

Resolution No. 2023-XXX N.C.S. of the City of Petaluma, California

AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION FOR THE AREA BETWEEN HIGHWAY 101 AND SAPPHIRE STREET AS PART OF THE STERLING HILLS AT QUARRY HEIGHTS SUBDIVISION

WHEREAS, on September 11, 2008, the Site Plan and Architectural Review Committee (SPARC), now named the Planning Commission, approved the Sterling Hills at Quarry Heights Subdivision (Quarry Heights Subdivision) landscape and maintenance plan as part of the projects Site Plan and Architectural Review (SPAR) permit; and

WHEREAS, part of the approved landscaping plan was on the Caltrans right of way between Sapphire Street and Highway 101, better shown in Exhibit A attached hereto; and

WHEREAS, as part of the September 11, 2008, Site Plan and Architectural Review approval, the Developer is conditioned to require the Subdivision's HOA to maintain the landscaping improvements for perpetuity; and

WHEREAS, the State of California, through the Department of Transportation requires a resolution that authorizes the City Manager to enter into the attached Landscape and Maintenance Agreement, Exhibit A; and

WHEREAS, the proposed resolution will allow the City Manager to execute the attached Landscape Maintenance Agreement with the State; and

WHEREAS, the proposed resolution will allow the developer to start installation and maintenance of the approved landscape plans to satisfy the September 11, 2008, SPAR permit conditions; and

WHEREAS, the City has entered into an agreement with the developers of the Quarry Heights Subdivision, attachment 2 the concurrent staff report, that assigns its responsibilities and obligations under the proposed agreement with the State to the developers of the Quarry Heights Subdivision; and

WHEREAS, the execution of the landscaping maintenance agreements to allow installation of approved landscaping was already analyzed in the Mitigated Negative Declaration that City Council adopted on February 15, 2005.

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

1. Finds the above recitals to be true and correct and are incorporated herein as findings of this Resolution.
2. Finds that the execution of the landscaping maintenance agreements to allow installation of approved landscaping plans was already analyzed in the Mitigated Negative Declaration that City Council adopted on February 15, 2005.
3. Authorizes the City Manager to execute all documents necessary to complete the Landscaping and Maintenance Agreement attached hereto as Exhibit A.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 17th day of April 2023, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor