

## RESOLUTION NO. 2011-192

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE LAGUNA CREEK TRAIL – CAMDEN SPUR PROJECT

**WHEREAS**, the City wishes to close a gap in the overall Laguna Creek Trail system, provide improved access between residential and commercial areas and schools, and present recreational opportunities and an alternative method for transportation for City residents; and

**WHEREAS**, the City determined that the Laguna Creek Trail – Camden Spur Project (the “Project”) was subject to the California Environmental Quality Act 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 air quality, biological resources, hazardous materials, and noise; and

**WHEREAS**, mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur have been identified through the Initial Study; 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 (MND) should be prepared; and

**WHEREAS**, the City distributed a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration for the Laguna Creek Trail – Camden Spur Project on July 1, 2011, which started a 30-day public review period, ending August 1, 2011. The NOI was posted at the Sacramento County Clerk / Recorder’s office, distributed through the State Clearinghouse, posted at City offices, published in the *Elk Grove Citizen*, and mailed to project stakeholders, property owners, and residents within a 1,000 foot radius of the Project site except south of Bond Road; and

**WHEREAS**, the City received four written comments within the 30-day public review period; and

**WHEREAS**, the comments did not identify any new significant environmental impacts beyond those already covered in the Draft MND and did not change the Draft MND text. As such, staff prepared a Final MND and Mitigation Monitoring and Reporting Program; 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 Laguna Creek Trail – Camden Spur Project (the “Project”), all staff reports pertaining to the Project and all comments received there on, and that the Mitigated Negative Declaration has been prepared and completed in compliance with the California Environmental Quality Act (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.

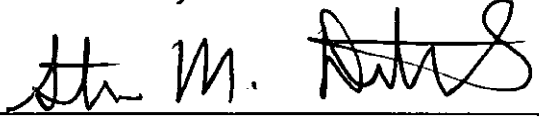
**B. Adoption of the Mitigation Monitoring and Reporting Program**

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 Laguna Creek Trail – Camden Spur Project.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 12<sup>th</sup>  
Day of October 2011.

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

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN HOBBS,  
INTERIM CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-192**

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

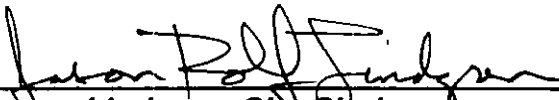
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 12, 2011 by the following vote:*

**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**