuant to the Agency/Redevelopment Contract. Where deficiencies remain uncorrected or construction is incomplete, the Agency withholds the issuance of the necessary Certificate(s) of Completion and continues to retain the Redeveloper's good faith deposits.

Certain Old Sacramento Redevelopment Projects have been identified as being completed or that degree that general construction has ceased, and the property is or may be occupied, or that portion of a project encompassed by a Department of Housing and Urban Development Facade Grant or 312 Loan is completed, but for which the required Certificates of Completion have not been issued. It is a Department of Housing and Urban Development requirement that the Agency issue a Certificate upon the completion of a project in order that the specific project and ultimately the project area may be closed out. The subject projects have not been issued Certificates due to discrepancies in the construction as listed by the City's Museum and History Division. Agency's policy is to withhold a Certificate until the project is constructed in accordance with the Agency's approved final plans. In order to comply with the DHUD requirements for project close-out, the necessary Certificate must be issued.

This report makes recommendations for departure from policy which will facilitate the Agency's issuance of certain Certificates of Completion.

The attached Resolution approves the report and recommendations

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attached hereto as Exhibit "A", "Status Review, Evaluation and Recommendation for the issuance of Certificates of Completion and authorizes the Executive Director to undertake appropriate action to implement the recommendations contained therein.

BACKGROUND

The Declaration of Restrictions for Redevelopment Project Areas No. 3 and No. 4 of which Old Sacramento is a part states per Section 6, Physical Standards and Requirements, (1) Exterior Architectural Controls - that exterior architectural control through review and approval by the Agency, will govern all visible exterior items of the building. Section 7, Review of Plans, addresses approvals within the time specified in the applicable Contract for Sale of Land for Private Redevelopment or Owner Participation Agreement. Each Contract or Agreement contains a Schedule of Performance which sets the anticipated completion date for the Redeveloper's satisfaction of all terms and conditions related to the redevelopment of the subject parcel(s). In recognition of the Redeveloper's successful completion of all redevelopment activities consistent with the Redeveloper's Final Plans as approved by the Agency, and the Redeveloper's satisfaction of all terms and conditions of the Contract or Agreement, the Agency is required to issue to the Redeveloper and officially record a Certificate of Completion for the subject Redevelopment Project.

The issuance of a Certificate of Completion is required for the Redeveloper to obtain a clear title. The issuance of a Certificate is also a requirement of the Department of Housing and Urban Development (DHUD) for the closing out of all Redevelopment Projects. The Agency has an obligation per its agreements with DHUD to close-out its outstanding projects and has been requested by DHUD to do so.

With regard to Old Sacramento parcels, several projects are substantially complete but Certificates have not been issued because items listed by the City's Museum and History Division as being deficient have not been completed or corrected. The Agency's Contracts allow the withholding of a Certificate until the improvements are deemed to be completed, and in the Agency's estimation, correct. Should a Redeveloper fail or refuse to complete or correct the improvements, the Agency may exercise its right to litigate for specific performance or to revest the parcel and the improvements back to the Agency. Before such litigation is pursued, staff has reviewed and evaluated all deficiencies listed by the Division and

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and has made recommendations regarding specific actions which will facilitate the Agency's issuance of the DHUD required Certificates.

Within the Old Sacramento portion of these Redevelopment Project Areas, some Redevelopers were eligible for, and received Federal DHUD, Section 312 low-interest loans and/or Historic Facade Grants to assist the Redeveloper in the rehabilitation and restoration of certain existing historically significant buildings. Per the DHUD terms and conditions of the loan and those for the Facade Grant, upon the Redeveloper's satisfaction of the terms and conditions and successful completion of the work applicable to the loan and/or grant, the Agency, acting as the administration of the Loan and Grant Funds, shall issue to the Redeveloper and to DHUD a Certificate of Final Inspection for work under the 312 loan and a Certificate of Completion for the work under the Facade Grant.

The terms, Certificate of Completion, Completion Certificate, Certificate of Final Inspection, and Inspection Certificate are terms used interchangeably, particularly in regard to a project which has more than one Certificate required to be issued upon the completion of the various aspects of the project. Where a project has a DHUD 312 loan or a Facade Grant, the specific Certificate for the work under the loan or grant may be issued upon the satisfactory completion of the work without the issuance of the Agency's Certificate if other terms of the Contract or Agreement have not been satisfied or if the work is not complete or correct. The converse may also be true. The Agency's Certificate of Completion may be issued in a case where work specifically related to the satisfaction of a DHUD 312 loan or Facade Grant, but which is not a requirement for the Agency's Certificate per the Agency's approved final plans, is not completed or correct. The Agency as the administrator of the Loan and Grant Funds makes the determination as to what work is complete, incomplete, correct or incorrect, and as to when and which Certificate may or may not be issued.

The significance of the issuance of the required Certificate is that, except through litigation, the Agency relinquishes its ability to ensure the accurate completion of an historical restoration or reconstruction. The Agency recording of a Completion Certificate clears the title of the subject Redevelopment parcel and permits the refinancing or a change of title and allows the return of the Redeveloper's good faith deposit. However, in actual practice, the withholding of a Certificate of Completion has proven to be an ineffectual mechanism to compel the Redeveloper to complete the contracted redevelopment.

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Old Sacramento properties have been refinanced or sold without the issuances of the necessary Certificates as Title Companies simply note the Agency's Declarations of Restrictions in general without reference to the specific requirements for the change of title, or to the restrictions and requirements related to the various Certificates. The Agency is then confronted with dealing with a new owner who is often unaware of the obligation he has assumed as the terms and conditions of the Agency's Contracts run with the property.

The Agency's recourse to cause completion would be to commence litigation to revest ownership of the properties in the Redevelopment Agency, or to ask for specific performance of the contract provisions. Because many of the items of non-compliance are relatively minor, Agency counsel believes a court would be unlikely to enforce the revesting provisions of the contracts. The burden of such remedy on the redeveloper would far outweigh the damage caused by his non-compliance. Additionally, litigation for specific enforcement may be too costly in relation to the problems which need to be corrected.

