

RESOLUTION R2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, RESCINDING RESOLUTION R2024-154, APPROVING THE IMPROVEMENT AGREEMENT OF THE AIRPORT WAY & WAWONA STREET INTERSECTION IMPROVEMENTS FOR ROBINSON OIL CORPORATION; AND AUTHORIZING THE CITY MANAGER TO SIGN AND TAKE ALL NECESSARY STEPS TO EFFECTUATE THE AGREEMENT

WHEREAS, on September 17, 2024, the City Council of City of Manteca adopted Resolution R2024-154, to enter into an Improvement Agreement with Robinson Oil Corporation with the Estimated Total Cost of Improvements of \$919,405; and

WHEREAS, the Improvement Agreement did not reflect revisions to Section 7(A), "Indemnification of City By Developer", Section 18, "Conflicts Provision", and an adjustment to SCHEDULE B, Table 1, "Transportation System Public Facilities Implementation Program (P.F.I.P.) Reimbursement of Council's approved action; and

WHEREAS, due to unforeseen field conditions restricting placement of improvements in its final configuration/location, portion of the transportation improvement will be in an interim location, thus ineligible for portion of P.F.I.P. credit reimbursement; and

WHEREAS, in light of the previous recitals, the City of Manteca and Robinson Oil Corporation, desire to enter into the Improvement Agreement for the Airport Way & Wawona Street Intersection Improvements with the Estimated Total Cost of Improvements of \$939,390, to include the revised Section 7(A), "Indemnification of City By Developer", Section 18, "Conflicts Provision", and an adjustment to SCHEDULE B, Table 1, "Transportation System P.F.I.P. Reimbursement total; and

WHEREAS, the City Council has considered all information related to this matter as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby rescinds R2024-154 and replace with this Resolution.

ATTACHMENT 1

3. The City Council approves the Improvement Agreement attached hereto and incorporated by reference as EXHIBIT A for Airport Way & Wawona Street Intersection Improvements, including, without limitation, revisions Section 7(A), "Indemnification of City By Developer", Section 18, "Conflicts Provision".
4. The City Council approves the adjustment to SCHEDULE B, Table 1, Transportation System PFIP Reimbursement, decreasing the Total Transportation Facilities Systems PFIP Reimbursement amount by \$51,450 from \$895,440 to \$843,990.
5. The City Council authorizes the City Manager to sign and take all necessary steps to effectuate the agreement, including any and all amendments as permitted by law.
6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 3rd day of December 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk