

RESOLUTION NO. 2023-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ACQUISITION OF PROPERTIES LOCATED AT 8480 ELK GROVE-FLORIN ROAD [APN: 115-0180-012] AND 8484 ELK GROVE-FLORIN ROAD [APN: 115-0180-013] EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONSISTENT WITH THE GENERAL PLAN; RATIFYING THE AGREEMENTS FOR PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS AND THE FIRST AMENDMENTS TO THE AGREEMENTS FOR PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS, AND AUTHORIZING THE CLOSE OF ESCROW FOR THE PROPERTIES LOCATED AT 8480 ELK GROVE-FLORIN ROAD [APN 115-0180-012] AND 8484 ELK GROVE-FLORIN ROAD [APN 115-0180-013]

WHEREAS, Michael Angel Vega and Shirley Jean Vega, as Trustees of the Vega Family Trust dated August 15, 2003, are the current owners of a ±2.2 gross acre parcel located at 8480 Elk Grove-Florin Road [APN 115-0180-012] (the Vega Property); and

WHEREAS, Evangeline H. Martin is the current owner of a ±2.17 gross acre, owner-occupied property, located at 8484 Elk Grove-Florin Road [APN 115-0180-013] (the Martin Property) (collectively, the Property); and

WHEREAS, the Property is included in the City of Elk Grove's 2021 Housing Element and is identified as Site Number L-14, and was re-zoned to high-density residential (RD-30) to help meet the City's lower-income Regional Housing Needs Allocation (RHNA); and

WHEREAS, consistent with City Council direction, staff has negotiated a purchase price of \$2,250,000 for the Property; and

WHEREAS, the purchase is being facilitated by licensed City Real Estate staff, and in lieu of a 2.5% buyer's agent commission, owners have agreed to credit \$56,250 toward the purchase price, resulting in a net purchase price of \$2,193,750, plus estimated closing costs not to exceed \$12,000; and

WHEREAS, the Martin Property agreement includes an option for the owner to enter into a short-term rent back agreement not to exceed 90 days at a rate of \$75.00 per day to allow sufficient time for relocation; and

WHEREAS, staff has reviewed the Property's Phase I Environmental Site Assessment, prepared by GEOCON Consultants, Inc, which found no environmental concerns; and

WHEREAS, the purchase of the Property would be funded by the City's Affordable Housing Fund, which has an unallocated balance of approximately \$10 million.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds that the acquisition of the Property is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based upon the following finding:

Finding: The acquisition of the Property is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Evidence: CEQA Guidelines section 15061(b)(3) states that an activity is covered by the common sense exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed property acquisition will not result in a physical change in the environment. The acquisition of the Property does not approve any development project, nor does it disturb the physical environment. Any future development of the site would be subject to review under Title 23 of the Elk Grove Municipal Code (Zoning) and CEQA. Therefore, the proposed purchase is exempt from CEQA review.

AND, BE IT FURTHER RESOLVED, that the City Council finds the acquisition of the Property consistent with the City's General Plan as required by Elk Grove Municipal Code Section 23.10.030 and Government Code Section 65402(a) based upon the following finding:

Finding The acquisition of the Property is consistent with the General Plan.

Evidence: The acquisition of the Property is consistent with the General Plan as it would present an opportunity to facilitate the construction of housing consistent with General Plan Goal H-1 of "adequate sites to accommodate the City's housing needs" and Goal H-2 of "adequate housing stock to meet the needs of lower-income households and special needs groups."

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby ratifies the Agreements for Purchase and Sale and Joint Escrow Instructions and the First Amendments to the Agreements for Purchase and Sale and Joint Escrow Instructions with Michael Angel Vega and Shirley Jean Vega, as Trustees of the Vega Family Trust dated August 15, 2003 for property located at 8480 Elk Grove-Florin Road [Assessor Parcel Number 115-0180-012]; and with Evangeline H. Martin for property located at 8484 Elk Grove Florin-Road [Assessor Parcel Number 115-0180-013];

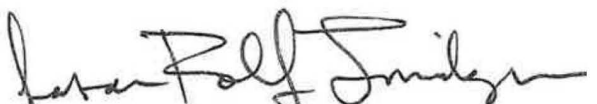
AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove authorizes the close of escrow of the Property and authorizes the City Manager to execute all documents and take all actions reasonably necessary to effect the purchase of the Property consistent with the Vega Agreement and Martin Agreement and this Resolution.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of January 2023



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. 2023-004

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 January 11, 2023 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Spease, Brewer, Robles, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California