

Attachment 'B'

**RESOLUTION NO. 22-\_\_**

**A RESOLUTION OF THE CITY OF KERMAN CITY COUNCIL APPROVING AN AGREEMENT WITH ALOO, LLC FOR DEFERRAL OF DEVELOPMENT IMPACT FEES FOR SITE PLAN REVIEW 2021-10 UNTIL REQUEST FOR CERTIFICATE OF OCCUPANCY**

WHEREAS, the City Council has adopted a resolution authorizing the consideration of case by case deferral agreements relating to impact fees for commercial development; and

WHEREAS, Aloo, LLC., a California Limited Liability Company, hereinafter called "Owner" has applied for building permits for Site Plan Review (SPR) 2021-10 hereinafter called the "Project"; and

WHEREAS, development of the Project requires that certain permit fees are due and payable at or before the issuance of building permits, more specifically set forth in Exhibit 'A' currently estimated at \$93,840.03; and

WHEREAS, Owner has requested deferral payment of Development Impact Fees (DIF) totalling \$80,132.97 up until request for Certificate of Occupancy; and

WHEREAS, the Development Impact Fees Deferral Agreement allows Owner to defer the payment of the Development Impact Fees on the Project until request for a Certificate of Occupancy; and

WHEREAS, approval of the proposed agreement is atypical to commercial developments, however, the agreement is consistent with prior agreements for residential developments deferring fees; and

WHEREAS, City finds deferral is in the public interest as it promotes economic development in the City of Kerman.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Kerman as follows;

1. The foregoing recitals are incorporated by reference.
2. The Council hereby approves the Development Impact Fees Deferral Agreement with Aloo, LLC, a limited liability company attached as Exhibit 'A.'
3. This resolution is effective upon adoption.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 9<sup>th</sup> day of November, 2022 and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

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Gary Yep  
Mayor

ATTEST:

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Marci Reyes  
City Clerk