

# **GREENBRIAR ATTACHMENTS**

**City of Sacramento – SOI Terms and Conditions Letter 3/21/08**

**City of Sacramento Annexation History**

~ Table/Map

**US Fish and Wild Life Service HCP Letter**

**Property Tax Exchange Agreement**

**City/County/Landowner Open Space Agreement**

**Rio Linda Union School District Agreement**

**Water Supply Assessment**

**HCD Compliance Letter**

**City of Sacramento**

~ PowerPoint Presentation

**Plan for Services/ DRAFT Finance Plan**

## **Resolutions**

1. Adopt Resolution No. LAFC 1354; a Resolution of the Sacramento Local Agency Formation Commission making California Environmental Quality Act Findings:
  - a. Findings of Fact and statement of Overriding Considerations
2. Adopt Resolution No. LAFC 1355; A Resolution of the Sacramento Local Agency Formation Commission approving the Revised Mitigation Monitoring and Reporting Program (MMRP) for the Greenbriar Project.
  - a. Revised Mitigation Monitoring and Reporting Program
3. Adopt Resolution No. LAFC 1356; a Resolution of the Sacramento Local Agency Formation Commission Resolution approving the Greenbriar Reorganization - Annexation to the City of Sacramento, Sacramento Regional County Sanitation District and County Sanitation District #1; and Detachment from Natomas Fire Protection District.



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SACRAMENTO LOCAL AGENCY  
FORMATION COMMISSION

PLANNING DEPARTMENT  
NEW GROWTH DIVISION

**CITY OF SACRAMENTO  
CALIFORNIA**

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March 21, 2008

Donald Lockhart, AICP  
Assistant Executive Director  
Sacramento Local Agency Formation Commission  
1112 I Street  
Sacramento, CA 95814

Re: LAFCo Conditions of Approval of the SOI Amendment – Greenbriar  
File: LAFC 02-08

Dear Mr. Lockhart:

On the date of September 19, 2007, the Sacramento Local Agency Formation Commission approved Resolution LAFC 1348, which amended the City of Sacramento's Sphere of Influence to include Greenbriar project area, subject to various conditions. Most of these conditions require that the City provide requested information. This letter and attachments provide a response to each of the items requested in Resolution LAFC 1348 and/or to public comments raised during the Sphere of Influence hearing.

Background: The Greenbriar proposal is a request to allow the annexation and the future development of a 577± acre master planned community. The project site consists of farmland located within Sacramento County, located north of Interstate 5, west of Highway 70/99, south of Elkhorn Boulevard, and east of the Metro Air Park site (County).

1. Adjacency to Urban Lands: Confirm that the SOI Amended Area is surrounded by or adjacent to lands planned for urban uses. (Resolution No. 1348, ¶ 15, subd. (b).)
  - As shown on the attached vicinity map, the project is surrounded on 3 sides by development:
    - to the west is the Sacramento International Airport and the Metro Air Park development (1,913 acres planned for 24M sq ft of development and approx. 38,000 jobs), and
    - to the south and east is the North Natomas Community Plan Area – planned for 20 million sqft of employment and 30,000 dwelling units (of which almost 2/3 have already been constructed).
2. Necessity of Annexing Greenbriar: The City's existing area is approximately 99 square miles. The addition of Greenbriar would expand the City's area by approximately 0.9 square mile – a 1%

increase in total size. The City of Sacramento accommodates its growth through a combination of infill and greenfield developments.

- Infill is of prime importance to the City. The infill areas include commercial corridors, and the 240 acre downtown railyards. The infill opportunity areas have slow absorption rates, and would take substantial public subsidies to enhance the rate of absorption.
- The City has generally managed to thrive during the recent housing boom and has managed to survive the latest economic downturn because of our new growth areas – e.g., North Natomas. Positive cash flows from our new growth areas have permitted the City to invest in improving services and facilities citywide – thereby enhancing the quality of life that draws investment into the City core.
- Greenbriar growth represents an orderly pattern and is a logical place to expand:
  - Retains Elkhorn as the urban edge (east of Greenbriar, Elkhorn is the northern extent of North Natomas)
  - Greenbriar is located between Metro Air Park & the North Natomas Community.
  - The Greenbriar project provides support for transit by dedicating rights-of-way for the Downtown-Natomas-Airport light rail line, constructing a light rail station on-site, and generating approximately 1900 passengers per day.
- The City's draft General Plan anticipates that the City will grow by 200,000 people by 2030. Buildout of the large developable parcels within the City would only accommodate an additional estimated 114,000 people. Development of infill areas would accommodate some of the additional population, although only about 30% of the infill lands are anticipated to be absorbed within the next 20 years. The development of Greenbriar is anticipated in the draft General Plan as a way to accommodate an additional 6,000 people.
- If Greenbriar is not approved, then the growth is likely to be accommodated elsewhere in the region: e.g., Yuba City, Plumas Lakes. The City's version of new growth will be more consistent with smart growth principles than forcing the growth to sprawl out beyond Sacramento County's borders.

3. Land Use Designations: Submit the City Resolution evidencing that it has adopted appropriate land use designations for all property within the SOI Amended Area, noting open space and habitat preservation measures at a minimum, as set forth in the FEIR and Resolution Number 1348. (Resolution No. 1348, ¶ 15, subd. (d).)

- The City Council adopted Resolution 2008-058 on the date of January 29, 2008, which established General Plan land use designations for the Greenbriar project area. The adoption of the General Plan land use designations relied upon the environmental document and the relevant environmental mitigations adopted in Resolution 2008-053.

4. General Plan Consistency: Submit the portion of City's updated General Plan showing that the annexation is consistent with the general plan. (Resolution No. 1348, ¶ 16.)

- Greenbriar is consistent with the City's existing General Plan. The adopted 1988 General Plan included a discussion of annexation issues, including:
  - A pro-annexation policy or urbanized areas should be based on eliminating unincorporated pockets, providing public services more efficiently, and securing property and sales tax revenues.
  - The annexation issue of the future should be to achieve a mixture of commercial, industrial and residential lands, and a balanced revenue expenditure program.

- Annexation of any land into the City must be consistent with General Plan policies, within the City’s adopted Sphere of Influence and approved by LAFCo.
    - Resolution 2008- 058, adopted by the City Council on January 29, 2008 amended the General Plan land use map to be consistent with the proposed Greenbriar project:
    - The City’s draft General Plan Preferred Land Use & Urban Form Diagram assumes Greenbriar as a pipeline project (“Planned Development”) as shown in the attached exhibit. The City draft policies (see attached) on growth and change include policy LU1.1.5 which states:
      - “Annexation Prior to City Services. The City shall require that unincorporated properties be annexed into the City prior to the provision of any City services, or that a conditional service agreement be executed agreeing to annex when deemed appropriate by the City.”
5. Pre-Zoning: Submit the City Resolution evidencing that it has pre-zoned the property consistent with the City of Sacramento General Plan, as amended. (Resolution No. 1348, ¶ 15, subd. (e).)
- The City Council adopted Ordinance 2008-004 on the date of January 29, 2008, which established zoning designations for the Greenbriar project area, amending the zoning from AG-80 to various uses as shown below.

| PREZONE DESIGNATION          | RANGE          | ACREAGE      | YIELD        |
|------------------------------|----------------|--------------|--------------|
| R-1-PUD                      | 6-8 DU/NA      | 68.9         | 346 DU       |
| R-1A-PUD                     | 8-15 DU/NA     | 264.7        | 1434 DU      |
| R-2B-PUD                     | Up to 21 DU/NA | 414.7        | 930 DU       |
| R-3-PUD                      | Up to 29 DU/NA | 11.0         | 270          |
| A-OS-PUD (Open Space)        | N/A            | 137.6        | N/A          |
| C-1-PUD (Limited Commercial) | 9000 SqFt/Acre | 8.1          | 73,000 SqFt  |
| SC-PUD (Shopping Center)     | 9000 SqFt/Acre | 30.4         | 271,500 SqFt |
| Major Roads                  | N/A            | 14.6         | N/A          |
| <b>TOTAL</b>                 |                | <b>577.0</b> |              |

6. RHNA: Submit to LAFCo a determination of substantial compliance from the California Department of Housing and Community Development (HCD) consistent with Government Code Section 65585, subdivisions (d) or (h), regarding the Regional Housing Needs Allocation. (Resolution No. 1348, ¶ 15, subd. (c).)
- The Regional Housing Needs Allocation (RHNA) that was prepared by SACOG covers a seven and a half year period (2006-2013). Due to the slowdown in the housing market and changes in State growth projection for the SACOG region, the RHNA was lowered by approximately 30% as a result of legislation (AB 1259). The 2006-2013 RHNA includes an allocation for the City for both the Panhandle and the Greenbriar area since the City was in the process of annexing those areas at the time the new RHNA was prepared by SACOG. The City’s total allocation is 17,649 housing units. Broken down by income level, the City’s allocation is as follows:

| Income Level         | Units |
|----------------------|-------|
| Very Low (0-50% AMI) | 2,472 |
| Low (51-80% AMI)     | 2,582 |

|                            |        |
|----------------------------|--------|
| Moderate (81-120% AMI)     | 3,603  |
| Above Moderate (120%+ AMI) | 8,991  |
| Total*                     | 17,649 |

AMI = Area Median Income

\*Addition error due to rounding

In order to fulfill its obligations under State Housing Element law (Gov't Code Section 65580 et seq.), the City must demonstrate that it has sufficient sites that are appropriately zoned to accommodate this amount of development within the 2006-2013 period. Land zoned for higher-density development is considered by HCD to be suitable for housing for low and very low-income households. Sites zoned for higher density development have been included near the light rail station in the Greenbriar development in order to address the need for lower-income housing sites.

- The City's 2002-2007 Housing Element was adopted by Council in June 2003 and was certified by the State Housing & Community Development on Sept. 9, 2003. (see attached certification letter.
- The City's 2008-2014 Housing Element will be submitted to HCD for review in June 2008. We would likely get certification in the fall since we have to go through an initial 60-day review prior to adoption and then a 60-day HCD review after adoption.
- Additionally, the City Council adopted Resolution 2008-057 which adopts an Inclusionary Housing Plan (IHP) for the Greenbriar project. This IHP identifies the location of 449 affordable rental units at three high density residential sites.

7. Environmental Justice: Effective January 1, 2008, Cortese-Knox-Hertzberg (Government Code Section 56668. (o) requires analysis of the extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The City of Sacramento has several programs aimed at meeting the environmental justice needs of the community:

- The City has adopted a requirement (City Code Section 17.190) that residential projects in new growth areas contain a defined percentage of housing affordable to low income and very low income households, to provide for a program of incentives and local public subsidy to assist in this effort, and to implement the mixed income policies of the housing element of the city's general plan:
  - Not less than fifteen (15) percent of the development project's residential units shall be inclusionary units developed for, offered to, and leased or sold at an affordable rent or housing price to very low and low income households as follows: ten (10) percent of the dwelling units shall be affordable to and occupied by very low income households and five percent of the dwelling units shall be affordable to and occupied by low income households.
- The City has a low income Utility Users Tax (UUT) exemption / refund program. For SMUD and PG&E those customers identified as low income in the two utilities' rate structure and as city residents do not have the UUT applied to their bill. This is the tax exemption. For low income residents paying the tax on phone bills and cable television bills we still offer the rebate program. Those that can verify both low income status and payment of phone and cable UUT may obtain a tax rebate.

8. Flood Plain: Provide information to the Commission to update the status of its compliance with FEMA and DWR flood-plain development measures adopted regarding the public interest. (Resolution No. 1348, ¶ 15, subd. (a).)
  - The City staff report to City Council for its January 23, 2008 meeting states:
    - “The EIR and mitigation measures for flooding require compliance with FEMA flood designations; the EIR contemplated the possibility that FEMA would designate the area as AE Flood Hazard Zone. (On January 15, 2008, FEMA proposed remapping the Natomas basin as an AE Zone.) FEMA regulations would impose building restrictions that result in a de facto moratorium on vertical construction until such time that 100-year flood protection is restored.”
    - The applicant has submitted a letter – dated September 18, 2007, that the applicant agrees to no vertical construction prior to 100-year flood protection.
    - Additionally, the City Council adopted a finding, within the Resolution 2008-053 Certifying the EIR: “9. In recognition of the pending remapping by FEMA of the area in which the project is located, the project has been conditioned to prohibit vertical construction unless and until the property has at least 100 year flood protection.”
9. No Construction in Floodplain: Confirm that residential development in the SOI Amended Area shall not receive approval for vertical construction of improvements to real property until the affected territory has been certified by the US Department of Homeland Security, Federal Emergency Management Agency, for a minimum of 100-year flood protection. (Resolution No. 1348, ¶ 22.)
  - Mitigation Measure 6.10-3 (adopted by Resolution 2008-053) states that “if the Greenbriar project site is remapped by FEMA into an AE, AR, or A99 zone, then: (1) the City will require development within the project site to comply with all applicable building and design regulations identified by FEMA and by the City of Sacramento’s Floodplain Management Ordinance in existence at the date of issuance of building permits pertaining to the applicable remapped zone”.
  - Additionally, the City Council adopted a finding, within the Resolution 2008-053 Certifying the EIR: “9. In recognition of the pending remapping by FEMA of the area in which the project is located, the project has been conditioned to prohibit vertical construction unless and until the property has at least 100 year flood protection.”
10. Natomas Joint Vision MOU Consistency: Confirm consistency with the Joint Vision MOU. (Resolution No. 1348, ¶ 11, subd. (e); ¶ 13, subd. (n); ¶ 19.)
  - The Natomas Joint Vision Memorandum of Understanding, approved by the City and County in December 2002, set forth the master terms for annexation of land within the Natomas Joint Vision (Greenbriar is included within the Natomas Joint Vision Area). The City and County entered into a tax sharing agreement for Greenbriar on the date of March 11, 2008 (City Agreement 2008-0218) and March 12, 2008 (County Resolution 2008-0211). This agreement includes terms of revenue sharing and open space, consistent with the County Board of Supervisors action of November 27, 2007.
  - The open space agreement requires a minimum of 1:1 development to open space ratio for Greenbriar. This 1:1 ratio exceeds the 30% open space requirement of the Folsom Sphere of Influence area.

- Specifically, the Greenbriar “urban footprint requiring mitigation equates to 492 acres. The difference between the 577 acres of the site and the 492 acre “urban footprint requiring mitigation” is:
    - 31 acres for the Lone Tree Canal buffer
    - 28 acres for the Freeway Buffer
    - 27 acres for public improvements on the Greenbriar property already mitigated by the Metro Air Park project
  - The 492 acres of mitigation shall consist of:
    - 396 acres of off-site mitigation lands located within the unincorporated Sacramento County portion of the Natomas Basin
    - 96 acres of on-site open space lands (detention basin w/ public trail, freeway buffer w/ public trail, habitat buffer at Lone Tree Canal)
11. Wildlife Agency: Confirm by letter that the USFWS agrees with the process for preparing the new project-specific HCP in accordance with the City's letter of August 27, 2007. (Resolution No. 1348, ¶ 20.)
- The City Council adopted a finding, within the Resolution 2008-053 Certifying the EIR: “8. The entitlements for which the EIR was prepared are first stage legislative entitlements, and do not authorize any actual development. Before any actual development may occur, the following must be approved by Council: a development agreement, a tentative map, any subdivision modifications, and PUD development guidelines and any necessary changes to the PUD Schematic Plan and Guidelines, and any special permits or other entitlements required for development. Before the tentative map, development agreement and other entitlements are approved, and before a grading permit may be issued, a habitat conservation plan must be prepared and approved, and an incidental take permit issued, by U.S. Fish and Wildlife and California Department of Fish and Game.
  - On March 13, 2008, USFWS provided a letter to LAFCo that confirmed the Service does not concur with the Effects Analysis and expects that the biological issues will be fully addressed in a new HCP, leading to Incidental Take Permits. The letter also references the City’s commitment to withhold subsequent entitlements (e.g., tentative subdivision maps) until an HCP and permits are issued.
  - Additionally, the City, applicant, and USFWS have been meeting to establish a scope of services for preparation of an EIS, selection criteria for EIS consultant, and funding agreement to contribute to supplementing USFWS staff resources available to prepare the Biological Opinion.
  - EDAW - the firm who prepared the EIR - is also under contract to prepare the HCP. The first step in preparing the HCP was preparation of the Effects Analysis, which was appended to the DEIR. Since submittal of the Effects Analysis, the HCP consultant has attended several meetings with USFWS (and CDFG), along with the City and applicant team, to discuss mitigation and develop expanded mitigation plans. The consultant will continue to work with the City, applicant, USFWS (and CDFG) to refine the mitigation and prepare all required elements of the HCP.
  - USFWS has agreed, in concept, that the same firm preparing the HCP (and the City’s / LAFCO’s EIR) will prepare the EIS, and will be processing disclosure/conflict of interest statements. USFWS staff and the consultant will develop a scope of work for the EIS in the coming month or two.

12. School Mitigation: If applicable, submit evidence of any feasible school impact mitigation requirements into development agreements. (Resolution No. 1348, ¶ 18.)
  - No development agreement has been submitted or approved at this time. The applicant has reached a Memorandum of Agreement and a Mutual Benefit Agreement with the Twin River Unified School District (formerly Rio Linda Union School District) to provide for the construction of a new elementary school in Greenbriar development. These agreements provide supplemental mitigation payments to purchase land and construct a new elementary school in the Greenbriar neighborhood. At such time that a development agreement is adopted, it will reflect the Mutual Benefit Agreement.
  
13. CLUP Consistency / Overrides: Submit the consistency determination of the proposed land use with the CLUP from Sacramento County ALUC. (Mitigation Monitoring and Reporting Plan adopted by Sacramento LAFCo, p. 31, Mitigation Measure 6.8-3 (September 19, 2007).)
  - The Airport Land Use Commission (ALUC) determined in its letter of December 2005, that the project was consistent with the Sacramento International Airport Comprehensive Land Use Plan (CLUP), with the exception of the light rail station proposed in the middle of the Greenbriar site along the proposed Downtown – Natomas- Airport light rail line. The City Council adopted Resolution 2008-060 on the date of January 29, 2008, which overrode this determination, thereby allowing the construction of the light rail station within the overflight zone. (see attached)
  
14. Toxic Air Contamination Mitigation: Freeway Adjacency
  - The City Council adopted a new mitigation measure (6-2-4c), within the Resolution 2008-053, pursuant to a request by the Sacramento Metropolitan Air Quality Management District:
    - The project applicant shall include in landscape plans, planting of fine-needled conifer trees in the buffer area between the I-5 and SR 70/99 freeways and proposed residential uses. Total numbers, exact species, box-size at planting, spacing and placement will be determined in consultation with SMAQMD prior to adoption of a Tentative Map.
  
15. Finance Plan: Submit an approved financing plan to address the traffic/transportation measures necessary to mitigate the impacts from the development of the SOI Amended Area. (Resolution No. 1348, ¶ 15, subd. (f).)
  - The City Council adopted Resolution 2008-056 on the date of January 29, 2008, which adopted the draft Finance Plan for the Greenbriar project area.
  - The Finance Plan was adopted only in draft form because the City's policy is to adopt a final plan after preparation of a nexus study and annexation.
  
16. Tax Sharing Agreement: Submit a final property tax sharing agreement that has been approved by the City and County. (Resolution No. 1348, ¶ 13, subd. (n).)
  - The City Council adopted City Agreement 2008-218 on the date of March 11, 2008, and the County adopted Resolution 2008-0212 on the date of March 12, 2008, which adopted the tax exchange for the Greenbriar project area. {see attached}



- The Tax Exchange Agreement provides for the City and County to split equally the 34.6% of the property tax rates.
  - The Tax Exchange Agreement provides for the City to receive all sales tax revenues from the project unless:
    - The total commercial zoning for Greenbriar exceeds 40 acres – in which case all sales tax revenues from Greenbriar would be shared equally with the County; or
    - A single-tenant big box retail store of 75,000 square feet or greater is built in Greenbriar – in which case all of the sales tax revenues from that building would be shared equally with the County.
17. Transit Plan: Submit a Transit Master Plan for the SOI Amended Area consistent with the policies of the City's General Plan. (Resolution No. 1348, ¶ 17, subd. (a).)
- Transit needs are considered as part of the Environmental Impact Report, and are incorporated into the draft Finance Plan.
  - The draft Finance Plan (adopted by City Council Resolution 2008-056 contemplates:
    - Dedication of rights-of-way necessary to accommodate light rail transit through the Greenbriar site
    - Construction of a light rail station on the Greenbriar site (estimated at \$2.4 million construction cost).
    - Contribution to the North Natomas Transportation Management Association for shuttle services until such time that the light rail line is operational.
  - SACOG Metropolitan Transportation Plan and Regional Transit's Downtown-Natomas-Airport Program EIR are moving forward with the light rail line project.
18. Bikeway Plan: Submit an updated Bikeway Master Plan to delineate bikeway and pedestrian facilities within the SOI Amended Area consistent with the goals and policies of the City's General Plan. (Resolution No. 1348, ¶ 17, subd. (b).)
- The City did not amend its Bikeway Master Plan with the Greenbriar 1st stage project entitlements. Rather, the City will amend the Bikeway Master Plan concurrent with approval of a tentative subdivision map which establishes street patterns. The Bikeway Master Plan amendment will show, at a minimum, a bike trail in the freeway buffer, and provision of on-street bike path on Elkhorn Blvd. The adopted Greenbriar PUD Guidelines provide that the project will include a varied network of both on- and off-street pedestrian pathways and trails, allowing for safe and convenient non-vehicular travel throughout and within the PUD.
  - Mitigation Measure 6.1-9a states: "Prior to recordation of the first map, the project applicant shall coordinate with the City of Sacramento Development Engineering and Finance Division to identify the necessary on- and off-site pedestrian and bicycle facilities to serve the proposed development. These facilities shall be incorporated into the project and could include: sidewalks, stop signs, in-pavement lighted crosswalks, standard pedestrian and school crossing warning signs, lane striping to provide a bicycle lane, bicycle parking, signs to identify pedestrian and bicycle paths, marked and raised crosswalks, and pedestrian signal heads."
19. Water Supply Assessment: Submit updated Water Supply Assessment so that LAFCo can determine water availability as required by law, in compliance with the terms and conditions of the

Water Forum Agreement. The information provided shall be sufficient for LAFCo to determine water availability to the area pursuant to Government Code Section 56668, subdivision (k), or its successor. (Resolution No. 1348, ¶ 15, subd. (e).)

- The City Council adopted Resolution 2007-323 on the date of May 29, 2007, which adopted the Water Supply Assessment for the Greenbriar project area. The WSA was prepared consistent with the City of Sacramento Urban Water Management Plan (UWMP) (November 14, 2006) and the direction from the City of Sacramento Department of Utilities. The UWMP assumed the Greenbriar project as a baseline project. The Greenbriar WSA concludes that based on the City's most recent Urban Water Management Plan there are sufficient water supplies for the project during normal, single dry and multiple dry years over a 20 year period. {See attached Water Supply Assessment}
- The City is a signatory and is in compliance with the Water Forum Agreement.

20. Plan for Services: Submit Plan for Services.

- An Administrative Draft Plan for Services was submitted to LAFCo staff on February 11<sup>th</sup> and circulated to all relevant service providers. Staff continues to refine this draft in consultation with the service providers.

21. Adequacy of City Services: A number of speakers testified during the September 19, 2007 public hearing regarding perceived inadequacy of City services provided to existing North Natomas residents and the concern that expanding the City's service area will strain the ability to provide services to existing residents. The Sacramento Bee echoed these concerns in its article dated October 30<sup>th</sup>, 2007: "North Natomas: Visions of a community neighborhood lost in a car-oriented suburb" and its editorial dated November 8<sup>th</sup>: "Editorial: How North Natomas fell short of its promises: Don't repeat past mistakes by relying on development to solve city's fiscal woes." In light of the current budget considerations, the concern is even more acute. The City's response to these issues addresses capital facilities and operations:

- In the 9 years since the first North Natomas residential building permit in February 1999, a total of 18,000 residential units have been constructed in North Natomas – approximately 2/3 of the residential buildout. Only a small fraction of the 20 million square feet of employment center has been built to date. The North Natomas Finance Plan relies upon pay-as-you-go financing (i.e., development fees). Total buildout was assumed to require 25-40 years. Thus, a significant portion of the ultimate development fees have yet to be collected.
- The shortfalls in the North Natomas Finance Plan are attributable to three factors:
  - Public improvements are paid largely on a "pay as you go" basis; only a portion of development has occurred and a substantial portion of future development has yet to generate fees to finance improvements.
  - Some public improvements are not fee funded and depend upon "Other Funding Sources" (e.g., state and federal grants) in the amount of \$178 million which have not yet been completely realized
  - Development fee escalators have not kept pace with the actual construction cost increases; fees were typically adjusted using the ENR-CCI, whereas actual costs for public facilities (including roadways, fire stations, libraries, etc.) were increasing at a faster rate.


- The North Natomas Finance Plan (originally adopted in 1994, and amended in 1999, 2002, and 2005) never intended or promised that all infrastructure would be fully developer-funded. According to the North Natomas Nexus Study 2005 Report – Table II-1, the Public Facilities Fee (paid by developers / homeowners) covers approximately \$228.8 million of the identified \$364.0 million total infrastructure cost. This difference is to be funded with other sources including: major street construction tax, developers, state & federal grants, and general fund, and other new developments currently outside of the NNFP.
  - For example, the finance plan provided for the acquisition of 200-acres for a future regional park, but costs of improving the parkland were deferred to future grant monies. Similarly, while the finance plan identified the ultimate need for two fire stations and four community centers, the finance plan identified developer funding for one fire station and one community center, with the balance to be covered by grants, the City’s General Fund, etc.
  - The unfunded balance of infrastructure costs might eventually be paid by general funds, grants, or subsequent assessments of existing homeowners. Another potential source of funding is to require new developments (such as Panhandle and Greenbriar) to contribute to the costs of the underfunded infrastructure.
    - The Greenbriar draft Finance Plan adopted by the City Council identifies \$8.6 million towards underfunded North Natomas infrastructure:
      - \$3.4 Million: North Natomas Regional Park Improvements
      - \$1.8 million: Library
      - \$0.8 million: Community Center
      - \$1.5 million: Fire Station
      - \$0.9 million: Police Facilities
    - The Greenbriar draft Finance Plan also identifies a contribution of \$1.1 M toward mainline freeway improvements and \$1.5 M for an emergency communications radio tower.
    - The Greenbriar draft Finance Plan also identifies a contribution of \$3.6 million toward the North Natomas Regional Park.
- On the operations side, the City Police Department experienced a temporary shortage of sworn officers in the North Area sectors. The vacancies have been largely filled through the City’s Police Academy. It should be noted that assignment of personnel to neighborhoods is based upon calls for service and other service demand indicators. Thus, citywide targets for officers per thousand residents do not directly translate to the neighborhood or community level.
- A comprehensive analysis of the operational budget impact of Greenbriar development on the City’s General Fund has been prepared and entered into the record. This analysis indicates that with a revenue flow consistent with the tax sharing agreement, the proposed development of Greenbriar would generate sufficient revenue to fund services to the area at a level similar to the rest of the City. The development of Greenbriar is essentially neutral from the perspective of the City’s General Fund, neither a drain on services to other portions of the City nor a great benefit to services in other portions of the City.
- On the positive side:
  - North Natomas has the greatest amount of park acres per resident than any other part of the City. The acquisition, development, and maintenance of neighborhood and community parks have proceeded relatively smoothly. Thirty three

neighborhood parks have been built, with seven more park openings scheduled in 2008. The drainage features have been incorporated into parks and trails. At least 80% of the residential units in North Natomas are within 800 feet of an open space feature.

- The North Natomas Town Center provides an education focus for the community with high school, community college center, and library underway soon. The Regional Park has been acquired using developer money, and both retail center anchors are in place.
  - Five miles of easements have been reserved for the future light rail line to the airport and downtown at a cost savings of over \$10 million to Regional Transit.
  - Natomas is the only community in America where every property owner, residential-commercial-office, pays an annual transportation fee to receive low cost commuter shuttle service, and other transportation and air quality services.
- In summary, the City is currently adjusting its North Natomas Fee Program to respond to the need to more accurately adjust fees and to prioritize the construction of the 2<sup>nd</sup> fire station.

Please contact me if you have any questions or need additional information.

Cordially,



Scot Mende, AICP  
New Growth & Infill Manager

Attachments:

City Council Resolution 2007-323 (approving Water Supply Assessment)  
City Council Resolution 2008-053 (Certifying EIR & Adopting MMP)  
City Council Resolution 2008-054 (amending Resolution No. 2001-518)  
City Council Resolution 2008-055 (Initiating Reorganization)  
City Council Resolution 2008-056 (Approving draft Finance Plan)  
City Council Resolution 2008-057 (Approving Inclusionary Housing Plan)  
City Council Resolution 2008-058 (Approving General Plan Map Amendment)  
City Council Resolution 2008-059 (Establishing Greenbriar PUD)  
City Council Resolution 2008-060 (Overriding ALUC Determination)  
City Council Ordinance 2008-004 (Pre-Zoning)  
City Council Agreement 2008-218 / Board Resolution 2008-212 (Tax Exchange Agreement)  
City Council Agreement 2008-219 Board Resolution 2008-211 (Open Space Agreement)  
USFWS letter – dated September 18, 2007  
State HCD Certification Letter of Housing Element  
Mutual Benefit Agreement between 575 Investors and Rio Linda School District

Copies to:

John Dangberg, Assistant City Manager, City of Sacramento  
Carol Shearly, Director of Planning, City of Sacramento  
Russell Fehr, Director of Finance, City of Sacramento

# CITY OF SACRAMENTO HISTORY OF ANNEXATION ACTIVITY

| NO  | DATE       | ORD/RES.# |   | NAME  | EST. POP       | ACRES(+)      |
|---|------------|-----------|---|---|----------------|---------------|
|   | 1849       |           |   | Sutter Grant (Old City)                         |                | 2,890         |
| 1   | 1911       |           | I | East-South Sacramento                           | 15,000         | 6,016         |
| 2   | 7/14/1946  | 1173      | U | River Park                                      |                | 400           |
|   | 7/14/1946  | 1174      | U | Orchard Terrace                                 |                |               |
| 3   | 9/3/1946   | 1189      | U | Eastern Avenue Tract                            |                | 2             |
| 4   | 10/21/1946 | 1211      | I | Mallegni Terrace                                |                | 10            |
| 5   | 3/17/1948  | 1353      | I | Colonial Heights-Fruitridge                     | 4,170          | 1,245         |
| 6   | 3/30/1948  | 1350      | I | Coloma Heights                                  | 320            | 10            |
| 7   | 8/26/1948  | 1381      | U | Colonial Acres 3 & 4                            |                | 231           |
| 8   | 9/11/1949  | 1457      | U | State College Site                              |                | 229           |
| 9   | 10/21/1949 | 1467      | U | North B St. - 23rd St.                          |                | 4             |
| <b>JANUARY 1, 1950 TOTALS</b>   |            |           |   |   | <b>137,542</b> | <b>11,037</b> |
| 10  | 11/21/1952 | 1692      | I | Sutterville Heights                             | 10,168         | 1,011         |
| 11  | 12/2/1952  | 1697      | I | West Fruitridge Panhandle                       | 1,430          | 91            |
| 12  | 1/16/1953  | 1707      | U | 13th and North C Street                         |                | 4             |
| 13  | 2/26/1953  | 1715      | I | Freeport Village                                | 680            | 1,280         |
| 14  | 2/26/1953  | 1719      | I | Freeport Manor                                  | 1,448          | 590           |
| 15  | 7/17/1953  | 1756      | U | River Park #6 (Elvas Park)                      |                | 99            |
| 16  | 8/6/1953   | 1760      | U | Fruitridge Manor Addition                       |                | 36            |
| 17  | 11/10/1953 | 1789      | U | Lopez Property (35th Ave.)                      |                | 32            |
| 18  | 1/13/1954  | 1812      | I | Brentwood Village                               | 500            | 85            |
| 19  | 2/26/1954  | #1        | U | 27th Street Refuse Dump                         |                | 32            |
| 20  | 2/26/1954  | #1        | U | New Filtration Plant                            |                | 37            |
| 21  | 2/26/1954  | #2        | U | Joseph Bonheim School Site                      |                | 10            |
| 22  | 4/9/1954   | 1836      | U | Skelton Property (Portion)                      |                | 325           |
| 23  | 8/23/1954  | 1866      | U | H Street Corridor                               |                | 72            |
| 24  | 12/22/1954 | #3        | U | Incinerator Property                            |                | 9             |
| #1 County Ordinance No. 12703, #2 County Ordinance No. 12704, #3 County Ordinance No. 13885 |            |           |   |   |                |               |
| <b>JANUARY 1, 1955 SUB-TOTAL</b>  |            |           |   |   | <b>14,226</b>  | <b>3,713</b>  |
| <b>JANUARY 1, 1955 TOTALS</b>   |            |           |   |   |                | <b>14,750</b> |
| 25  | 1/4/1955   | 1905      | I | Freeport Village 3 & 4                          | 203            | 70            |
| 26  | 5/23/1955  | 1915      | U | 65th Street and Folsom Blvd.                    |                | 16            |
| 27  | 7/1/1955   | 1925      | U | Florin Rd. & 24th Street                        |                | 42            |
| 28  | 7/15/1955  | 1930      | U | Freeport Blvd. & Florin Rd.                     |                | 77            |
| 29  | 4/1/1958   | 2003      | I | South Sacramento                                | 5,485          | 524           |
| 30  | 1/23/1958  | 2041      | I | Meadowview                                      | 1,225          | 2,140         |
| 31  | 1/23/1958  | 2058      | I | 65th St. and 14th Ave.                          | 1,225          | 411           |
| 32  | 6/23/1958  | 2075      | U | Fruitridge Rd. & Power Inn Rd.                  | 540            | 45            |
| 33  | 8/6/1958   | 2076      | U | Freeport Farms                                  |                | 308           |
| 34  | 8/11/1958  | 2107      | I | Riverside Area                                  | 3,270          | 4,641         |
| 35  | 1/30/1959  | 2108      | I | Elder Creek                                     | 2,500          | 2,466         |
| 36  | 4/26/1959  | 2117      | U | New State Fair Site                             |                | 1,022         |
| 37  | 9/21/1959  | 2144      | I | Cordova Townsite                                | 1,200          | 618           |
| 38  | 11/30/1959 | 2157      | U | N1/2-SW1/4 Sec 24 T8N R5E (East Florin-Perkins) |                | 80            |
| 39  | 11/3/1959  | 2157      | U | SE1/4 Sec 23 T8N R5E (West Florin-Perkins)      |                | 167           |
| <b>JANUARY 1, 1960 SUB-TOTAL</b>  |            |           |   |   | <b>15,648</b>  | <b>12,627</b> |
| <b>JANUARY 1, 1960 TOTALS</b>   |            |           |   |   |                | <b>27,377</b> |

