

RESOLUTION NO. 2022-073

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR
DEFERRAL OF CERTAIN CITY IMPACT FEES AND RELATED DOCUMENTS WITH
KUBOTA TRACTOR CORPORATION FOR THE KUBOTA WESTERN
DISTRIBUTION CENTER PROJECT**

WHEREAS, the City Council of the City of Elk Grove ("City") approved the Kubota Western Distribution Center Project to be developed by Kubota Tractor Corporation ("Developer"), on August 11, 2021; and

WHEREAS, the City Council adopted a resolution approving the City of Elk Grove Impact Fee Deferral Program on February 9, 2022, effective as of the effective date of the implementing ordinance (Ordinance No. 06-2022), which ordinance is now effective; and

WHEREAS, for certain projects the City requires the payment of various types of development impact fees at the time of obtaining a building permit to help address the impacts of new development; and

WHEREAS, the City recognizes that in some cases deferring the payment of certain impact fees to a later date may assist in the development of approved projects; and

WHEREAS, the Developer has requested the deferral of certain impact fees totaling \$5,556,892 for a period of three years to be repaid with interest; and

WHEREAS, the City of Elk Grove Impact Fee Deferral Program requires City Council approval for fee deferrals larger than \$500,000; and

WHEREAS, the City of Elk Grove Impact Fee Deferral Program requires the Developer to provide adequate security to guarantee payment of fees deferred; and

WHEREAS, the Developer has agreed to provide such security in the form of a lien on a property it owns securing the repayment obligation.

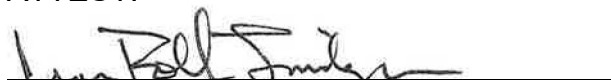
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute an Agreement for Deferral of Certain City Impact Fees and related documents with Kubota Tractor Corporation in substantially the form presented, providing for the deferral of certain City impact fees, and requiring security in the form of a lien on property it owns for the Kubota Western Distribution Center Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of April 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. 2022-073

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 April 13, 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