

RESOLUTION NO. 2017-133

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE
AGREEMENT WITH FRANK P. LEAL FOR THE ACQUISITION OF
REAL PROPERTY LOCATED AT 9676 RAILROAD STREET
[ASSESSOR PARCEL NUMBERS 134-0050-043 AND 134-0050-052] (CEQA EXEMPT)**

WHEREAS, 9676 Railroad Street, identified as Assessor Parcel Numbers 134-0050-043 and 134-0050-052 (the "Property") is located in the City's historic Old Town district and is adjacent to and south of the City's Old Town Plaza properties; and

WHEREAS, the proposed purchase of the Property is for commercial development that is intended to seed the revitalization of Old Town as a dining, arts, entertainment, and shopping district; and

WHEREAS, staff has negotiated a purchase price of \$500,000, which has been agreed to by Frank P. Leal by execution of the Purchase and Sale Agreement, subject to City Council approval; and

WHEREAS, there is a 105-day Due Diligence Period where the City may terminate the Purchase and Sale Agreement at no cost to the City based on the findings of its inspections; and

WHEREAS, staff will complete due diligence activities, which associated costs are anticipated to be less than \$85,000, and report back to the City Council within the 105-day Due Diligence Period; and

WHEREAS, the proposed purchase of the Property has been found to be in conformity with the adopted General Plan by the Planning Commission at its June 1, 2017 meeting, pursuant to California Government Code Section 65402; and

WHEREAS, funding for the purchase of the Property is from the General Fund; and

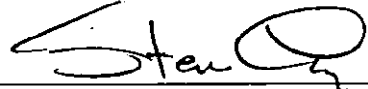
WHEREAS, staff recommends entering into a Purchase and Sale Agreement with Frank P. Leal for the purchase of the Property; and

WHEREAS, the proposed acquisition is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), (3) and 15378(a) of the CEQA Guidelines because the proposed acquisition does not constitute the approval of a project under CEQA and, therefore, environmental review under CEQA is not required at this time.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove finds that the purchase of the Property as proposed is for the common public benefit and is consistent with the General Plan, and hereby authorizes the City Manager to execute a Purchase and Sale Agreement in substantially the form presented with Frank P. Leal for the City's purchase of the property located at 9676 Railroad Street and

identified as Assessor Parcel Numbers 134-0050-043 and 134-0050-052, all subject to approval as to form by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of June 2017.




STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-133

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

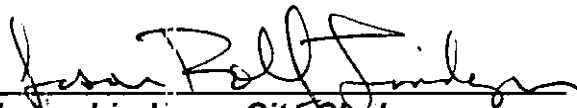
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 14, 2017 by the following vote:

AYES: COUNCILMEMBERS: Ly, Detrick, Hume, Nguyen, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California