

RESOLUTION NO. 2022-240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CREDIT REIMBURSEMENT AGREEMENT FOR SOUTHEAST POLICY AREA PARK LAND DEDICATION WITH BIG HORN RBVP, LP A CALIFORNIA LIMITED PARTNERSHIP, FOR PUBLIC LAND DEDICATED TO THE CITY IN FEE TITLE THROUGH THE SOUZA DAIRY TENTATIVE MAP (PLNG-20-056); AND FINDING THAT THE DEDICATION OF THE SOUZA DAIRY PARK SITES TO THE COSUMNES COMMUNITY SERVICES DISTRICT IS CONSISTENT WITH THE GENERAL PLAN PURSUANT TO GOVERNMENT CODE SECTION 65402

WHEREAS, Elk Grove General Plan Policy PT-1-3, SEPA Community Plan Policy 7-2, Elk Grove Municipal Code (EGMC) Chapter 22.40, and state law provide for the dedication of park land within new development at a rate of five acres per 1,000 residents; and

WHEREAS, EGMC Chapter 22.40 provides for credit or reimbursement to developers for land dedications in excess of the requirements based upon the subject subdivision, subject to approval by the City and Cosumnes Community Services District (CCSD) and entering into a reimbursement agreement with the City and CCSD; and

WHEREAS, Big Horn RBVP, LP a California limited partnership, as a condition of development, is required to dedicate lands to the City of Elk Grove within the Southeast Policy Area (SEPA) that are eligible for reimbursement under the General Plan, SEPA Community Plan, and EGMC Chapter 22.40 as eligible for reimbursement; and

WHEREAS, following the City's receipt of dedicated lands, the City of Elk Grove intends to transfer ownership of such parkland to the CCSD pursuant to the General Plan and Memorandum of Understanding between the City and CCSD.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute a Reimbursement Agreement for Dedication of Parkland within the Southeast Policy Area with Big Horn RBVP, LP, in substantially the form presented.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove finds that dedication of the park land to the CCSD is consistent with the General Plan pursuant to Government Code Section 65402 based upon the following finding:

Finding: The dedication of the Souza Dairy Park Sites to the CCSD is consistent with the City of Elk Grove General Plan.

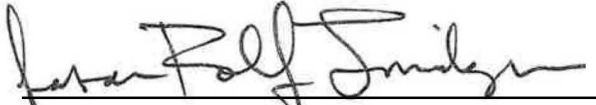
Evidence: This dedication is consistent with the General Plan (as required by Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) because the site will be used for park purposes and is identified in the General Plan Land Use Map for such purpose. Additionally, General Plan Goal PT-1 and corresponding policies call for the City and CCSD to collaboratively work together to plan and develop park sites in growth areas. The Memorandum of Understanding between the City and CCSD provides that park sites in SEPA will be developed, owned, and maintained by the CCSD and that financing will be provided through City fee and finance district programs.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of September 2022



BOBBIE SINGH-ALLEN, 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. 2022-240

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 September 28, 2022 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California