

RESOLUTION NO. 2009-72

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A
FEE DEFERRAL AGREEMENT WITH BYERS GYMNASTICS**

WHEREAS, on April 23, 2008 the City adopted Ordinance 13-2008 adding Chapter 16.120 to the City of Elk Grove Municipal Code regarding the Deferral of Certain Impact Fees; and

WHEREAS, the fee deferral program requires security mechanisms that are difficult for individual business owners to obtain; and

WHEREAS, staff will be bringing forward a revised program with terms applying specifically to individual business owners who are lessees; and

WHEREAS, the Byers Gymnastics Center project ("the project") is owned by an individual business lessee unable to obtain a security instrument under the current program; and

WHEREAS, the project has strict timing issues and waiting for the revised program will cause a delay and yield significant costs for the applicant; and

WHEREAS, the City Council finds that these additional costs constitute an economic hardship that will adversely affect the project, and entering into a fee deferral agreement under the proposed new terms will avoid this hardship.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute a Fee Deferral Agreement with Byers Gymnastics Center under the proposed terms for a revised Fee Deferral Program to be brought forward for approval at a later date.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of April 2009.



PATRICK HUME, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2009-72

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

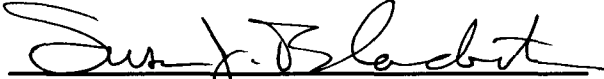
I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 8, 2009 by the following vote:

AYES : COUNCILMEMBERS: *Hume, Scherman Cooper, Davis, Detrick*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


Susan J. Blackston, City Clerk
City of Elk Grove, California