

RESOLUTION NO. 2004-75

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
TO ADOPT THE MITIGATED NEGATIVE DECLARATION,
ADOPT THE MITIGATION MONITORING REPORTING PROGRAM,
AND APPROVE THE BOND ROAD WIDENING PROJECT**

WHEREAS, the Bond Road Widening Project from west of Elk Grove-Florin Road to east of Bradshaw Road holds a high priority in the City of Elk Grove Transportation Improvement Program; and

WHEREAS, the Bond Road Widening Project will enhance safety and convenience for pedestrian, bicycle and vehicular traffic; and

WHEREAS, the Bond Road Widening Project will reduce traffic congestion and provide for future traffic demands; and

WHEREAS, city staff determined that the Bond Road Widening 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 construction air quality, biological resources, cultural resources, hazardous materials hydrology and water quality and noise; and

WHEREAS, revisions have been made to the project and the City agrees 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, 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, City staff determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impacts to a less than significant level and Mitigated Negative Declaration should be prepared; and

WHEREAS, City staff distributed the Notice of Intent to Adopt the Negative Declaration on February 13, 2004 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 13, 2004 and closed on March 15, 2004. 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, City staff 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, 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 by the City Council of the City of Elk Grove as follows:

A. Adoption of 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.
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.
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. Adoption of 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.
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. 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 of the City of Elk Grove hereby approves the Bond Road Widening Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 21st day of April 2004.


SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:


PEGGY E. JACKSON, CITY CLERK


ANTHONY B. MANZANETTI,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-75

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 21st day of April 2004 by the following vote:

AYES 3: COUNCILMEMBERS: Scherman, Soares, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 2: COUNCILMEMBERS: Briggs, Leary



A handwritten signature in cursive script, appearing to read "Peggy E. Jackson", written over a horizontal line.

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