# CITY OF SACRAMENTO HISTORY OF ANNEXATION ACTIVITY

| NO                                | DATE       | ORD/RES.# |   | NAME                             | EST. POP.     | ACRES(+)      |
|-----------------------------------|------------|-----------|---|----------------------------------|---------------|---------------|
| 40                                | 1/26/1960  | 2170      | U | Freeport Acres                   |               | 917           |
| 41                                | 1/26/1960  | 2173      | U | Industrial Park West             |               | 498           |
| 42                                | 1/26/1990  | 2174      | U | Industrial Park West             |               | 31            |
| 43                                | 8/8/1960   | 2213      | U | Mack Road                        |               | 2,816         |
| 44                                | 8/29/1960  | 2216      | U | Florin-Perkins Road              |               | 107           |
| 45                                | 8/29/1960  | 2217      | U | Basler Property                  |               | 18            |
| 46                                | 9/29/1960  | 2223      | U | Fruitridge School                |               | 9             |
| 47                                | 9/29/1960  | 2224      | U | Oak Ridge School                 |               | 10            |
| 48                                | 10/24/1960 | 2229      | U | St. Patrick's Home               |               | 39            |
| 49                                | 10/24/1960 | 2230      | U | Bishop Armstrong High School     |               | 27            |
| 50                                | 11/28/1960 | 2235      | U | Hewitt Subdivision               |               | 33            |
| 51                                | 11/28/1960 | 2236      | U | Ehrhardt Acres                   |               | 193           |
| 52                                | 11/28/1960 | 2237      | U | Jackson Property                 |               | 27            |
| <b>JANUARY 1, 1961 SUB-TOTAL</b>  |            |           |   |                                  | <b>0</b>      | <b>4,725</b>  |
| <b>JANUARY 1, 1961 TOTALS</b>     |            |           |   |                                  |               | <b>32,102</b> |
| 53                                | 1/3/1960   | 2243      | I | Northgate                        | 3,370         | 1,221         |
| 54                                | 1/9/1961   | 2252      | U | North Sheldon Road               |               | 622           |
| 55                                | 1/9/1961   | 2253      | U | East Franklin Blvd.              |               | 320           |
| 56                                | 1/23/1961  | 2250      | I | North 16th Street                | 1,080         | 468           |
| 57                                | 1/27/1961  | 2260      | U | Hunger Tract                     |               | 6             |
| 58                                | 6/20/1961  | 2295      | U | Natomas #1                       |               | 5,670         |
| 59                                | 11/9/1961  | 2327      | U | Natomas #2                       |               | 2,564         |
| 60                                | 11/9/1961  | 2336      | I | 16th Avenue                      | 1,600         | 86            |
| 61                                | 11/21/1961 | 2346      | U | Teichert Property                |               | 80            |
| 62                                | 12/4/1961  | 2342      | U | North Folsom Blvd.               |               | 85            |
| <b>JANUARY 1, 1962 SUB-TOTAL</b>  |            |           |   |                                  | <b>6,050</b>  | <b>11,122</b> |
| <b>JANUARY 1, 1962 TOTALS</b>     |            |           |   |                                  |               | <b>43,224</b> |
| 63                                | 1/29/1962  | #1        | U | American River Filtration Plant  |               | 10            |
| 64                                | 1/29/1962  | #1        | U | Florin Reservoir Site            |               | 10            |
| 65                                | 7/13/1962  | 2293      | U | Arden Way (Arden Fair)           |               | 150           |
| 66                                | 8/27/1962  | 2399      | I | Gardenland, Robla, DPH           | 17,373        | 4,702         |
| #1 County Resolution 62-162       |            |           |   |                                  |               |               |
| <b>JANUARY 1, 1963 SUB-TOTAL</b>  |            |           |   |                                  | <b>17,373</b> | <b>4,872</b>  |
| <b>JANUARY 1, 1963 TOTALS</b>     |            |           |   |                                  |               | <b>48,096</b> |
| 67                                | 1/11/1963  | #2        | U | Rutter Property                  |               | 8             |
| 68                                | 1/25/1963  | 2410      | U | Alpine Ave.                      |               | 71            |
| 69                                | 4/8/1963   | 2452      | I | Bannon Street                    | 90            | 152           |
| 70                                | 5/13/1963  | 2464      | U | West Franklin Blvd.              |               | 66            |
| 71                                | 7/22/1963  | 2484      | U | North Florin-Franklin            |               | 114           |
| 72                                | 11/12/1963 | 2501      | U | South Jackson Road               |               | 334           |
| 73                                | 11/12/1963 | 2502      | U | West Mendocino Blvd.             |               | 1             |
| #2 County Resolution 63-45        |            |           |   |                                  |               |               |
| <b>JANUARY 1, 1964 SUB-TOTALS</b> |            |           |   |                                  | <b>90</b>     | <b>746</b>    |
| <b>JANUARY 1, 1964 TOTALS</b>     |            |           |   |                                  |               | <b>48,842</b> |
| 74                                | 5/15/1964  | 2477      | I | Swanston-Ben Ali Haggin          | 20,000        | 2,950         |
| 75                                | 8/17/1964  | 2559      | U | East Connie Drive #1             |               | 12            |
|                                   |            | 2560      | U | East Connie Drive #2             |               |               |
|                                   |            | 2561      | U | East Connie Drive #3             |               |               |
|                                   | 12/31/1964 | 2579      | I | North Sacramento (Consolidation) | 16,346        | 4,211         |
| <b>JANUARY 1, 1965 SUB-TOTAL</b>  |            |           |   |                                  | <b>36,346</b> | <b>7,173</b>  |
| <b>JANUARY 1, 1965 TOTALS</b>     |            |           |   |                                  |               | <b>56,015</b> |

## CITY OF SACRAMENTO HISTORY OF ANNEXATION ACTIVITY

| NO                               | DATE       | ORD/RES.# |   | NAME  | EST. POP. | ACRES(+) |
|----------------------------------|------------|-----------|---|---|-----------|----------|
| 76                               | 4/19/1965  | 2599      | U | Natomas #3                                  |           | 212      |
| 77                               | 4/26/1965  | 2601      | U | Horst Ranch (Campus Commons or West Arden)  |           | 668      |
| 78                               | 5/15/1965  | 2573      | I | East Folsom Blvd. (College Green-Glenbrook) | 4,000     | 2,440    |
| 79                               | 7/26/1965  | #1        | U | City Freeport A & B                         |           | 35       |
| 80                               | 7/30/1965  | #2        | U | Horst Ranch Addition                        |           | 5        |
| 81                               | 12/20/1965 | 2631      | U | Florin-Franklin                             |           | 40       |
| #1 County Resolution 65-771      |            |           |   |   |           |          |
| #2 County Resolution 65-791      |            |           |   |   |           |          |
| JANUARY 1, 1966 SUB-TOTAL        |            |           |   |   | 4,000     | 3,400    |
| JANUARY 1, 1966 TOTALS           |            |           |   |   |           | 59,415   |
| 82                               | 6/28/1966  | #3        | U | Southeast Industrial                        |           | 201      |
| 83                               | 12/23/1966 | #4        | U | Southeast Industrial #2                     |           | 80       |
| #3 City Council Resolution #256  |            |           |   |   |           |          |
| #4 City Council Resolution #513  |            |           |   |   |           |          |
| JANUARY 1, 1967 SUB-TOTAL        |            |           |   |   | 0         | 281      |
| JANUARY 1, 1967 TOTALS           |            |           |   |   |           | 59,696   |
| 84                               | 2/13/1968  | 2752      | U | Southeast Industrial #3                     |           | 59       |
| 85                               | 4/8/1968   | 2755      | U | Southeast Industrial #4                     |           | 372      |
| 86                               | 4/8/1968   | 2756      | U | 33rd Ave.                                   |           | 21       |
| JANUARY 1, 1970 SUB-TOTAL        |            |           |   |   | 0         | 452      |
| JANUARY 1, 1970 TOTALS           |            |           |   |   |           | 60,148   |
| 87                               | 12/26/1969 | 2862      | U | Natomas #4 Uninhabited                      |           | 40       |
| 88                               | 4/23/1970  | 2879      | U | 52nd Ave. Uninhabited                       |           | 11       |
| 89                               | 6/13/1970  | 2886      | U | West Power Inn Road                         |           | 47       |
| 90                               | 12/29/1970 | #3        | U | Relocation of Boundaries Uninhabited        |           | 0.176    |
| 91                               | 11/29/1973 | #4        | U | Farmers & Merchant Bank Annex               |           | 0.2      |
| #3 City Council Resolution #528  |            |           |   |   |           |          |
| #4 City Council Resolution #1158 |            |           |   |   |           |          |
| JANUARY 1, 1975 SUB-TOTAL        |            |           |   |   | 0.0       | 98.4     |
| JANUARY 1, 1975 TOTALS           |            |           |   |   |           | 60,246   |
| 92                               | 01/13/76   | 76-009    | U | Massie Annexation                           |           | 14       |
| JANUARY 1, 1978 TOTALS           |            |           |   |   |           | 60,260   |
| 93                               | 2/7/1978   | 78-061    | U | Sunzeri Reorganization                      |           | 2        |
| 94                               | 3/14/1978  | 78-149    | U | Massie Reorganization                       |           | 14       |
| 95                               | 11/8/1978  | 78-782    | U | Belmar Reorganization                       |           | 121      |
| 96                               | 8/20/1980  | 80-549    | U | Zubiri Reorganization                       |           | 148      |
| JANUARY 1, 1981 SUB-TOTAL        |            |           |   |   | 0         | 286      |
| JANUARY 1, 1981 TOTALS           |            |           |   |   | 275,741   | 60,547   |
| 97                               | 6/1/1982   | 82-385    | U | Raney Reorganization                        |           | 111      |
| 98                               | 7/13/1982  | 82-487    | U | Stoddard Reorganization                     |           | 14       |
| JANUARY 1, 1983 SUB-TOTAL        |            |           |   |   | 0         | 125      |
| JANUARY 1, 1983 TOTALS           |            |           |   |   |           | 60,672   |
| 99                               | 7/3/1984   | 84-575    | I | Willowcreek Reorganization #1               | 238       | 386      |
| 100                              | 1/8/1985   | 85-018    | U | Industrial Sites Ltd. Reorganization        |           | 20       |
| 101                              | 6/25/1985  | 85-064ORD | U | Matz Reorganization                         | 3         | 32       |
| 102                              | 8/13/1985  | 85-602    | U | Methodist Hospital Reorganization           |           | 39       |
| 103                              | 8/27/1985  | 85-649    | U | East Lawn Mortuary Co. Reorganization       |           | 0.25     |
| JANUARY 1, 1986 SUB-TOTAL        |            |           |   |   | 241       | 477.25   |
| JANUARY 1, 1986 TOTALS           |            |           |   |   |           | 61,149   |

