

## NOTICE OF DETERMINATION

**To:** X Office of Planning and Research  
1400 10th Street, Room 222  
Sacramento, CA 95814

**From:** City of Sacramento  
300 Richards Blvd, 3rd Floor  
Sacramento, CA 94811

X County Clerk  
County of Sacramento  
600 8th Street  
Sacramento, CA 95814

**Subject:** Filing of Notice of Determination in compliance with Section 21108 and 21152 of the Public Resources Code

**Title:** Authorization to Issue Bonds to Finance Public Facilities for McKinley Village (P08-086)

2008082049	City of Sacramento	Dana Allen	(916) 808-2762
<b>State Clearinghouse #</b>	<b>Lead Agency</b>	<b>Contact Person</b>	<b>Telephone</b>
Encore McKinley Village, LLC [Applicant Email]	3301 C Street, Suite 1000 Sacramento, CA 95816		(916) 448-1998
<b>Applicant Name</b>	<b>Address</b>		<b>Telephone</b>

**Location (include county):** Cross Streets: A Street, Lanatt Street, Alhambra Blvd., Bus 80; Sacramento County

**Description:** On April 29, 2014, the City of Sacramento adopted Resolution No. 2014-0102 (certifying the Environmental Impact Report for the McKinley Village Project (McKinley Village EIR) and adopting the Mitigation Monitoring Program and CEQA Findings of Fact) and Resolution No. 2014-0106 (approving the McKinley Village Project). Through a special, mailed-ballot election held on July 28, 2015, qualified electors in Community Facilities District No. 2015-04 authorized the issuance of \$10 million principal amount of special-tax bonds under the Mello-Roos Community Facilities Act of 1982. This Notice of Determination addresses only the City’s subsequent action on May 3, 2016 to adopt Resolution No. xx, which authorizes the issuance of up to \$8 million principal amount of special-tax bonds (Series 2016 Bonds) to finance the acquisition and construction of certain public facilities associated with the previously approved McKinley Village Project.

The City reviewed the issuance of the Series 2016 Bonds and the acquisition and construction of the public facilities financed by the Series 2016 Bonds for conformance with the previously adopted McKinley Village EIR to determine if additional environmental review was required. The City determined that these actions would not introduce additional impacts or increase the severity of the impacts beyond those already analyzed in the McKinley Village EIR.

Accordingly, pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, the City has determined that the subsequent action of authorizing the issuance of the Series 2016 Bonds and the acquisition and construction of the public facilities financed with the Series 2016 Bonds will not result in any conditions requiring the preparation of a subsequent EIR, and therefore the City will rely on the McKinley Village EIR. Further, the City notes that under CEQA Guidelines section 15378(b)(4), the creation of government funding mechanisms or other government fiscal activities are not considered projects under CEQA if they do not involve any commitment to a specific project that may result in potentially significant physical impacts on the environment. The McKinley Village EIR found that the McKinley Village Project, including the construction of any necessary public facilities, would not result in potentially significant impacts on the environment.

**This is to advise that the City of Sacramento has approved the above described bond issuance on May 3, 2016 and has determined that this action would not trigger the preparation of a subsequent EIR to the existing McKinley Village EIR. Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162:**

1. No substantial changes are proposed that would require major revisions to the previous McKinley Village EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
2. No substantial changes would occur with respect to the circumstances under which the City's action is being undertaken that would require substantial revisions to the previous McKinley Village EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No new information of substantial importance (which was not known and could not have been known with the exercise of reasonable diligence at the time the previous McKinley Village EIR was certified) shows any of the following:
  - a. The action will have one or more significant effects not discussed in the previous McKinley Village EIR;
  - b. Significant effects previously examined will be substantially more severe than in the previous McKinley Village EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would be in fact feasible and would substantially reduce one or more significant effects of the project, but the applicant declines to adopt the mitigation measures or alternative; or
  - d. Mitigation measures or alternatives which are considerably different than those analyzed in the previous McKinley Village EIR would substantially reduce one or more significant effects on the environment, but the applicant declines to adopt the mitigation measure or alternative.

**This is to certify that the McKinley Village file, which includes Resolution No. XX (authorizing the issuance of the Series 2016 Bonds) the McKinley Village EIR, is available for review by the general public at:**

City of Sacramento, Planning Department, 300 Richards Blvd., 3rd Floor, Sacramento, California 95814

_____	Senior Planner	May 4, 2016
Signature (Lead Agency Contact)	Title	Date

Email: [tbuford@cityofsacramento.org](mailto:tbuford@cityofsacramento.org)

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Date received for filing at the County Clerk