

RESOLUTION NO. 2014-57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SALE
OF CITY-OWNED REAL PROPERTY WITH MIKE JOHNSON FOR THE 744-ACRE
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF FRANKLIN BOULEVARD
AND LAMBERT ROAD, EAST OF INTERSTATE 5 AND NORTH OF DIERSSEN ROAD
[ASSESSOR PARCEL NUMBERS 146-0040-039 AND 146-0040-040]**

WHEREAS, the City acquired the 744-acre property located at the southwest corner of Franklin Boulevard and Lambert Road, east of Interstate 5 and north of Dierssen Road, in 2005, for Habitat Mitigation and Enhancement. In January 2010, the City encumbered the Property with an Agricultural and Swainson's Hawk Habitat Conservation Easement; and

WHEREAS, the City desires to sell the property, and the City has achieved its mitigation goal by encumbering the property with a Conservation Easement, which will ensure the subject property remains habitat land in perpetuity; and

WHEREAS, mitigation credits generated under the Conservation Easement shall not transfer with the property and City shall continue to be the beneficiary of mitigation credits; and

WHEREAS, for the reasons presented, the City Council determines that seeking competitive proposals for the sale of the property is not in the best interests of the City; and

WHEREAS, the proposed sale is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15325, Class 25; and

WHEREAS, fees collected from the Swainson's Hawk Mitigation Fee and an Interfund Loan from the Elk Grove Roadway Fee Fund (EGRF) funded the original acquisition of the subject property. The balance owed to the EGRF is approximately Three Million Sixty Seven Thousand Three Hundred Seventy Eight Dollars No/100 (\$3,067,378), leaving a balance of \$282,622 in unrestricted revenue to be placed in Fund 106 Capital Reserves.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove authorizes the City Manager to execute an agreement for the sale of City-owned real property with Mike Johnson in substantially the form presented with the accompanying staff report.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of March 2014.



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. 2014-57**

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 March 12, 2014 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


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