

RESOLUTION NO. 2006-131

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM AND
APPROVING THE WEST STOCKTON BOULEVARD AT
LAGUNA CREEK BRIDGE REPLACEMENT PROJECT**

WHEREAS, the City of Elk Grove has an adopted Transportation Capital Improvement Program which identifies several roadway projects that would improve roadway safety and efficiency; and

WHEREAS, the West Stockton Boulevard Bridge Replacement Project is included in the City of Elk Grove Transportation Capital Improvement Program; and

WHEREAS, sources of funding have been identified to construct the West Stockton Boulevard Bridge Replacement Project; and

WHEREAS, the City determined that the West Stockton Boulevard Bridge Replacement Project was subject to the California Environmental Quality Act (CEQA) and prepared an Initial Study evaluating the potential environmental effects of the project; and

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

WHEREAS, the City has agreed to implement proposed mitigation measures that avoid the effects 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, 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 to Adopt the Mitigated Negative Declaration on February 15, 2006 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30-day review and comment period was opened on February 15, 2006 and closed on March 16, 2006. The Mitigated Negative Declaration was made available to the public during this review period; and

WHEREAS, the City received no written or verbal comment within the 30-day public review period; and

WHEREAS, the City of Elk Grove, Development Services Planning Department, located at 8401 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 by the City Council of the City of Elk Grove as follows:

A. Adoption of the Mitigated Negative Declaration

1. The City Council 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 thereon, and that the Mitigated Negative Declaration has been prepared and completed in compliance with CEQA.
2. The City Council 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.
3. The City Council finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

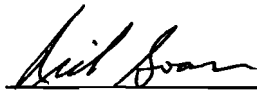
B. Adoption of the Mitigation Monitoring and Reporting Program

1. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in the project staff report.
2. The City Council 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. Approval of the Project

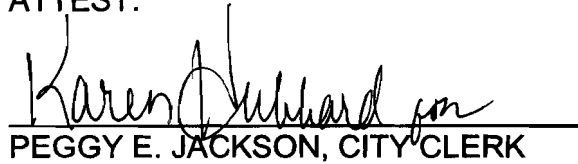
1. Having independently reviewed, analyzed and adopted the Mitigated Negative Declaration, adopted mitigation measures set forth in the Mitigation Monitoring and Reporting Program, the City Council hereby approves the West Stockton Boulevard Bridge Replacement Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of May 2006.



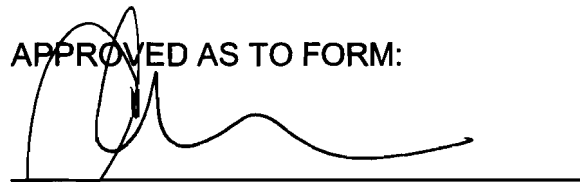
RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



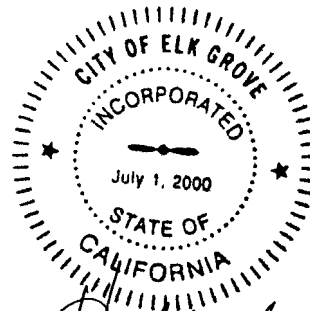
ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-131**

**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 May 24, 2006 by the following vote:

AYES 5 :	COUNCILMEMBERS:	Soares, Scherman, Briggs, Cooper, Leary
NOES :	COUNCILMEMBERS:	None
ABSTAIN :	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None



Karen Dubhard for

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