

RESOLUTION NO. 2023-257

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE PUBLIC IMPROVEMENT AGREEMENT WITH VPTM SOUZA DAIRY LB LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR SOUZA DAIRY PHASE 1A (SUBDIVISION NO. 13-030) (CEQA EXEMPT)

WHEREAS, on November 9, 2022, the City of Elk Grove (City) approved Final Maps for Souza Dairy Units 1 through 3 and authorized the City Manager to execute a Public Improvement Agreement (PIA) for Souza Dairy Phase 1A (EG-13-030); and

WHEREAS, on November 16, 2022, the City Manager executed the PIA (C-22-752) requiring VPTM Souza Dairy LB LLC (Subdivider) to design and construct certain Required Improvements, including but not limited to the following:

- Lotz Parkway from Shed C Channel to Kammerer Road – prior to City’s acceptance of subdivision improvements for Souza Dairy, Unit 1 Subdivision.
- Traffic signal at Lotz Parkway and Kammerer Road – prior to issuance of first building permit for Souza Dairy, Unit 3 Subdivision.
- Traffic Signal at Lotz Parkway and Kyler Road – prior to issuance of first building permit for Souza Dairy, Unit 4 Subdivision; and

WHEREAS, construction of the traffic signal improvements has been impacted by global supply chain issues, which have delayed the delivery of the equipment necessary to construct these improvements; and

WHEREAS, construction of Lotz Parkway from the Shed C Channel to Kammerer Road needs to be completed concurrently with the traffic signal improvements at these locations in order to avoid potentially unsafe traffic transitions should Lotz Parkway be constructed in advance of the traffic signals; and

WHEREAS, the Subdivider has requested this First Amendment to the PIA to allow building permits to continue to be issued for the subdivision while these supply chain issues are being resolved; and

WHEREAS, staff has reviewed the Subdivider’s request and concurs that these delays are due to reasons beyond the Subdivider’s control and that it is reasonable to extend the completion date of these Required Improvements to prior to the issuance of the 350th building permit for Souza Dairy Units 1 through 4 (cumulatively), or prior to September 30, 2024, whichever occurs first; and

WHEREAS, for the reasons stated in the accompanying staff report, no further environmental review is required for approval of the First Amendment to the PIA pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the First Amendment to the Public Improvement Agreement with VPTM Souza Dairy LB LLC, in substantially the form presented, extending the completion date for certain Required Improvements for Souza Dairy Phase 1A to prior to the issuance of the 350th building permit for Souza Dairy Units 1 through 4 (cumulatively), or prior to September 30, 2024, whichever occurs first.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 8th day of November 2023

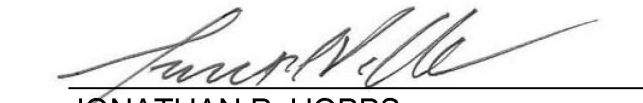


DARREN SUEN, COUNCIL MEMBER of
the CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-257

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 November 8, 2023 by the following vote:

AYES: COUNCILMEMBERS: Brewer, Robles, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Singh-Allen, Spease



Jason Lindgren, City Clerk
City of Elk Grove, California