

RESOLUTION R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR THE S. MAIN STREET WIDENING AND IMPROVEMENTS AREA OF BENEFIT, FORMING THE S. MAIN STREET WIDENING AND IMPROVEMENTS AREA OF BENEFIT DISTRICT; APPROVING THE IMPROVEMENT AGREEMENT FOR THE MARKETPLACE @ MAIN (OFFSITE) IMPROVEMENTS; APPROVING THE USE OF DEVELOPMENT AGREEMENT FEES IN THE AMOUNT OF \$1,017,691.00 AND APPROVING A CONTINGENCY NOT-TO-EXCEED \$101,769.10 (10%), FOR A TOTAL AMOUNT OF \$1,119,460.10 TO FUND THE UNFUNDED PORTION OF THE S. MAIN STREET WIDENING AND IMPROVEMENTS PROJECT; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL ASSOCIATED DOCUMENTS AND TAKE ALL APPROPRIATE ACTIONS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THIS RESOLUTION

WHEREAS, the Marketplace at Main Shopping Center was conditionally approved by Planning Commission on June 1, 2023; and

WHEREAS, in accordance with the Conditions of Approval for the Marketplace at Main Shopping Center, the developer of the shopping center, California Gold Development Corporation (CalGold) is widening S. Main Street from the eastbound State Route 120 onramp to the southern limit of its shopping center project and constructing full width street improvements in accordance with the City's adopted Transportation Public Facilities Implementation Plan (P.F.I.P.), collectively referred to as the S. Main Street Widening and Improvements Project (Project); and

WHEREAS, the Project improvements CalGold will be installing are the financial responsibility of their Project but also the funding responsibility of the owners of the other parcels that are adjacent to the portion of S. Main Street being improved, namely Brocchini Family Partnership (Brocchini), QMC Manteca Holdings (QMC) and Galatia Aretakis et al (Aretakis); and

WHEREAS, CalGold was able to enter into outside agreements with Brocchini and QMC to reimburse CalGold for the respective cost portions of the Project that are their responsibility; and

WHEREAS, CalGold was unable to enter into an agreement with Aretakis which, despite a portion of the Project being funded by the City's P.F.I.P., caused a funding shortfall for the Project in the amount of \$721,696.00, in addition to the Aretakis right of

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way cost of \$132,820.00 and related soft costs for engineering, plan check and inspection fees, and other ancillary costs of \$163,175.00 for a sum total of \$1,017,691.00; and

WHEREAS, it is prudent to construct the Project improvements as a single project rather than piecemealed construction to minimize public disruption as well as limit costs; and

WHEREAS, to cover the funding shortfall for the Aretakis portion of the Project improvements, City staff recommends the City Council approve the use of \$1,017,691.00 of already collected Development Agreement fees, plus a not-to-exceed contingency of \$101,769.10 (10%), for a total of \$1,119,460.10; and

WHEREAS, the City will be reimbursed through the S. Main Street Widening and Improvements Area of Benefit when the Aretakis property develops in the future; and

WHEREAS, CalGold and their Project engineer have worked with the City to draft the S. Main Street Widening and Improvement Area of Benefit Engineer's Report to assign the respective Project costs for the Brocchini, QMC, and Aretakis parcels for which they are responsible to pay; and

WHEREAS, in accordance with the City's Area of Benefit Establishment Criteria, City staff has reviewed the report and agree with its contents; and

WHEREAS, at the May 6, 2025, City Council meeting the Engineer's Report was presented to City Council for setting of the Public Hearing no sooner than four weeks from that date and the report was mailed to the beneficiaries for review to which no comments have been received; and

WHEREAS, in accordance with the City of Manteca Municipal Code, Title 16, CalGold has presented to the City Council of the City of Manteca the Improvement Agreement for the Marketplace @ Main (Offsite) Improvement Plan package; and

WHEREAS, in accordance with the Manteca Municipal Code, Title 16, CalGold will post the required surety bonds in the amounts specified in the Reference Data section of the Improvement Agreement; 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.

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2. The City Council hereby approves the Engineer's Report for the S. Main Street Widening and Improvements Area of Benefit, forming the S. Main Street Widening and Improvements Area of Benefit District.
3. The City Clerk is hereby instructed to record this Resolution and the Engineer's Report on the title of the beneficiary properties with the San Joaquin County Recorder's Office.
4. The City Council hereby approves the Improvement Agreement for the Marketplace @ Main (Offsite) Improvements.
5. The City Council hereby approves the use of Development Agreement fees in the amount of \$1,017,691.00 and a contingency not-to-exceed \$101,769.10 (10%), for a total amount of \$1,119,460.10 to fund the unfunded portion of the Marketplace @ Main (Offsite) Improvements. The construction contingency may only be used for any and all costs associated with the Aretakis non-P.F.I.P. portions of the Project.
6. The City Council hereby authorizes the City Manager or designee to execute all associated documents and take all appropriate actions necessary to carry out the purpose of intent of this resolution.
7. This Resolution shall take effect immediately upon 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 17th day of June, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk