

RESOLUTION NO. 2008-610

Adopted by the Sacramento City Council

September 2, 2008

APPROVING MITIGATION BANK AGREEMENT FOR THE BASIN 31 DETENTION BASIN PROJECT (W14000900)

BACKGROUND:

- A. The Basin 31 Detention Basin Project (the "Project") is proposed to be constructed on 2 adjacent parcels located east of the intersection of 65th Street and Broadway.
- B. The Project site contains seasonal wetlands, and in order to meet requirements established in the Project's Clean Water Act Section 404 permit for mitigation of the impact of constructing the Project in this area, it is necessary to purchase approved wetland mitigation.
- C. On March 25, 2008, the City Council adopted Resolution 2008-185, that among other things authorized the City Manager to sign an agreement for the purchase of vernal pool creation credits for the Project at the Elsie Gridley Conservation Bank, in the amount of \$112,500. Subsequent to the Council action, Utilities Department staff was informed by the U.S. Army Corps of Engineers (Corps) that the purchase of vernal pool creation credits at this Conservation Bank was not acceptable under the Corps permit.
- D. City staff has negotiated a new agreement to purchase vernal pool creation mitigation for the Project by paying for a conservation easement at Gill Ranch, in Sacramento County, at a total cost of \$202,500. Corps staff has indicated that this will be acceptable mitigation.
- E. Under the agreement, the City's obligation to purchase the conservation easement is contingent upon Gill Ranch obtaining written approval from the Corps of the agreement and the conservation easement.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager is authorized to execute the Agreement of Purchase and Sale with Gill Ranch LLC, in the amount of \$202,500, to purchase wetland creation mitigation as required for construction of the Project.

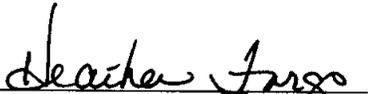
Adopted by the City of Sacramento City Council on September 2, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk