

RESOLUTION NO. 2021-292

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A REGULATORY AGREEMENT
WITH ELK GROVE PACIFIC ASSOCIATES V, LLC, A CALIFORNIA LIMITED
PARTNERSHIP, FOR THE GARDENS AT QUAIL RUN II, AN AFFORDABLE
MULTI-FAMILY HOUSING PROJECT (CEQA EXEMPT)**

WHEREAS, Elk Grove Pacific Associates V, LLC, a California Limited Partnership (“Developer”) proposes to develop 108 units of rental housing (the “Project”) at a site located in Elk Grove, California on Quail Run Lane – APN 132-1780-048 (the “Property”); 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, such Impact Fees include the Affordable Housing Fee, as established in Chapter 16.88 of the Elk Grove Municipal Code (EGMC), for the purpose of funding affordable housing programs and projects as approved by the City Council or designated body; and

WHEREAS, pursuant to EGMC Section 16.88.050(B)(2), affordable housing that is deed-restricted as such for a minimum term of thirty (30) years is not subject to the residential affordable housing fee; and

WHEREAS, “deed-restricted” means a contract or agreement limiting the use and/or resale of the property in such a way that it will continue to provide affordable housing to low-income households or very low-income households for a specified period of time, and to which the City is a party; and

WHEREAS, the Developer desires to enter into this Regulatory Agreement to deed-restrict the Property, which, following execution of this Regulatory Agreement, the Project will not be subject to the City’s Affordable Housing Fee; and

WHEREAS, approval of the Regulatory Agreement does not qualify as the approval of a “project” subject to the California Environmental Quality Act (CEQA) because it will result in no direct physical effect on the environment, and is, therefore, exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c)(2),(3); 15378(a)).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Regulatory Agreement with Elk Grove Pacific Associates V, LLC, a California Limited Partnership, in substantially the form presented, for the Gardens at Quail Run II, an affordable multi-family housing project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of October 2021



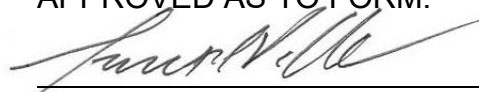
BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-292

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 13, 2021 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California