Agency staff, with the assistance of a consultant, has evaluated on a case-by-case basis each Old Sacramento Redevelopment project which has one or more of the required Certificates of Completion still outstanding. This evaluation has determined specific recommended actions for each of the subject projects, and has identified the need for the establishment of a policy for the issuance of certain Certificates for completion on projects where there has been minimal non-compliance. The evaluations suggest that some violations are more important than others, and that not all violations are worthy of the extensive effort and cost involved in a litigation of the type predicted by the Agency Contracts and Agreements. It is Agency Counsel's opinion that not all provisions of the restrictions are equally enforceable and therefore, discretion may be employed in the identification of matters and items of non-compliance, and in the determination of an action to remedy the condition of non-completion of a Redevelopment Project.

Exhibit "A" (attached) is a review and evaluation with recommendations discussed first, according to the type of violation, and second, by corresponding Old Sacramento parcel numbers of the specific items of non-compliance, violation, or unapproved addition which presently is impeding the Agency from satisfying the DHUD requirement for the issuance of the necessary Certificates. The original list of the deficiencies upon each project has been compiled by the staff of the City's Museum and History Division which now acts as the Agency's

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consultant on matters of historical interpretation and accuracy with regard to Old Sacramento projects. Upon review of the list of deficiencies and physical reinspection of the construction upon each of the subject parcels, Agency staff and its consultant evaluated the character and significance of each item and have categorized them into three(3) classifications: (1) for correction, (2) of maintenance, or (3) recommended for waiver. The time frame during which the error, omission, and/or unapproved alteration or addition occurred or was noted is identified in order to determine the relative time with regard to construction, the Agency's Performance Schedule and as to the Redeveloper of record. Emphasis was placed upon objectively sorting out issues common among various properties from specific "special" problems unique to specific parcels and buildings. Although the economics related to the correction or completion of the construction is a factor that can influence the recommendation, the matter of cost was not emphasized in the determination of the classification into which an item has been placed and is not the deciding element. The primary concern is for the interpretation of the Historic Street Scene as created by the completion of the restoration and reconstruction of the Historic Facades per the Agency's Contract and Agency approved plans. It has been determined that the Agency is holding "good faith deposits" in amounts insufficient to complete or correct the construction, or to use the possible loss of deposit as leverage to cause the completion or correction of the work to occur.

Exhibit "B" (attached) identifies by parcel number the Old Sacramento Redevelopment projects that are completed, or completed to the extent that general construction has ceased and the property is or may be occupied, or that the portion of the project encompassed by a Facade Grant or DHUD 312 loan is complete, but for which the necessary issuance of a Certificate(s) is still pending.

Exhibit "C" (attached) lists the status of, and amount of the "good faith" deposits upon the subject "Old Sacramento Redevelopment projects."

FINANCIAL DATA

The adoption of the recommendations contained in this report will enable the Agency to employ means other than litigation to resolve matters related to the issuance of Certificates of Completion. It is anticipated that substantial legal costs will otherwise be experienced if the Agency exercises its right to litigate for revestire of Redeveloper parcels and improvements. The cost associated with the enforcement of the proposed ordinances would be on-going but projected to be significantly less than the costs of litigation.

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POLICY IMPLICATION

The adoption of the recommendations contained in this report will essentially establish policy related specifically to the manner in which Certificates of Completion are issued for Old Sacramento Redevelopment projects. Unless specifically limited to Old Sacramento projects, the manner in which Certificates of Completion are issued for Redevelopment projects other than Old Sacramento may be affected. Presently, including Old Sacramento, all deficiencies are sought to be completed or corrected. Although this report addresses specific Old Sacramento projects, the adoption of recommendations related to the issuance of Certificates can be construed as establishing a policy whereby items and issues can be identified by staff and recommended for Commission and/or Agency action to omit, waive or approve construction of any Redevelopment Project in lieu of requiring total compliance and construction per the Agency-approved plans.


VOTE AND RECOMMENDATION OF COMMISSION

It is anticipated that at its meeting of June 6, 1983, the Sacramento Housing and Redevelopment Commission will adopt a motion recommending that you take the above mentioned action. In the event they fail to do so, you will be advised prior to your June 7, 1983 meeting.


RECOMMENDATION

The staff recommends that you adopt this report and the attached resolution approving actions related to Certificates of Compliance and directing Agency and City staff to prepare an appropriate ordinance regarding Cable television and flood lights as noted in Exhibit "B".

Respectfully submitted,


for WILLIAM H. EDGAR
Executive Director

TRANSMITTAL TO COUNCIL:


WALTER J. SLIFE
City Manager

Contact Person: Leo Goto

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RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
ON DATE OF

CERTIFICATES OF COMPLETION OLD SACRAMENTO HISTORIC AREA

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

Section 1. The Agency hereby approves the report and
recommendations attached hereto as Exhibit A, "Status Review,
Evaluation and Recommendations for the Issuance of Certificates
of Completion", and authorizes the Executive Director to under-
take appropriate action to implement the recommendations contained
therein.

CHAIRMAN

ATTEST:

SECRETARY

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EXHIBIT "A"

STATUS REVIEW, EVALUATION AND RECOMMENDATION FOR THE ISSUANCE OF CERTIFICATES OF COMPLETION

Before any Certificate is issued, the subject project and related improvements are reviewed and evaluated for compliance with the terms and conditions of the Agency's Contract and the Final Construction Plans as approved by the Agency. In the past, all the reviews and evaluations have been made at the request of the Agency by the staff of the Museum and History Division. With regard to each of the following listed parcels, Division staff has identified items not in conformance with the Agency-approved Plans and has also listed other items found to be in conflict with "historical intent" such as the addition of exposed electrical conduit, flood lights and television antennas.

The following analysis of conditions and recommendations are grouped first, according to the type of problem identified, and second, according to individual project.

I. General Conditions

The following is a listing of items which exist on numerous projects which staff recommends be dealt with in a collective manner as a matter of policy as opposed to a parcel-by-parcel basis.

A. Deferred Maintenance

1. Condition: Lack of maintenance is particularly in evidence on the rear and sides of many buildings, including those for which Certificates have been issued.
2. Recommendation: Where a Facade Grant exists, the Agency has recourse to enter upon the property, perform the maintenance and lien the property for cost incurred. It is recommended that under the about-to-be formed Old Sacramento Maintenance District, that a similar or like provision be incorporated whereby either the property owner's organization, and/or the City may cause the necessary maintenance to occur. Property owners would need to agree to this provision. (This would be in addition to clearly defining the Agency's legal power under the Disposition Agreement and recorded Declaration of Restrictions and Owner Participation Agreements).

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B. Television Antennas

1. Condition: Numerous TV antennas have been placed in full view from the public's right-of-way and encroach into the "Historic Street Scene". In many cases, the antennas have been placed by tenants after the issuance of a Certificate of Completion.
2. Recommendation: That it be mandated by Ordinance that Old Sacramento become an area where visible antennas, i.e., TV (near distance, or satellite) and/or radio (commercial, amateur) and/or telephone, are prohibited. The suggested timing would be within ninety (90) days of the availability of a cable antenna system in the Old Sacramento Historic District. It is suggested that an appropriate penalty be assessed for each day thereafter that an unauthorized visible antenna remains in place.

C. Flood Lights and Exposed Conduit

1. Condition: There are approximately eighteen (18) parcels with flood lights and conduit on the street level facade. Most of these were installed when the sidewalk lighting level was marginal because of the use of the gaslights. This lighting was helpful as supplemental light for security. However, these lights now serve primarily to draw attention to places of business and act as an advertising aid.
2. Recommendations: That it be mandated by Ordinance that all such exposed flood lighting and exposed conduit be removed from the exterior of street level facades and that the grace period for removal be no longer than ninety (90) days with an appropriate penalty to be assessed for failure to comply.

D. Placement of Historic Signs Upon Privately Owned Property

1. Condition: There are some buildings on which historic signs, pursuant to early photo documentation and Agency-approved plans are to be placed. There is reluctance and refusal on the part of some property owners to place such signs upon their buildings because of the confusion of identification between the historic use or tenant

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and the current use or tenant. The signs are to be historically accurate in construction and content. These signs are expensive both to produce and maintain. In some instances, the historic sign obscures the building facade, the view from within and/or the sign identifying the current use. Generally, where a historic sign appears above the canopy or balcony line, that sign has been required by the Agency to be recreated and affixed to or painted upon the facade in its historical location. An example, is the Harris-Winkle Building, 121-125 K Street, Old Sacramento Parcels Nos. 43-44, where a historic sign above the canopy proclaims a "Fish and Chowder House", while in fact, the buildings only current food service is a pizza parlor. In most cases the initial cost is of secondary concern. The matter is one of "principal".

In one case, an owner required to paint "Vances Mediterranean Rooms" upon his building unilaterally elected to paint the name of his business in its place. As this property has no facade grant and the remedies per the Disposition Agreement appear either vague or grossly overpowered, i.e., litigate to revest the property, the required historical signs have not been completed nor have the non-historical, non-approved signs been removed.

It is the opinion of Counsel that where historic signs are required but have not been installed, and the property owner refuses to install them and a waiver of the requirement has neither been sought by, nor granted to the owner, that even when such a sign is to be installed upon a portion of a building occupying City property by virtue of a City-issued revocable use permit, the Agency cannot enter on that portion of the property, install the sign, and lien the property to recover cost. The Agency recourse is to either waive the item or litigate the matter.

- 2. Recommendation: As the placement of historic signs has been advocated by the Museum and History Division through the Division plan review, it is recommended that per the existing Memorandum of Understanding between the City and Agency whereby the Division has the responsibility for the

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implementation of the "Historic Street Scene" that the Division develop a program whereby its objective as regards historic signs will be satisfied, and that the Agency otherwise waive the requirement for the installation of the historic signs where the property owner appeals the requirement. The Division may look to developing a program whereby, if cost is the major issue, the signs are paid for and installed by the Division. The sign might be given to the property owner in exchange for the right to install the sign or the space might be leased. Where the present property owner refuses to install a sign, an agreement might be entered into whereby the sign would be installed as a condition of sale. The agreement would be recorded upon the property. Such an agreement would relieve the present owner from Agency litigation of this matter, and of the requirement to install the sign during his ownership.

E. Painting of Exposed Brick Facades

1. Condition: There are four (4) buildings with facades of exposed brick where there exists an obligation to paint the facade pursuant to the Agency-approved plans. These buildings are:
 - a. Old Sacramento Parcel No. 25 - Barnum Hotel (Hotel de France)
 - b. Old Sacramento Parcel No. 33 - Brannan Building (Los Padres)
 - c. Old Sacramento Parcel No. 46 - Bank Exchange Building
 - d. Old Sacramento Parcel No. 98 - Pratt Building
2. Recommendation: In lieu of enforcing the existing agreement requiring that the facade be painted per the Agency's approved plans and before actual performance under the agreement, the property owner should be afforded the opportunity to appear before the Old Sacramento Variance Committee for a hearing to appeal the requirement and to reach an agreement for specific performance, or for the granting of a variance to waive the requirement. Although the opportunity for a variance hearing has been

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available to the property owners, few have elected to pursue a hearing and a possible denial of their appeal and have instead chosen simply not to perform. The Resolution establishing the Old Sacramento Variance Appeals process has no provision in it for anyone other than the property owner to request a variance hearing. Neither Division nor Agency staff can seek resolution of the issue of the painting of exposed brick facades via a variance hearing. Therefore, if a property owner will not request a variance hearing by his own volition, it is proposed that the property owner be offered the choice of a variance hearing (and abiding by the decision) or litigation by the Agency to cause performance. This approach is recommended for all but the Bank Exchange Building, Old Sacramento Parcel No. 46, which already has agreed to paint the facade in order to satisfy the Federal and State requirement for obtaining various tax benefits.

