

RESOLUTION NO. 2020-234

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT
REGARDING APPLICABLE FEES AND CREDITS - ELK GROVE PROMENADE**

WHEREAS, on September 5, 2001, by Ordinance No. 13-2001, the Elk Grove City Council adopted a Development Agreement for the Development of the Lent Ranch Marketplace Project; and

WHEREAS, following adoption of the Ordinance, a 1.1 million square-foot open-air regional mall was approved within the Lent Ranch Special Planning Area; and

WHEREAS, due to an economic downturn, the Lent Ranch Marketplace Project did not come to fruition within the time frame contemplated by the original Development Agreement. Only 574,403 square feet in partial shell buildings were built; and

WHEREAS, the Development Agreement established an agreed upon amount for development impact fees, which were paid by Elk Grove Town Center (EGTC) prior to commencement of construction; and

WHEREAS, in February 2017, EGTC sold an approximate 36-acre portion of the Project Site to the Wilton Rancheria for development as a casino resort. Following the sale of property to the Wilton Rancheria, EGTC retained approximately 64.42 acres of the Project Site and demolished the existing buildings; and

WHEREAS, the parties desire to enter into an agreement specifying how to treat and allocate the development impact fees and Roadway Fees paid under the 2001 Development Agreement; and

WHEREAS, approval of the Agreement constitutes governmental fiscal activities, will not result in a physical change to the environment, does not constitute the approval of a project under the California Environmental Quality Act ("CEQA"), and is exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c),(2)(3); 15061(b)(3); 15064(d)(3); 15378(a), (b)(4).).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Agreement Regarding Applicable Fees and Credits – Elk Grove Promenade, in substantially the form presented.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of October 2020

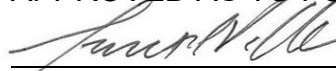


STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-234

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 14, 2020 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



Jason Lindgren, City Clerk
City of Elk Grove, California