

RESOLUTION NO. 2021-293

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A FEE DEFERRAL
AGREEMENT AND RELATED DOCUMENTS WITH ELK GROVE PACIFIC
ASSOCIATES V, LLC, A CALIFORNIA LIMITED PARTNERSHIP, FOR THE
GARDENS AT QUAIL RUN II PROJECT (EG-20-033) (CEQA EXEMPT)**

WHEREAS, the City of Elk Grove ("City") approved the Gardens at Quail Run II Project (EG-20-033), an affordable, multi-family apartment complex ("Project"), developed by Elk Grove Pacific Associates V, a California limited partnership ("Developer"), on March 1, 2021; 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% affordable housing units, and the Project meets such affordability criteria; and

WHEREAS, California Government Code Section 66007 further states that the City can require a 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 letter of credit or promissory note ensuring that payment of the impact fees 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 Gardens at Quail Run II affordable multi-family housing project and authorizes the City Manager to execute a Fee Deferral Agreement with Elk Grove Pacific Associates V, LLC, a California Limited Partnership, in substantially the form presented, providing for the deferral of certain impact fees and requiring a security in the form of a letter of credit or promissory note for the Gardens at Quail Run II.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of October 2021




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. 2021-293

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 October 13, 2021 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California