As the Agency has no specific requirement that the facade of the Bank Exchange Building be painted, it is recommended that subject to the satisfaction of any other requirements that the Certificate of Completion upon the Bank Exchange Building be issued notwithstanding the State and Federal requirement for painting the facade.

F. Unfinished Rear Yards

1. Condition: There are nine (9) parcels that contain privately-owned rear yards which have not been improved as required as a part of the Phase I Property Improvements, and which are adjacent to, but are not a part of the Phase II service court areas of the subject parcels. In some cases, these privately-owned rear yards are being used as private parking areas which is counter to the intent of the Declaration of Restrictions. The areas used as parking have proven to be a problem as they are adjacent to service court areas upon which parking is prohibited. As the service court areas are presently unimproved, it has been difficult to determine what is private property and what is service court. All the parcel owners contend they cannot proceed with the improvement of their rear yards until the service court areas are constructed.

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The parcels are:

Old Sacramento
Parcel No.

24	Baker Hamilton Building
25	Barnum Hotel (Hotel de France)
35	Booth Building
38	United States Hotel
37	Leggett Ale House
49	Adams Express Building
50	Arcade Hotel
52	Gregory Barnes Building
53	Pioneer Hall and Bakery

2. Recommendation: That a separate agreement be entered into requiring the property owner to complete the improvements in conjunction with the pending construction of the service court areas. The completion date of the Phase I Private Property improvements would be within ninety (90) days of the completion of the Phase II service court improvements. It is proposed that a monitoring penalty (of Fifty Dollars (\$50.00) per day) for each day the improvements are not completed would be assessed. Under this agreement, should the private property owner fail to proceed with the construction of the Phase II Improvements within thirty (30) days of the commencing of construction upon the adjacent Phase II service court, the Agency may undertake the completion of the private improvements as a Change Order to the specific service court construction contract. The private property would be liened for the cost of the improvements. The Agency has approved development plans for the private property improvements upon Parcels Nos. 25, 38 and 37. Staff is presently coordinating the design of the proposed improvements for Parcels Nos. 24 and 52 with the design of the adjunct service court areas. No design has been submitted upon Parcels Nos. 49 or 53. An existing agreement upon Parcel No. 35 allows for the future expansion of the building. The proposed agreement for the completion of the private improvements would be in lieu of the Agency initiating litigation against the property owner for non-performance.

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G. Additions and Alterations After the Completion of Construction

1. Condition: Additions and alterations to buildings have occurred after the substantial completion of the construction per the Agency approved plans.
2. Recommendation: Agency Counsel has stated that it is highly unlikely that a court would allow the Agency to extend its restraining power by delaying the issuance of a Certificate of Completion for those changes or modifications made subsequent to the date of substantial completion. Therefore, per Counsel, the occurrence of an alteration or addition after substantial completion but prior to the issuance of a Certificate does not affect the Agency's ability to issue the Certificate. Such occurrence without a building permit may be dealt with by the City's Building Department and/or Legal Department. Building permits for additions and/or alterations to the exterior of Old Sacramento buildings should not be issued without the review and concurrence of the Agency staff and/or as delegated Museum and History Division staff.

The installation of unapproved signs or changes to approved signs should be addressed in the pending Old Sacramento Sign Guidelines and/or Ordinance being prepared by the Museum and History Division and proposed to be administered by the Division.

The adoption of the above recommendations and/or the establishment of policy to address or waive these issues will resolve outstanding items upon many parcels and will enable the Agency to issue most of the outstanding Certificates of Completion.

II. Specific Conditions

The following properties are identified as being completed, or to the degree that general construction has ceased and the property is, or may be occupied, or that portions of of project encompassed by a facade grant or DHUD 312 loan are complete. Aside from identified maintenance items which staff has omitted from the discrepancy list, and

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those improvements placed after the construction activity has ceased, the following is a specific listing by parcel number of the outstanding condition and recommendation for items to be corrected, omitted, or for waiver in order that a Certificate of Completion may be issued. It is proposed that the Agency's waiver of the requirement for completion or correction of the items listed below to be omitted or waived will be offered the Redeveloper in exchange for correction of the items so listed for correction and/or in lieu of Agency litigation for specific performance.

* Denotes parcels upon which Certificates of Completion can be issued immediately subject to approval of items to be omitted, or waived and adoption of recommendations.

A. Old Sacramento Parcel No. 24, Baker-Hamilton Building

1. Items to be corrected: (None - subject to approval of items to be omitted or waived)
2. Items omitted (Maintenance Items)
 - a. Paint metal threshold at front entry.
 - b. Install new metal box with door for hose bib.
 - c. Repair cracked corner south face of building.
 - d. Extensive cracking of plaster finish of facade.
 - e. Plug holes from previous sign installations.
 - f. Repair and screen can wash area, and remove parking signs. (Service court will replace this)
 - g. Realign and secure wall-hung lights.
 - h. Remove construction marks on windows
 - i. Repaint metal louver and main floor exit.
 - j. Remount flush photo electric unit.
3. Items to be waived
 - a. Complete rear yard improvements (subject to new agreement, re: Service Court).

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- b. Relocate and lower TV antenna (subject to proposed Ordinance or agreement).
- c. New brick used (new brick approved for reconstruction - insufficient amount of original Old Sacramento brick available for this project and/or others if used on this project).
- d. Sandblast new brick work (this is now against the adopted Secretary of Interior's Guidelines for Historic Preservation).

B. Old Sacramento Parcel No. 25, Barnum Building

1. Items to be corrected

- a. Complete unfinished threshold with oak.
- b. Paint brick facade (subject to Hearing).

2. Items omitted (Maintenance)

- a. Repair canopy and canopy columns.

3. Items to be waived

- a. Remove flood lights and conduit (added after completion - subject to proposed Ordinance or agreement).
- b. Complete rear yards improvement (subject to new agreement, re: Service Court).

