

RESOLUTION NO. 2011-69

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXPEND \$1,294,771 FROM THE
SWAINSON'S HAWK IMPACT MITIGATION FEE FUND FOR AGRICULTURAL
INFRASTRUCTURE IMPROVEMENTS ON THE DELTA BREEZE PROPERTY**

WHEREAS, Elk Grove Municipal Code Chapter 16.130.045 establishes a Swainson's Hawk Impact Mitigation Fee; and

WHEREAS, the purpose of the Swainson's Hawk Impact Mitigation Fee is to fund specific acquisition lands, in fee simple or through conservation easement; and

WHEREAS, the City of Elk Grove purchased the 744-acre Delta Breeze Property to provide lands readily available for Swainson's Hawk mitigation to Elk Grove developers; and

WHEREAS, the City of Elk Grove entered into a Cooperative Agreement with the Bureau of Land Management Mother Lode Office ("BLM") for the management and administration of the Delta Breeze Property; and

WHEREAS, the BLM released a Request for Proposals to solicit proposals from individuals or firms interested in leasing the Delta Breeze property for farming and/or ranching activities; and

WHEREAS, Johnson Farms was selected to lease the Delta Breeze property and install the agricultural infrastructure improvements that are needed to service the proposed agricultural farming and ranching activities; and

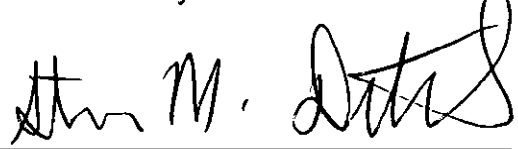
WHEREAS, the agricultural infrastructure improvements are stated in the revised work plan dated December 15, 2010 and attached to the Cooperative Agreement executed between the BLM and Johnson Farms that was executed on January 15, 2011; and

WHEREAS, the City of Elk Grove shall reimburse Johnson Farms for the installation of agricultural infrastructure improvements as specified in the revised work plan dated December 15, 2010 upon completion of phased work submitted by the BLM; and

WHEREAS, to date, the City of Elk Grove has reimbursed Johnson Farms \$41,274.14 for project related costs.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Elk Grove authorizes the City Manager, or her designee, to expend \$1,294,771 (which includes the previously expended \$41,274.14) from the Swainson's Hawk Impact Mitigation Fee Fund for agricultural infrastructure improvements on the Delta Breeze property.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of April 2011.



STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-69**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

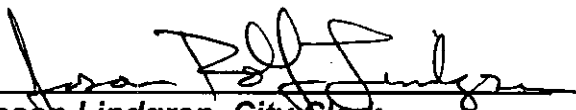
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 27, 2011 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



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