

**RESOLUTION NO. 2023-079**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE CITY MANAGER TO EXECUTE REGULATORY AGREEMENT  
AMENDMENTS 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 RELATED TO THE  
POPPY GROVE APARTMENTS PROJECT**

**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") proposed to develop 387 units of rental housing (the "Project") at a site located in Elk Grove, California at 10149 Bruceville Road – APN 132-0050-175, -176, and -177 (the "Property"); and

**WHEREAS**, on May 11, 2022, the City Council authorized the City Manager to execute Affordable Housing Regulatory Agreements ("Regulatory Agreements"), one for each phase of Project; and

**WHEREAS**, in February 2023, the Developer requested the Regulatory Agreements be amended to remove references to a swimming pool and pool clubhouse as part of the community amenities, and to add flexibility around the requirement to provide fitness equipment; and

**WHEREAS**, Section 38 of the Regulatory Agreements allows for amendments and modifications when in writing and executed by the Owner and the City; and

**WHEREAS**, the Regulatory Agreement Amendments are needed in order to allow approval of the Project's design review amendment, and if the design review amendments are not approved, there would be no need for the Regulatory Agreement Amendments.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute Regulatory Agreement Amendments 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, for the Poppy Grove Apartments Project, contingent on approval of the design review amendment under consideration by the City Council on April 12, 2023.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 12<sup>th</sup> day of April 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. 2023-079**

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 12, 2023 by the following vote:*

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

**NOES:           COUNCILMEMBERS:       None**

**ABSTAIN:       COUNCILMEMBERS:       None**

**ABSENT:        COUNCILMEMBERS:       None**

  
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**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**