C. Old Sacramento Parcel No. 31A, Mechanic Exchange Annex

1. Items to be completed

Rehabilitation construction has ceased upon this building. The exterior of the building was completed. However, the exterior of the building is now deteriorating. The Re-developer needs to address the repair and repainting of the exterior of this building shell, including replacement of damaged doors and broken windows. The extensiveness of the required maintenance is such that no items should be omitted. (Under the general classification of maintenance). The Agency is holding funds related to

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the DHUD 312 loan on this parcel. The Certificates of Completion will not be issued until matters related to the loan have been resolved and the exterior maintenance completed.

D. *Old Sacramento Parcel No. 33, Brannan Building

1. Items to be completed

a. Paint brick facade (subject to hearing).

2. Items omitted (Maintenance)

a. Repair canopy structure.

b. Paint window and door millwork, downspout and collector box.

3. Items to be waived

a. Improperly installed flagpole (conflicting historic data).

b. Remove flood lights and conduit (added after completion - subject to proposed Ordinance or agreement).

E. Old Sacramento Parcel No. 36, Booth Building

1. Items to be corrected

a. Paint all four sides of chimneys along north parapet.

2. Items omitted (Maintenance)

a. Repair ornament plaster (damaged during installation of flagpole).

b. Complete plaster step (above canopy structure below precast plaster cornice) when other plaster is repaired. (obtain agreement)

3. Items to be waived

a. Install historic sign (subject to policy decision and agreement).

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F. *Old Sacramento Parcels Nos. 41 - 42, Howard House/Lady Adams

1. Items to be corrected
 - a. None (subject to approval of items to be omitted or waived).
2. Items omitted (Maintenance)
 - a. Repair wooden vent cover.
 - b. Reclamp wall mounted gaslight fixture at alley (Agency proposing to convert to electric and place on City system).
 - c. Repair cast iron pilaster.
3. Items to be waived
 - a. Install historic signs (subject to policy decision and agreement).
 - b. Iron shutters (document their historic existence).
 - c. Remove floodlights and conduit (added after completion - subject to proposed Ordinance or agreement).

G. Old Sacramento Parcels Nos. 45 - 57, Bank Exchange Building, Union Hotel and Annex.

1. Items to be corrected
 - a. Cover tile portion of threshold with sheet metal plate.
 - b. Replace exterior tile at entry to Bank Exchange Building with correct tile set in "Venice" pattern. (If Redeveloper is able to substantiate that tile pattern is not available, it should be waived and documented as a departure from the correct historic appearance).
2. Items omitted (Maintenance)
 - a. Lettering poorly executed - does not match historic photos. Repaint historic sign, correct curve of "U" and "O".

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3. Items to be waived

- a. Relocate southernmost door to the back edge of the granite sill. (Not feasible without demolition and considerable cost)
- b. Paint brick facade and wood cornice of Bank Exchange Building (a State and Federal requirement, not an Agency requirement; per Museum and History Division, recommended color is Sherman-Williams Downing Sand #94044 (Per Consultant the Federal requirement pursuant to memo is 'coral').
- c. Remove exterior balcony lighting. Exterior lighting system is a low voltage system per Agency recommendation. However, lighting fixture type is a "Tivoli" strip light. When low voltage systems were originally recommended for approval, "Tivoli" type fixtures did not exist.

As there exists no specific restriction upon or recommendation for types of light fixtures, the "literal" interpretation of "low voltage" would allow any "low voltage" fixture to be used. In this specific case it is recommended that the removal of these lights be waived. The Guidelines have since been changed and now include reference to "period" type fixtures.

H. Old Sacramento Parcel No. 49, Adams Express Building

1. Items to be corrected

- a. None (subject to approval of items to be omitted or waived).

2. Items omitted (Maintenance)

- a. Replace basement door and transom on rear facade.
- b. Repaint rusting iron shutters on rear facade.
- c. Repaint doors and millwork (to approved color scheme)
- d. Replace front door hardware.
- e. Clean up rear yard.

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3. Items to be waived

- a. Relocation of gaslights and rebrick (extensive disruption of interior space required. With resultant prohibitive cost and loss of income).
- b. Remove sign in pocket (pre-dates Owner Participation Agreement. Its placement exceeds statute of limitations).

L. Old Sacramento Parcel No. 73, Clarendon House

1. Items to be corrected

- a. Paint out or replace chrome sprinkler head sleeves on Second Street canopy.
- b. Replace metal address numbers with "period" style numbers.
- c. Replace plastic carriage lamps with "period" cast metal lamps of similar style.
- d. Install brick veneer or plaster on base of L Street Bridge abutment.
- e. Insert fire retardant treated wood strips between square metal tubes on Second Street balcony.

2. Items omitted (Maintenance)

- a. Repaint gray top, bottom and jambs of projecting plaster heads and sills on plastered alley wall.
- b. Repaint gray basement level wall on L Street and Second Street. Color to match other gray paint.
- c. Clean paint off of plaster.
- d. Paint putty on sash where glass has been replaced.

3. Items to be waived

- a. Replace "conglomerate stone" thresholds with granite (not feasible without extensive demolition and major cost).

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

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- b. Relocate apartment intercom unit (desired location unaccessible without extensive demolition and major cost).
- c. Relocate and lower TV antenna (subject to proposed Ordinance or agreement).
- d. Remove square steel tube deck on cast iron balcony on Second Street and replace with wooden deck (wooden deck material over public sidewalks must be protected by sprinklers or be non-combustible - not possible to install sprinklers).
- e. Install projected plaster molding at top of L Street wall (not feasible without extensive demolition and prohibitive cost).
- f. Rework handrail on L Street Bridge to be more compatible with plaster rail (rail as installed required by Building Department).
- g. Relocate cast iron gate on L Street into passageway (relocation cost may not be prohibited - gates installed at present location for security and insurance requirements - document non-historic existence).
- h. Plant tree in gutter of Second Street at main entrance (impractical at this time - should be accomplished by City after on-street parking is removed).

M. Old Sacramento Parcel No. 74, Pacific Stables

1. Items to be corrected

- a. Replace non-historic appearing light fixtures in entry with more compatible "period" style fixtures.
- b. Remove or conceal electrical boxes in alcove.

2. Items to be omitted (Maintenance)

- a. None

3. Items to be waived

- a. Remove wireglass from wooden paneled entry doors. (Building Code requires wireglass - alternative installation of solid wooden panels creates windowless and non-rentable commercial space).

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

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- b. Install third iron flat bar in rear window head openings where omitted (not feasible without extensive demolition and prohibited cost-document their historical existence).
 - c. Remake millwork items
 - (1) Transom headpiece oversimplified.
 - (2) Vertical sawcut in casement windows incorrect.
 - (3) Lowest horizontal frame member of all casement windows on front facade deficient in their vertical dimension (except for three units with arched tops).
 - d. Second-story center windows, lower frames incorrectly match dimension of side windows - mullions do not align. Rebuild and reglaze.
(Windows will need to be removed and completely rebuilt. Not feasible without extensive demolition and prohibited cost - document departure from historical appearance).
- N. Old Sacramento Parcel Nos. 79 - 80, Rivett-Fuller Building/
Democratic State Journal.
- 1. Items to be corrected
 - a. Conceal rear basement vent behind simulated door unit.
 - 2. Items omitted
 - a. Extend roof drains to edge of canopy on #80.
(Originally listed as item to be corrected, but not shown upon Agency approved plans).
 - 3. Items to be waived
 - a. Remove 'Z' brick and replace with sawn brick veneer on side wall of Rivett-Fuller Building (sawn brick veneer will protrude beyond face of full brick units. Sawn brick cannot be cut thin enough - manufactured 'Z' brick is of appropriate thickness and mitigates problem of previously exposed concrete block where brick is to be visible. Not feasible to correct without extensive demolition and excessive cost.

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O. Old Sacramento Parcel No. 81, Pendergast Store

1. Items to be corrected

- a. Install "period" style light fixture at rear of building.

2. Items omitted (Maintenance)

- a. Paint rear millwork.
- b. Clean residue from rear facade.

3. Items to be waived

- a. Complete rear yard improvements (subject to new agreement, re: Service Court).
- b. Relocate exposed copper pipe on rear of facade (not feasible without interior demolition and excessive cost - location, if inconspicuous).
- c. Install door knobs in place of lever handles (door knobs not in compliance with handicap accessibility requirements).
- d. Construct one inch protruding masonry cap on parapet of rear facade (insignificant prototyped details with no specific historic documentation vs. excessive cost).

*P. Old Sacramento Parcel No. 86, Cavert Building

1. Items to be corrected

- a. None (subject to approval of items to be omitted or waived).

2. Items omitted (Maintenance)

- a. Repaint mortar joints on north half of Front Street facade.

3. Items to be waived

- a. Remove floodlights and conduit (added after completion - subject to proposed Ordinance or agreement).

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- b. Cut a new opening and install a door for access into a garbage storage room.
(The new opening would need to be cut through existing historic walls which is counter to the Secretary of Interior's Guidelines for Historic Preservation. A service area for this building can be created by the Agency on Parcels Nos. 122 - 123 across the alleyway upon Agency acquisition of these parcels).

*Q. Old Sacramento Parcels Nos. 96 - 97, Barriga/Frey Building

1. Items to be corrected

- a. Construct wooden screen at electrical service panel at rear of building (to be done as a part of the construction of the addition of Parcel No. 95 to this project).

2. Items omitted (Maintenance)

- a. Replace hardware at rear door.
- b. Treat wood in contact with soil or imbedded in concrete.

3. Items to be waived

- a. Remove banner standard attached to canopy and column. (added after completion - address under pending Old Sacramento Sign Guidelines or Ordinance).
- b. Remove floodlights and conduit (added after completion - subject to proposed Ordinance or agreement).
- c. Complete rear yard improvements (subject to new Agreement, re: Service Area).
- d. Relocate Siamese Fire Department fitting to a location more sensitive to historic setting (location was set by Fire Department).

R. Old Sacramento Parcel No. 98, Fratt Building

1. Items to be corrected**

- a. Third floor cast iron balcony to be installed

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

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- b. Facade to be painted (subject to Hearing).
 - c. Install shutters of front facades.
2. Items omitted
- None
3. Items to be waived
- a. Remove floodlights and conduit (added after completion - subject to proposed Ordinance or agreement).

** A change of ownership is pending. An Agreement has been proposed to the owners where sufficient funds to complete the work would be withheld from the sale and placed in escrow to be released as the work is completed. The Agency would then approve the past and the pending assignments. The alternative is for the Agency to proceed to litigate the matter of non-performance and the unapproved assignment.

Of the above-listed eighteen (18) Parcels, eight (8) Parcels, Nos. 24, 33, 41-42, 49, 50, 53, 86 and 96-97 have been identified upon which Certificates could be issued immediately subject to approval of items recommended to be waived or per the adoption of recommendations. Agreement has been reached for the completion or corrections of items on five (5) additional Parcels, Nos. 25, 36, 63-65, 74 and 81, subject to the same approvals and adoption.

The present owners of Parcel No. 98 have agreed to a plan for the completion of the improvements upon their sale of the property via an escrow requirement and subject to a decision upon the painting of the facade. The issuance of a Certificate of Completion upon Parcels Nos. 45-47 depends primarily upon the resolution of requirements imposed by the State and Federal Government. Agreements thus remain to be reached with the Redevelopers of three (3) Parcels, Nos. 31A, 73, and 79-80. While direct contact with the owners of Parcel No. 73 has produced no agreement to date upon the items listed to be corrected, it is the opinion of staff that litigation will not be required. The owners are apparently waiting to see what items will be omitted or waived. Litigation may be necessary to resolve the non-performance upon Parcels Nos. 31A and 79-80 which are under the same ownership.

The following properties are identified as being completed or to that degree that general construction has ceased and the property is or may be occupied, or that the portion of the project encompassed by a facade grant or DHUD 312 loan is complete.

OUTSTANDING CERTIFICATES OF
FINAL INSPECTION FOR DHUD 312 LOANS

<u>Parcel No.</u>	<u>Building Name</u>	<u>Redeveloper of Record* (Per list 4/82 DHUD)</u>
31A	Mechanics Exchange Annex	Robert C. Cook
42	Adams Express Building	Finger/Byerley/Scurfield/Taylor
53	Pioneer Hall and Bakery	O'Neal/Tarter
63-65	Railroad Exchange Building	Frank Alvernaz
86	Cavert Building	Don Brown

OUTSTANDING CERTIFICATES OF
COMPLETION FOR FACADE GRANTS

79-89	Rivett-Fuller Building) Democratic State Journal)	Robert C. Cook
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OUTSTANDING CERTIFICATES OF COMPLETION
FOR CONTRACTS FOR SALE OF LAND FOR PRIVATE
REDEVELOPMENT OR OWNER PARTICIPATION AGREEMENTS

24	Baker-Hamilton Building	Bel Air Development
25	Barnum Hotel	William Finger
31A	Mechanics Exchange Annex	Robert C. Cook
33	Brannan Building	Richard J. Mendoza
36	Booth Building	Don Lee, Inc.
41-42	Howard House/Lady Adams Bldg.	Radiological Association
45-47	Bank Exchange/Union Hotel	Old Sacramento Investors, Ltd.
49	Adams Express Building	Finger/Byerley/Scurfield/Taylor
50	Arcade Hotel	Arcade Realty Group
53	Pioneer Hall and Bakery	O'Neal/Tarter

EXHIBIT B (continued)

<u>Parcel No.</u>	<u>Building Name</u>	<u>Redeveloper of Record* (Per list 4/82 DHUD)</u>
63-65	Railroad Exchange Building	Frank Alvernaz
73	Clarendon Hotel	Bollinger/Brodovsky
74	Pacific Stables	Potter/Taylor/Scurfield, Inc./ Carson Development Co., Inc.
79-80	Rivett-Fuller Building) Democratic State Journal)	Robert C. Cook
81	Pendergast Store	Susan Skidmore Olson
86	Cavert Building	Don Brown
96-97	Barriga/Frey Building	Pacific Properties
98	Fratt Building	Old Sacramento Land Company

*Some properties may have new owners of record. Title may have changed without compliance with the Agency's Restrictions. Redeveloper listed is Redeveloper per Agency Contract or Assignment or in whose name any good faith deposit is still being held.

STATUS REPORT
ON OLD SACRAMENTO CERTIFICATES OF COMPLETION
(UPDATED APRIL 1983)

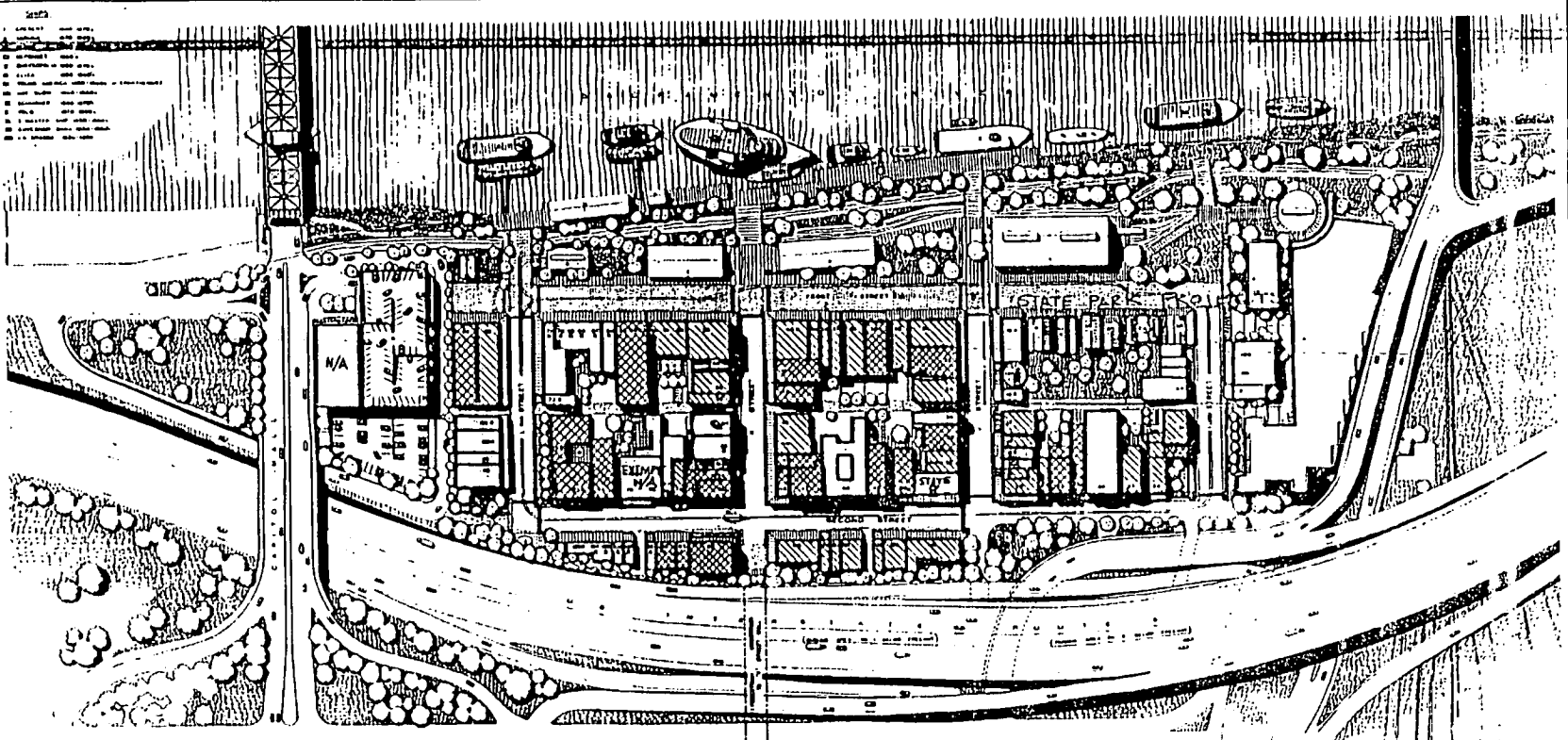
Parcel No.	CONSTRUCTION STATUS			CERTIFICATE OF COMPLETION ISSUED			
	Completed	Under Construction	No Contract	Not Started	312 Loan	Facade Grant	Dispo. Contract & OP Agreement
17-18	X				N/A	N/A	Yes
19-20			X	X	N/A	N/A	N/A
21-23	X				Yes	Yes	Yes (6)
24	X				N/A	N/A	No (3)
25	X				N/A	N/A	No (3)
26				X	N/A	N/A	No
27	X				N/A	N/A	Yes (6)
28	X				Yes	N/A	Yes (6)
31	X				N/A	N/A	Yes
31A	X (1)	(X)			No	N/A	No (5)
32	X				N/A	N/A	Yes
33	X				Yes	N/A	No (3)
34	X				Yes (6)	Yes (6)	Yes (6)
35	X				N/A	N/A	Yes (6)
36	X				N/A	N/A	No (3)
36A-37	X				N/A	N/A	Yes (6)
38-40	X				Yes (6)	N/A	Yes (6)
41-42	X				Yes	Yes	No (3)
43-44	X				N/A	Yes	Yes
45-47	X				N/A	N/A	No (3)
48				X	N/A	N/A	No
49	X				No	Yes	No (3)
50	X				N/A	N/A	No (3)
52	X				Yes	N/A	Yes (6)
53	X				No	N/A	No (4)
54				X	N/A	N/A	No (5)
55-62	X				N/A	N/A	Yes
*63-65	X				No	N/A	No (5)
*66-72			X	X	N/A	N/A	No
73	X				No	N/A	No (3)
74	X				N/A	N/A	No (3)
*75-77	X (2)		X		N/A	N/A	N/A
78	X				N/A	N/A	Yes
79-80	X (1)				Yes	No (3)	No (3)
81	X				N/A	N/A	No (3)
83-84		X			N/A	N/A	No (5)
85	X				N/A	Yes	Yes
86	X				No	N/A	No (3)
95				X	N/A	N/A	No
96-97	X				N/A	N/A	No (3)
98	X (2)	(X)			N/A	N/A	No
103-107				X	N/A	N/A	No
108	X				No	N/A	Yes
109	X				Yes	Yes	Yes (6)
110	X				Yes	Yes	Yes (6)
113-115				X	N/A	N/A	No
118	X (1)				N/A	N/A	N/A
119	X				N/A	N/A	Yes (6)

Status Report - Certificates of Completion - Page 2

Parcel No.	CONSTRUCTION STATUS				CERTIFICATE OF COMPLETION ISSUED		
	Completed	Under Construction	No Contract	Not Started	312 Loan	Facade Grant	Dispo. Contract & OP Agreement
120-121	X				N/A	N/A	Yes (6)
*122-123				X	N/A	N/A	No
TOTAL	40	1	3	9			

* Private Project - Owner Participation

- (1) Exterior Completed
- (2) Interior Completed
- (3) Issuance in Progress
- (4) Pending Variance Appeal
- (5) Under Construction
- (6) Issued this reporting period



Key to Building Numbers

101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
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OLD SACRAMENTO
 CERTIFICATES OF COMPLETION
 A REGISTERED NATIONAL
 HISTORIC LANDMARK

CERTIFICATE PENDING
 CERTIFICATE ISSUED
 NOT CONSTRUCTED

PICTORIAL PLAN

APRIL 1983

STATUS REPORT ON OLD SACRAMENTO GOOD FAITH DEPOSITS
(UPDATED APRIL 1983)

BACKGROUND

Redevelopers' Good Faith Deposits are retained by the Agency until a project is satisfactorily completed, and a Certificate of Completion is issued, or until a Contract is terminated or reassigned. Deposits are refunded, held or forfeited on the basis of performance. Where construction is not completed the deposit is held. The following is a listing, by parcel number, of Good Faith Deposits being held and status:

PROJECT NO. 4 (* denotes parcels per this report)

<u>Parcel</u>	<u>Refund Pending</u>	<u>Holding Deposit</u>	<u>Forfeiture Pending</u>
17-18	\$ 577.11		
19-20			\$ 682.76
*24		\$ 864.65	
*25		536.00	
27	771.45		
*31A		-0- (1)	
31	1,822.20		
33		-0- (2)	
34	695.00		
35	665.68		
*36	1,548.61		
36A-37 (a)	1,237.00		
(b)	1,237.00		
(c)			43.00
*41-42		884.40	
*45, 46, 47		3,035.82	
48			5,118.10
*49		774.18	
*50		2,145.82	
52	476.00		
*53	778.00		
54 (a)			743.91
(b)		747.95	
55-62	3,724.00		
*63-65		-0- (1)	
*73		1,308.52	
		1,308.52	
*74		1,815.00	
78	460.00		
*79-80		788.35	
81		277.00	
83-84		1,870.00	
*86			892.50
113-115			2,646.70

(a) - Developer #1 (1) Loan funds held
 (b) - Developer #2 (2) Originally 33-34
 (c) - Developer #3

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PROJECT NO. 3 (* denotes parcels per this report)

<u>Parcel</u>	<u>Refund Pending</u>	<u>Holding Deposit</u>	<u>Forfeiture Pending</u>
95		\$ 295.00 295.00	
*96	\$ 590.00		
*97	815.76		\$ 457.93
*98		2,650.00	
103-107			3,404.00
109		501.60	
110		1,358.00	
119	210.00		
120-121 & 121A	<u>856.00</u>	<u> </u>	<u> </u>
	\$16,463.81	\$22,093.31	\$13,988.90