

**RESOLUTION NO. 2022-122**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE SEPARATE AGREEMENTS  
WITH POPPY GROVE I, LP, A CALIFORNIA LIMITED PARTNERSHIP; POPPY  
GROVE II LP, A CALIFORNIA LIMITED PARTNERSHIP; AND POPPY GROVE III LP,  
A CALIFORNIA LIMITED PARTNERSHIP APPROVING THE DEFERRAL OF CERTAIN  
IMPACT FEES RELATED TO THE POPPY GROVE APARTMENTS PROJECT  
(CEQA EXEMPT)**

**WHEREAS**, Poppy Grove I, LP, a California Limited Partnership; Poppy Grove II LP, a California Limited Partnership; and Poppy Grove III LP, a California Limited Partnership (collectively, “Developer”) proposes to develop 387 units of rental housing (the “Project”) at a site located in Elk Grove, California at 10149 Bruceville Road – APN 132-0050-161 (the “Property”); and

**WHEREAS**, the Project as proposed includes three phases with a total of 384 units affordable to households earning 80 percent or less of the area median income; and

**WHEREAS**, new residential development is subject to certain fees, which are charged to recover the cost of infrastructure and amenities with a nexus to the residential development (“Impact Fees”); and

**WHEREAS**, California Government Code 66007 requires that certain Impact Fees be collected at final inspection or certificate of occupancy, rather than at permit issuance, when the project is providing at least 49% of its total units as affordable housing units; and

**WHEREAS**, the Project meets such affordability criteria; and

**WHEREAS**, California Government Code Section 66007 further states that the City can require a form of security, in the form of a performance bond or letter of credit, to ensure the impact fees are paid; and

**WHEREAS**, the Developer has agreed to provide such security in the form of a performance bond or letter of credit ensuring that payment will be made upon final inspection and/or issuance of the certificate of occupancy.

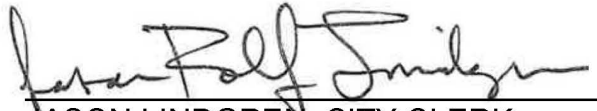
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the deferral of impact fees for the Poppy Grove Apartments affordable multi-family housing project and authorizes the City Manager to execute separate Agreements for the Deferral of Certain City Impact Fees with Poppy Grove I, LP, a California Limited Partnership; Poppy Grove II LP, a California Limited Partnership; and Poppy Grove III LP, a California Limited Partnership, in substantially the forms presented, providing for the deferral of certain impact fees and requiring a form of security in the form of a letter of credit or promissory note for each phase of the Poppy Grove Apartments.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of May 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. 2022-122**

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 May 25, 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**