

RESOLUTION NO. 2012-225

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE CONTRACT
WITH HANMI BANK FOR THE ACQUISITION OF 3.7 ACRES OF LAND FOR USE
AS FLOOD CONTROL AND FLOODPLAIN RESTORATION, AMEND THE FISCAL
YEAR 2012-13 BUDGET AND 2012-17 CAPITAL IMPROVEMENT PROGRAM, AND
ADOPT FINDINGS THAT THE ACQUISITION AND PROPOSED USE IS IN
CONFORMANCE WITH THE CITY OF ELK GROVE GENERAL PLAN**

WHEREAS, the City of Elk Grove desires to purchase the Real Property located at East Stockton Boulevard, north of Elk Grove Boulevard, from Hanmi Bank, which comprises approximately 3.7 acres and further identified as Assessor Parcel Number 125-0010-003 within the City of Elk Grove, State of California; and

WHEREAS, the City of Elk Grove General Plan was adopted on November 19, 2003; and

WHEREAS, California Government Code Section 65402 provides in part that no real property shall be acquired until the use of the property has been reported upon as to conformity with the applicable General Plan; and

WHEREAS, the City of Elk Grove proposes to use the vacant property for flood control and floodplain restoration purposes; and

WHEREAS, the proposed use of the property is consistent with the flood protection and water quality policies of the Storm Drain Master Plan adopted on December 14, 2011; and

WHEREAS, the proposed activity is allowed under its present zoning as described in the 2003 General Plan; and

WHEREAS, California Environmental Quality Act Guidelines Class 8 (15308) exemption applies for an activity taken by an agency to protect the environment; and

WHEREAS, no adverse environmental effects were identified during staff review of the proposed acquisition; and

WHEREAS, no special circumstances exist that create a reasonable possibility that the activity may have a significant adverse impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

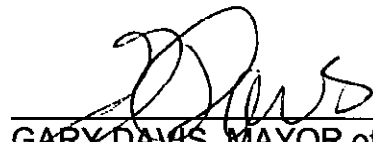
- 1) Finds the proposed use of the property for flood control and floodplain restoration purposes is in conformity with the City of Elk Grove 2003 General Plan; and
- 2) Finds the project qualifies for Categorical exemption in accordance with CEQA Guidelines Section 15308; and

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Purchase Contract by and between Hanmi Bank (Seller) and the City of Elk Grove, a municipal corporation (Purchaser), in the form of the agreement approved by the City Attorney.

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby amends the Fiscal Year 2012-13 Budget and 2012-17 Capital Improvement Programs as follows:

Account	Description	Amendment
503-0000-273.00-00	Fund Equity	(\$ 260,000)
503-5360-453.66-13	Land/ROW Acquisition	\$ 260,000

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of December 2012.



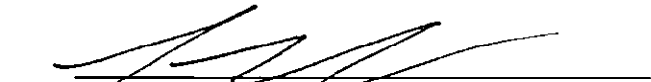
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-225**

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 12, 2012 by the following vote:

AYES : **COUNCILMEMBERS:** *Davis, Detrick, Cooper, Hume*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California