

## RESOLUTION 2005-337

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING REPORTING PROGRAM AND APPROVING THE ELK GROVE BOULEVARD FRONTAGE IMPROVEMENTS ADJACENT TO VALLEY HI COUNTRY CLUB PROJECT

**WHEREAS**, the Elk Grove Boulevard Frontage Improvements Adjacent to Valley Hi Country Club Project is listed in the City of Elk Grove Transportation Capital Improvement Program; and

**WHEREAS**, the Elk Grove Boulevard Frontage Improvements Adjacent to Valley Hi Country Club Project will enhance safety and convenience for pedestrian, bicycle, and vehicular traffic; and

**WHEREAS**, the City determined that the Elk Grove Boulevard Frontage Improvements Adjacent to Valley Hi Country Club Project was subject to the California Environmental Quality Act (CEQA) and prepared an Initial Study evaluating the potential environmental impacts of the project; and

**WHEREAS**, the Initial Study identified potentially significant adverse effects in the areas of construction air quality, biological resources, cultural resources, hazardous materials hydrology, water quality, and noise; and

**WHEREAS**, revisions have been made to the project and the City agrees to implement proposed mitigation measures that avoid or mitigate the effects to a point where clearly no significant effects would occur; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, all project changes required to avoid significant effects on the environment have been incorporated into the project and/or are identified in the Mitigation Monitoring Plan (Attachment 3 of the Staff Report); and

**WHEREAS**, the City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impacts to a less than significant level and a Mitigated Negative Declaration should be prepared; and

**WHEREAS**, the City distributed the Notice of Intent (NOI) to Adopt the Negative Declaration on August 12, 2005 and the NOI was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and available at the City

offices pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on August 12, 2005 and closed on September 12, 2005. The Negative Declaration was made available to the public during this review period; and

**WHEREAS**, the City received written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

**WHEREAS**, the City has considered the comments received during the public review period and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and

**WHEREAS**, the City of Elk Grove, Development Services – Planning Department, located at 8400 Laguna Palms Way, Elk Grove, California 95758 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby:

**A. Adopts the Mitigated Negative Declaration**

1. The City Council of the City of Elk Grove finds that the Mitigated Negative Declaration was presented to the City Council, that the City Council has reviewed the Mitigated Negative Declaration prepared for the project, all staff reports pertaining to the project and all comments received there on, and that the Negative Declaration has been prepared and completed in compliance with CEQA; and
2. The City Council of the City of Elk Grove finds that on the basis of the Mitigated Negative Declaration, comments received and the whole record that there is no substantial evidence that the project will have a significant adverse impact individually or cumulatively on the environment; and
3. The City Council of the City of Elk Grove finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

**B. Adopts the Mitigation Monitoring and Reporting Program**

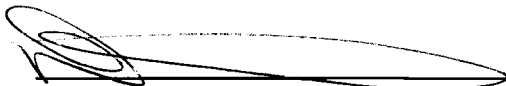
1. The City Council of the City of Elk Grove hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in the project staff report; and
2. The City Council of the City of Elk Grove hereby finds that the proposed mitigation measures described in the Mitigated Negative

Declaration are feasible and therefore will become binding upon the City and its construction contractors.

C. Approves the Project

1. Having independently reviewed, analyzed, and adopted the Mitigated Negative Declaration and adopted mitigation measures set forth in the Mitigation Monitoring and Reporting Program, the City Council of the City of Elk Grove hereby approves the Elk Grove Boulevard Frontage Improvements Adjacent to Valley Hi Country Club Project.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of November 2005.

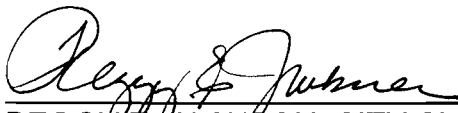


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DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



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PEGGY E. JACKSON, CITY CLERK



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ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-337**

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

*I, Peggy E. Jackson, 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 the 9th day of November, 2005 by the following vote:*

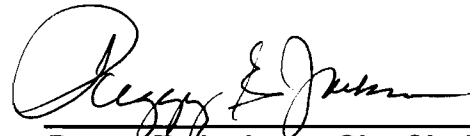
**AYES 5:**                    **COUNCILMEMBERS:** *Briggs, Scherman, Soares, Cooper, Leary*

**NOES 0:**                   **COUNCILMEMBERS:**

**ABSTAIN 0:**               **COUNCILMEMBERS:**

**ABSENT 0:**               **COUNCILMEMBERS:**

**RECUSAL 0:**              **COUNCILMEMBER:**



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**Peggy E. Jackson, City Clerk**  
**City of Elk Grove, California**