

**RESOLUTION NO. 2019-264**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING AN AGREEMENT FOR DEFERRAL OF CERTAIN IMPACT FEES WITH  
ELK GROVE PACIFIC ASSOCIATES IV, A CALIFORNIA LIMITED PARTNERSHIP, FOR  
THE GARDENS AT QUAIL RUN PROJECT NO. EG-18-008 AND AUTHORIZING THE  
CITY MANAGER TO EXECUTE THE AGREEMENT**

**WHEREAS**, on June 21, 2018, the City of Elk Grove ("City") approved the Gardens at Quail Run Project No. EG-18-008 which is an affordable, multifamily apartment complex to be developed by Elk Grove Pacific Associates IV, a California limited partnership ("Developer"); 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, rather than at building permit issuance when the project is providing at least 49% affordable dwelling units as defined in California Health and Safety Code Section 50079.5; and

**WHEREAS**, Developer shall provide a security in the form of a letter of credit or performance bond ensuring that payment will be made upon final inspection or at issuance of the Certificate of Occupancy.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the Agreement for Deferral of Certain Impact Fees with Elk Grove Pacific Associates IV, a California limited partnership, for the Gardens at Quail Run project and authorizes the City Manager to execute the Agreement in substantially the form presented with the accompanying staff report.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of December 2019



STEVE LY, 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. 2019-264**

**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 December 11, 2019 by the following vote:***

**AYES:            COUNCILMEMBERS:     *Ly, Hume, Detrick, Nguyen, Suen***

**NOES:           COUNCILMEMBERS:     None**

**ABSTAIN:       COUNCILMEMBERS:     None**

**ABSENT:        COUNCILMEMBERS:     None**

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