## CITY OF SACRAMENTO HISTORY OF ANNEXATION ACTIVITY

| NO                        | DATE       | ORD/RES.#   |   | NAME                               | EST. POP. | ACRES(+) |
|---------------------------|------------|-------------|---|------------------------------------|-----------|----------|
| 104                       | 1/28/1986  | 86-008RES   | U | Umeda Reorganization               |           | 14       |
|                           |            | 86-056RES   |   |                                    |           |          |
| 105                       | 2/11/1986  | 86-019      | U | Morrison Creek                     |           | 55       |
| JANUARY 1, 1987 SUB-TOTAL |            |             |   |                                    | 0         | 69       |
| JANUARY 1, 1987 TOTALS    |            |             |   |                                    |           | 61,218   |
| 106                       | 2/10/1987  | 87-010ORD   | U | Douglas Oil Company Reorganization |           | 0.38     |
|                           |            | 87-081RES   |   |                                    |           |          |
| 107                       | 2/24/1987  | 87-017      | U | Valley Jag. (AKT) Reorganization   |           | 143      |
| 108                       | 5/21/1987  | 87-047ORD   | U | Peery/Arrillaga Reorganization     |           | 7        |
| 109                       | 6/16/1987  | 87-070ORD   | U | Danekas Reorganization             |           | 93       |
| JANUARY 1, 1988 SUB-TOTAL |            |             |   |                                    | 0         | 243      |
| JANUARY 1, 1988 TOTALS    |            |             |   |                                    |           | 61,461   |
| 110                       | 5/22/1990  | 90-022ORD   | U | Sturgeon Reorganization            |           | 4.62     |
| JANUARY 1, 1991 TOTALS    |            |             |   |                                    | 0         | 61,466   |
| 111                       | 1/8/1991   | 91-029RES   | U | Scurfield Reorganization           |           | 10       |
| 112                       | 8/27/1991  | 91-680RES   | U | Morrison Creek Business Park       |           | 25       |
| JANUARY 1, 1992 SUB-TOTAL |            |             |   |                                    | 0         | 35       |
| JANUARY 1, 1992 TOTALS    |            |             |   |                                    |           | 61,501   |
| 113                       | 5/19/1992  | 92-351RES   | U | Northgate Commerce Park            |           | 9        |
| 114                       | 4/6/1992   | 92-391RES   | U | Sorensen Detachment                |           | (4.23)   |
| 115                       | 8/11/1992  | 92-603RES   | U | Hedge Avenue Industrial Park       |           | 40       |
| 116                       | 9/8/1992   | 92-675RES   | I | Cosumnes River College Area        | 173       | 395      |
| JANUARY 1, 1993 SUB-TOTAL |            |             |   |                                    | 173       | 440      |
| JANUARY 1, 1993 TOTALS    |            |             |   |                                    |           | 61,941   |
| 117                       | 11/2/1994  | 94-396RES   | U | Shorebird Reorganization           |           | 20.1     |
| JANUARY 1, 1995 TOTALS    |            |             |   |                                    | 0         | 61,961   |
| 118                       | 10/17/1995 | 95-594RES   | U | Giannoni Reorganization            |           | 12       |
| JANUARY 1, 1996 TOTALS    |            |             |   |                                    | 0         | 61,973   |
| 119                       | 9/15/1999  | L AFC1210*  | U | Willowcreek Reorganization         |           | 57       |
| JANUARY 1, 2000 TOTALS    |            |             |   |                                    | 0         | 62,030   |
| 120                       | 4/14/2004  | 2003-817RES | U | Airgas Annexation                  | 0         | 15       |
| 121                       | PENDING    |             | I | Freeport Annexation                | -         | -        |
| JUNE 1, 2004 SUB-TOTAL    |            |             |   |                                    | 0         | 15       |
| JUNE 1, 2004 TOTALS       |            |             |   |                                    |           | 62,045   |

L AFC = Local Agency Formation Commission was final hearing body, No Conducting Authority Proceedings

NOTE Decennial population figures for 1950 through 1990 are from the U.S. Census, except 1975, which are from the 1975 Special Census conducted by the State of California. Incremental population figures from 1981 through 2000 are from the Department of Finance, State of California

\* I = Inhabited Annexation










U = Uninhabited Annexation

\*\* = Resolution No. for CC Action on Reorganization








# City of Sacramento Annexation History

## Year Annexed

-  1849 (Sutter Grant)
-  1850 - 1849
-  1950 - 1958
-  1959 - 1965
-  1966 - 1973
-  1974 - 1982
-  1983 - 1990
-  1991 - 1999
-  2000 - 2009

NOTE: The number printed below the annexation year on the map indicates the order in which the annexation took place.

## Symbol Legend

-  City Limits
  -  Existing Sphere of Influence
  -  Rivers
  -  Highways
  -  City Streets
- 0 5,000 10,000 Feet





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846



In reply refer to:  
81420-2008-TA-1082-1

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SACRAMENTO LOCAL AGENCY  
FORMATION COMMISSION

Mr. Donald Lockhart  
Sacramento Local Agency Formation Commission  
1112 I Street, Suite 100  
Sacramento, CA 95814-2836

Subject: Annexation of the Greenbriar Development Site in Natomas, Sacramento County, California

Dear Mr. Lockhart:

The U.S. Fish and Wildlife Service (Service) provides the following comments to the Local Agency Formation Commission (LAFCO) regarding the scheduled annexation hearing for the Greenbriar Development. We understand that the LAFCO will be conducting the hearing to consider approving annexation of the 577-acre project site into the City of Sacramento on April 2, 2008.

The Service reiterates the concerns outlined in the September 18, 2007, letter to you (Service File # 1-1-07-CP-1106). The Service and the California Department of Fish and Game (CDFG) have been meeting with the City and the project proponents to discuss the potential impacts of the project on the overall conservation strategy of the Natomas Basin Habitat Conservation Plan (NBHCP) and project-specific potential impacts to two focal species, the giant garter snake (*Thamnophis gigas*) and the Swainson's hawk (*Buteo swainsoni*). However, the Service does not concur with the "Effects Analysis" presented in project documents for Greenbriar and does not believe the conservation strategy proposed by Greenbriar will adequately minimize and mitigate the effects of the project on the giant garter snake.

Pursuant to the NBHCP, the City may not approve the Greenbriar project until (1) it obtains Service approval of an amendment to the NBHCP and obtains Incidental Take Permits (ITPs) for the project from both the Service and the CDFG, or (2) the project proponent develops its own HCP and obtains separate ITPs for the project. The resolution by the Sacramento City Council certifying the Environmental Impact Report (EIR) included the following statement: "Before the tentative map, development agreement and other entitlements are approved, and before a grading permit may be issued, a habitat conservation plan must be prepared and approved, and an incidental take permit issued, by the U.S. Fish and Wildlife Service and California Department of

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Fish and Game.” The City has further assured the Service that annexation of the Greenbriar site does not constitute approval of the Greenbriar project or foreclose other options for the annexed lands. City staff has advised that the earliest point at which a project level approval for the Greenbriar project would occur is at the tentative subdivision map approval stage. Based on this understanding, the Service believes that in order to remain in compliance with the NBHCP, the City may not take action to approve the Greenbriar project by approval of a tentative subdivision map until the project has obtained an ITP from the Service.

If you have any questions or concerns regarding the Greenbriar project or the HCP process, contact Jana Milliken or Eric Tattersall at (916) 414-6600.

Sincerely,



Cay Goude  
Assistant Field Supervisor

cc:

Lynn Cox, DOI Solicitor  
Todd Gardner, Jeff Drongesen, and Kent Smith, California Department of Fish and Game,  
Rancho Cordova, California  
Julie Car and Leighann Moffit, County Planning & Community Development Department,  
Sacramento, California  
Carol Shearly, Rochelle Amrhein, and Scot Mende, City of Sacramento Planning Department,  
Sacramento, California

**TAX EXCHANGE AGREEMENT  
BETWEEN  
THE COUNTY OF SACRAMENTO AND THE CITY OF SACRAMENTO,  
RELATING TO THE GREENBRIAR ANNEXATION**

This TAX EXCHANGE AGREEMENT (hereinafter "Agreement") is made and executed in duplicate this \_\_\_\_\_ day of March, 2008 by and between the COUNTY OF SACRAMENTO, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), and the CITY OF SACRAMENTO, a charter city (hereinafter referred to as "CITY").

**RECITALS**

A. On June 6, 1978, the voters of the State of California amended the California Constitution by adding Article XIII A thereto which limited the total amount of property taxes which could be levied on property by local taxing agencies having such property within their territorial jurisdiction to one percent (1%) of full cash value; and

B. Following such constitutional amendment, the California Legislature added Section 99 to the California Revenue and Taxation Code which requires a city seeking to annex property to its incorporated territory and a county affected by such annexation to agree upon an exchange of property taxes which are derived from such property and available to the county and city following annexation of the property to the incorporated territory of the city; and

C. CITY has filed an application with the Sacramento Local Agency Formation Commission requesting its approval of the annexation of approximately 577 acres of real property to CITY ("the Greenbriar Annexation"); and

D. COUNTY and CITY wish to work together to develop a fair and equitable approach to the sharing of real property ad valorem taxes imposed and collected as authorized by the Revenue and Taxation Code in order to encourage sound urban development and economic growth; and

E. COUNTY and CITY are parties to the Natomas Vision Memorandum of Understanding ("the MOU"); and

F. One of the purposes of the MOU is to provide for the fair distribution between the COUNTY and the CITY of revenue generated within areas annexed to the CITY; and

G. The MOU specifies how property tax and other revenue generated within the area subject to the MOU is to be shared; and

H. The purpose of this Agreement is to implement the revenue sharing provisions of the MOU as they pertain to the Greenbriar Annexation; and

I. It is a further purpose of this Agreement to serve as a Property Tax Transfer Agreement pursuant to Section 99 of the California Revenue and Taxation Code.

COUNTY and CITY hereby agree as follows:

Section 1. Definitions. For purposes of this Agreement, the following terms shall have the meanings set forth below:

(a) "Annexation Area" shall mean that portion of the unincorporated area of COUNTY known as the Greenbriar Annexation,

(b) "Annexation Date" shall mean the date specified by the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code § 56000 et seq.) as the effective date of the Greenbriar Annexation.

(c) "Big Box Retail Establishment" shall mean a store of greater than 75,000 square feet of buildable area that will generate sales, transaction or use tax revenue.

(d) "Greenbriar Annexation" shall mean the annexation to the CITY as delineated in Sacramento Local Agency Formation Commission Application Control Number "LAFC 10-05", the annexation of which to CITY is subsequently approved and completed by the Sacramento Local Agency Formation Commission as provided in the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code § 56000 et seq.).

(e) "Natomas Vision MOU" shall mean the Memorandum of Understanding entered into December 10, 2002, by and between the COUNTY and the CITY which is attached hereto as Exhibit "A".

(f) "Property Tax Revenue" shall mean revenue from "ad valorem real property taxes on real property", as said term is used in Section 1 of Article 13A of the California Constitution and more particularly defined in subsection (c) of Section 95 of the California Revenue and Taxation Code, that is collected from within the Annexation Area, is available for allocation to the City and the County, and is currently allocated to the County General Fund, County Library Fund, Natomas Fire Protection District, and County Road Fund.

(g) "Sales Tax Revenue" shall mean the revenue from the sales, transaction and use taxes levied and received by the CITY that are collected within the Annexation Area.

(h) The following land uses shall be conclusively presumed to be a Single Purpose/Regional Tax Generating Land Use: hotels, motels, auto dealers, shopping malls, and Big Box Retail Establishments. The following land uses shall be conclusively presumed not to be a Single Purpose/Regional Tax Generating Land Use: gas stations, restaurants, grocery and department stores not meeting the definition of Big Box Retail Establishments, other community or local commercial establishments, and, with the exception of Big Box Retail Establishments, those commercial land uses authorized by and in substantial compliance with the Greenbriar Prezone Map which is depicted on Exhibit A attached hereto. Substantial compliance shall mean that the total retail in the Greenbriar project may exceed by up to 5% of the 38 acres shown on Exhibit A; any retail in excess of 39.8 acres shall trigger the requirement to share sales tax generated by all retail within the Greenbriar project.

(i) "Transient Occupancy Tax Revenue" shall mean the CITY general fund share of revenue from any transient occupancy tax levied and received by the CITY pursuant to Revenue and Taxation Code Section 7280, or any successor statutory provision, that is collected within the Annexation Area.

Section 2. General Purpose of Agreement. The general purpose of this Agreement is (a) to devise an equitable exchange of Property Tax Revenue between CITY and COUNTY as required by Section 99 of the California Revenue and Taxation Code and the Natomas Vision MOU and (b) to fairly allocate Sales Tax and Transient Occupancy Tax Revenue collected within the Annexation Area as provided for in the Natomas Vision MOU.

Section 3. Exchange of Property Tax Revenues. On and after the Annexation Date, the COUNTY and CITY shall exchange Property Tax Revenue as follows:

| NAME           | Available Tax Increment |             | Annexation Shares |
|----------------|-------------------------|-------------|-------------------|
|                | BEFORE ERAF             | ERAF        |                   |
| COUNTY LIBRARY | 2.223420                |             | 2.223420          |
| COUNTY ROADS   | 0.107840                |             | 0.107840          |
| COUNTY GENERAL | 47.874900               | (26.885783) | 20.989117         |
| NATOMAS FIRE   | 11.285210               | (0.010338)  | 11.274872         |
| Net            | 61.491370               | (26.896121) | 34.595249         |

|                    |           |
|--------------------|-----------|
| County Share (50%) | 17.297625 |
| City Share (50%)   | 17.297625 |

(a) CITY shall receive 17.2976245% of the Property Tax Revenue to be allocated to its General Fund.

(b) COUNTY shall receive 17.2976245% of the Property Tax Revenue to be allocated to its General Fund.

Section 4. Sharing of Sales Tax and Transient-Occupancy Tax Revenues.

(a) If subsequent to the annexation date the CITY rezones any property within the Annexation Area from a residential land use to any retail land use, such that the total zoned retail land uses exceed 39.8 acres, the COUNTY and the CITY shall share Sales Tax and Transient Occupancy Tax Revenue as follows:

(i) The COUNTY and the CITY share equally in the Sales Tax and Transient Occupancy Tax Revenue collected with the area of such rezone.

(b) If any property within the Annexation Area is rezoned by the CITY from a residential land use to a Single Purpose/Regional Tax Generating Land Use, the CITY

shall provide written notice of such rezoning to the COUNTY within thirty (30) days of the effective date of any such rezoning

Section 5. Adjustment of Property Tax Shares. In the event that the COUNTY is entitled to share in any Sales Tax and Transient Occupancy Tax Revenue pursuant to Section 4 of this Agreement, the COUNTY's share of such revenue shall be allocated to the COUNTY by increasing the COUNTY's percentage share of Property Tax Revenue established pursuant to Section 3 of this Agreement in an amount equal to the COUNTY's share of Sales Tax and Transient Occupancy Tax Revenue. If the COUNTY's share of Sales Tax and Transient Occupancy Tax Revenue is greater than the amount of the CITY's share of Property Tax Revenue, the difference shall be paid by the CITY to the COUNTY within sixty (60) days after the end of the fiscal year in which the Sales Tax and Transient Occupancy Tax Revenue was collected.

Section 6. Exchange by County Auditor. COUNTY and CITY further agree that all of the exchanges of Property Tax Revenue required by this Agreement shall be made by the County Auditor.

Section 7. Dispute Resolution.

(a) Inadmissibility. Should any disputes arise as to the performance of this Agreement, COUNTY and CITY agree to the dispute resolution process as set forth below. All conduct, testimony, statements or other evidence made or presented during the meeting described in subsection (b) below shall be confidential and inadmissible in any subsequent arbitration proceedings brought to prove liability for any claimed breach or damages which are the subject of the dispute resolution process.

(b) Initiation of Process. COUNTY or CITY may initiate the dispute resolution process by submitting written notification to the other of a potential dispute concerning the performance of this Agreement. This written notification shall include all supporting documentation, shall state what is in dispute, and shall request a meeting between the County Executive and the City Manager or their respective designees. The purpose of this meeting shall be to ascertain whether a resolution of the disagreement is possible without third party intervention. This meeting shall be scheduled to take place within thirty (30) working days of receipt of the written notification of the dispute. At the meeting, the respective representatives of the COUNTY and the CITY shall attempt to reach an equitable settlement of the disputed issue(s).

(c) Binding Arbitration. If the meeting provided for in subsection (b) of this Section fails to fully resolve the disagreement, the matter shall then be submitted by either party to the American Arbitration Association ("Arbitrator") to appoint a single, neutral arbitrator for a decision. The arbitration shall be conducted pursuant to the procedures set forth in Chapter 3 (commencing with Section 1282) of Title 9 of the California Code of Civil Procedure. The decision of the Arbitrator shall be controlling between the CITY and the COUNTY and shall be final. Except as provided in Code of Civil Procedure Sections 1286.2 and 1286.4, neither party shall be entitled to judicial review of the Arbitrator's decision. The party against whom the award is rendered shall pay any monetary award and/or comply with any other order of the Arbitrator within sixty (60) days of the entry of judgment on the award.

(d) Costs. The parties shall share equally in the costs and fees associated with the Arbitrator's fees and expenses. At the conclusion of the arbitration, the prevailing party, as determined by the Arbitrator, shall be entitled to reimbursement by the other party for the Arbitrator's fees and the Arbitrator's expenses incurred in connection with the arbitration. The awarded arbitrator's fees and expenses shall be remitted to the party whose position is upheld within thirty (30) days of the Arbitrator's decision. Each party shall bear its own costs, expenses and attorney's fees and no party shall be awarded its costs, expenses, or attorney's fees incurred in the dispute resolution process.

Section 8. Mutual Defense of Agreement. If the validity of this Agreement is challenged in any legal action by a party other than COUNTY or CITY, then COUNTY and CITY agree to defend jointly against the legal challenge and to share equally any award of costs, including attorneys' fees, against COUNTY, CITY, or both.

Section 9. Waiver of Retroactive Recovery. If the validity of this Agreement is challenged in any legal action brought by either CITY or any third party, CITY hereby waives any right to the retroactive recovery of any City Property Tax Revenues exchanged pursuant to this Agreement prior to the date on which such legal action is filed in a court of competent jurisdiction. The remedy available in any such legal action shall be limited to a prospective invalidation of the Agreement.

Section 10. Modification. The provision of this Agreement and all of the covenants and conditions set forth herein may be modified or amended only by a writing duly authorized and executed by both the COUNTY and CITY.

Section 11. Reformation. COUNTY and CITY understand and agree that this Agreement is based upon existing law, and that such law may be substantially amended in the future. In the event of an amendment of state law which renders this Agreement invalid or inoperable or which denies any party thereto the full benefit of this Agreement as set forth herein, in whole or in part, then COUNTY and CITY agree to renegotiate the Agreement in good faith.

Section 12. Effect of Tax Exchange Agreement. This Agreement shall be applicable solely to the Greenbriar Annexation and does not constitute either a master tax sharing agreement or an agreement on property tax exchanges which may be required for any other annexation to the CITY, nor does it alter or enlarge any revenue sharing obligations of the City by way of incorporation on July 1, 2000.

Section 13. Entire Agreement. With respect to the subject matter hereof only, this Agreement supersedes any and all previous negotiations, proposals, commitments, writings, and understandings of any nature whatsoever between COUNTY and CITY except as otherwise provided herein.

Section 14. Notices. All notices, requests, certifications or other correspondence required to be provided by the parties to this Agreement shall be in writing and shall be personally delivered or delivered by first class mail to the respective parties at the following addresses:

COUNTY  
County Executive

CITY  
City Manager



County of Sacramento  
700 H Street, Room 7650  
Sacramento, CA 95814

City of Sacramento  
915 "I" Street, 5th Floor  
Sacramento, CA 95814

Notice by personal delivery shall be effective immediately upon delivery. Notice by mail shall be effective upon receipt or three days after mailing, whichever is earlier.

Section 14. Approval, Consent, and Agreement. Wherever this Agreement requires a party's approval, consent, or agreement, the party shall make its decision to give or withhold such approval, consent or agreement in good faith, and shall not withhold such approval, consent or agreement unreasonably or without good cause.

Section 15. Construction of Captions. Captions of the sections of this Agreement are for convenience and reference only. The words in the captions in no way explain, modify, amplify, or interpret this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement in the county of Sacramento, State of California, on the dates set forth above.

COUNTY OF SACRAMENTO, a political subdivision of the State of California

By \_\_\_\_\_  
Chairperson of the Board of Supervisors

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the Board of Supervisors

Approved As to Form:

\_\_\_\_\_  
County Counsel

CITY OF SACRAMENTO, a charter city

By: \_\_\_\_\_  
City Manager

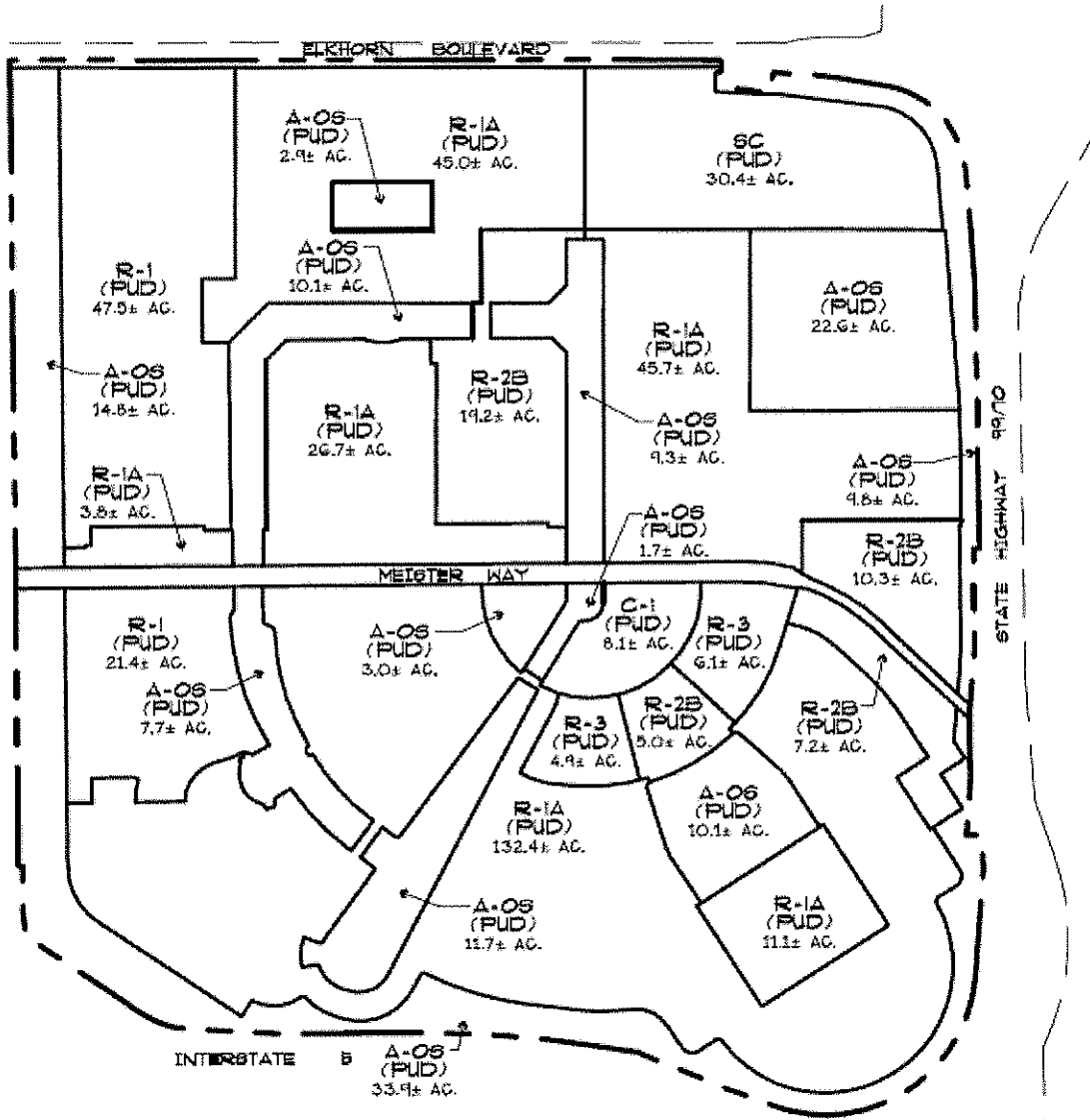
(SEAL)

ATTEST: \_\_\_\_\_  
City Clerk

Approved As to Form:

\_\_\_\_\_  
City Attorney

GREENBRIAR TAX SHARING AGREEMENT – EXHIBIT A  
PREZONING MAP

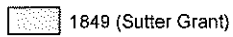
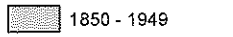
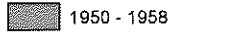
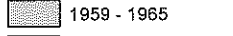
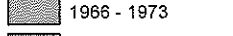
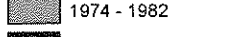
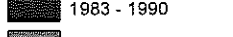
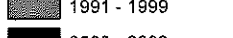
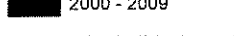


ZONING SUMMARY TABLE

| DESIGNATION | LAND USE  | EXISTING | PROPOSED | DIFFERENCE |
|-------------|---|----------|----------|------------|
| R-1 (PUD)   | LOW DENSITY RESIDENTIAL (4-15 DU/AC)                | -        | 68.9     | +68.9      |
| R-1A (PUD)  | MEDIUM DENSITY RESIDENTIAL (16-29 DU/AC)            | -        | 264.7    | +264.7     |
| R-2B (PUD)  | ELEMENTARY SCHOOL/PRIVATE PARK AND RECREATION SITES | -        | 41.7     | +41.7      |
| R-3 (PUD)   | MEDIUM DENSITY RESIDENTIAL (16-29 DU/AC)            | -        | 11.0     | +11.0      |
| A-05 (PUD)  | HIGH DENSITY RESIDENTIAL (30+ DU/AC)                | -        | 137.6    | +137.6     |
| SC (PUD)    | NEIGHBORHOOD PARK/OPEN SPACE/BUFFER/WATER           | -        | 30.4     | +30.4      |
| C-1 (PUD)   | SHOPPING CENTER                                     | -        | 8.1      | +8.1       |
| AG-80       | COMMUNITY COMMERCIAL                                | 577.0    | -        | -577.0     |
| MAJOR ROADS | AGRICULTURAL CROPLAND                               | -        | 14.6     | +14.6      |
|             |   | 577.0    | 577.0    |            |






# City of Sacramento Annexation History

## Year Annexed

-  1849 (Sutter Grant)
-  1850 - 1949
-  1950 - 1958
-  1959 - 1965
-  1966 - 1973
-  1974 - 1982
-  1983 - 1990
-  1991 - 1999
-  2000 - 2009

NOTE: The number printed below the annexation year on the map indicates the order in which the annexation took place.

## Symbol Legend

-  City Limits
  -  Existing Sphere of Influence
  -  Rivers
  -  Highways
  -  City Streets
- 0 5,000 10,000 Feet
- N