

RESOLUTION NO. 2019-222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE RATIFYING THE AGREEMENT FOR PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS AND THE FIRST AMENDMENT TO THE AGREEMENT FOR PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS FOR PROPERTY LOCATED AT BRUCEVILLE ROAD AND BIG HORN BOULEVARD [APN: 116-0012-064] AND AUTHORIZING THE CLOSE OF ESCROW (CEQA EXEMPT)

WHEREAS, Laguna Creek Land Holdings, L.P. (“Owner”) is the current owner of a ±15.14 gross acre parcel with an estimated ±9.5 acres of developable land located at Bruceville Road and Big Horn Boulevard [Assessor Parcel Number 116-0012-064] (the “Property”); and

WHEREAS, the City has identified the Property in its Housing Element as a site needed to meet its lower-income Regional Housing Needs Allocation; and

WHEREAS, staff considers the Property a prime location for development of one or more unique transit-oriented housing development projects; and

WHEREAS, on May 22, 2019, City Council authorized staff to negotiate for and enter into a purchase and sale agreement with Owner for the purchase of the Property for future development of housing uses, including those affordable to lower-income households; and

WHEREAS, consistent with the authority provided by City Council, staff negotiated a purchase price of \$2,900,000 for the Property; and

WHEREAS, the proposed purchase of the Property is consistent with the City’s General Plan pursuant to California Government Code Section 65402(a), and in compliance with Elk Grove Municipal Code Section 3.42.300(B), as determined by the Planning Commission on August 15, 2019, by its Resolution No. 2019-32; and

WHEREAS, staff has reviewed Owner-provided due diligence documents and the City has completed a Phase II Environmental Site Assessment which found a small area of lead contamination from the location of the old homestead site and Owner has remediated the lead and provided a Soil and Excavation and Confirmation Analyses Report prepared by Wallace-Kuhl which has been reviewed by City environmental consultant staff who concur no additional steps are necessary to clear the site; and

WHEREAS, staff recommends the purchase of the Property pursuant to the Purchase and Sale Agreement and Joint Escrow Instructions and the First Amendment to the Agreement for Purchase and Sale and Joint Escrow Instructions; and

WHEREAS, the purchase of the Property would be funded by the City’s Affordable Housing Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds the purchase of the Property exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) (Common Sense Exemption); ratifies the Purchase and Sale Agreement and Joint Escrow Instructions and the First Amendment to the Agreement for Purchase and Sale and Joint Escrow Instructions, including all associated documents, necessary to complete the purchase of the property located at Bruceville Road and Big Horn Boulevard, Sacramento County Assessor's Parcel Number 116-0012-064, in the amount of \$2,900,000, together with associated costs, not expected to exceed \$5,000, all in a total amount not expected to exceed \$2,905,000; and authorizes the City Manager to take all actions and execute all documents reasonably necessary to close escrow on the sale of the Property.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 23rd day of October 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. 2019-222**

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 23, 2019 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Nguyen*



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