

## RESOLUTION NO. 2010-086

Adopted by the Sacramento City Council

February 16, 2010

### ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PROGRAM FOR THE DEL PASO BOULEVARD STREETScape IMPROVEMENT PROJECT (T15098400)

#### BACKGROUND

On February 16, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) (a), (b), and (c) (publication and mail 500 feet), and received and considered evidence concerning the Del Paso Boulevard Streetscape Improvement Project.

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

Section 1. The City Council finds as follows:

- A. The Project initial study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned would have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:
1. On October 1, 2009 a Notice of Intent to Adopt the MND (NOI) dated October 1, 2009 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.
  2. On October 1, 2009 the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.
  3. The Initial Study was revised after public notice of its availability; however, none of the conditions requiring recirculation (CEQA Guidelines section 15073.5(b))

is applicable to the project. Revisions to the project do not result in new avoidable significant effects, and the new information added to the Negative Declaration makes insignificant modifications.

- Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.
- Section 4. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.
- Section 5. The City Council approves the MND for the Project.
- Section 6. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Plan.
- Section 7. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.
- Section 8. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit A: Mitigation Monitoring Plan

Exhibit B: Mitigated Negative Declaration

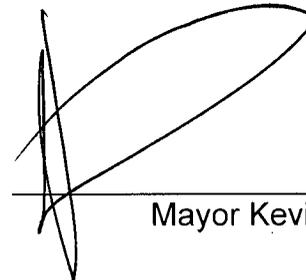
Adopted by the City of Sacramento City Council on February 16, 2010 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:

  
Shirley Concolino, City Clerk

MITIGATION MONITORING PLAN

FOR THE

DEL PASO BOULEVARD STREETScape IMPROVEMENT PROJECT  
PN: T15098400

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

PREPARED FOR:  
CITY OF SACRAMENTO  
COMMUNITY DEVELOPMENT DEPARTMENT  
ENVIRONMENTAL PLANNING SERVICES

DATE:  
January 19, 2010

ADOPTED BY:  
CITY OF SACRAMENTO

DATE:  
\_\_\_\_\_

ATTEST:  
\_\_\_\_\_

**MITIGATION MONITORING PLAN  
DEL PASO BOULEVARD STREETScape IMPROVEMENT PROJECT  
PN: T15098400**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento, Development Services Department, Environmental Planning Services, 300 Richards Boulevard, Sacramento, CA 95811, pursuant to CEQA Guidelines Section 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name / File Number:** Del Paso Boulevard Streetscape Improvement  
Project PN: T15098400

**Project Sponsor:** City of Sacramento, Department of Transportation

**Contact:** Matthew Johns, (916) 808-5760  
[mjohns@cityofsacramento.org](mailto:mjohns@cityofsacramento.org)

**Address:** City of Sacramento  
Department of Transportation  
915 I Street, Room 2000  
Sacramento, CA 95814

**Project Location / Legal Description of Property (if recorded):**

The proposed project is located in the North Sacramento Community Planning Area of the City of Sacramento. Specifically, the project would make changes to the streetscape including the addition of curb bulbs, traffic controls and other improvements for pedestrian safety along Del Paso Boulevard extended west from Arden Way to approximately 500 feet south of Acoma Street.

**Project Description:**

The proposed Del Paso Boulevard Streetscape Improvements is intended to improve the sidewalks, curbs and gutters and landscaping along Del Paso Boulevard between Arden Way and Acoma Street in the North Sacramento Community Planning Area of the City of Sacramento. The goals of the project are to make improvements to support a pedestrian-friendly environment, enhance pedestrian access to and from the Globe Street Light Rail Station, and support redevelopment and revitalization of the Boulevard. The project limits extend along Del Paso Boulevard from Arden Way on the east to approximately 500 feet west of Acoma Street. The project includes a traffic signal at the intersection of Del Paso Boulevard, Southgate and Colfax to facilitate

pedestrian crossings (described as Option 1 in the Mitigated Negative Declaration). A full description of the project is included in the Mitigated Negative Declaration.

## **SECTION 2: GENERAL INFORMATION**

The Plan includes mitigation the identified impacts that could result from the implementation of Option 1 of the Del Paso Boulevard Streetscape Project. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento will be responsible for ensuring compliance.

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<b>BIOLOGICAL RESOURCES (STREET TREES)</b>	<p><b>MITIGATION MEASURE 2 PROTECTION OF CITY STREET TREES</b></p> <p>1. For the City shall consult with the City Arborist and apply for a tree removal permit for affected City Street trees in the 1000 block of Del Paso Boulevard and the City and contractor shall comply with all applicable permit conditions.</p> <p>2. For both Components 1 and 2, during construction the Contractor shall follow the procedures necessary to protect existing trees. All work near the trees shall be coordinated with the City Arborist, Department of Transportation, Urban Forestry Services. The Contractor shall comply with direction as given by the City Arborist and the following City requirements regarding tree protection:</p> <ul style="list-style-type: none"> <li>• No Storage of materials or parking of vehicles may occur within the driplines of the trees.</li> <li>• If, during construction grading, tree roots two inches (2") in diameter or greater are encountered, work shall stop immediately and the City Arborist shall be contacted for a root inspection, and the root shall not be cut unless the arborist approves. Roots approved by the arborist to be severed during the course of project construction shall be neatly trimmed. If a large number of roots require cutting, the tree will then have to be evaluated by the certified arborist for possible removal.</li> <li>• If construction activities will affect any of the limbs of the trees, a certified arborist (certified by International Society of Arborists, Western Chapter) shall be consulted prior to the cutting or removal of any limb. Limbs approved by the arborist to be severed during the course of project construction shall be neatly trimmed.</li> </ul> <p>The Contractor shall be responsible for damages to trees. Trees damaged by the Contractor during construction activities shall be assessed by the City Arborist using the International Society of Arborists (ISA) appraisal guide. The Contractor's responsibility for damaged trees will be determined by the Arborist.</p>	Department of Transportation	Tree Removal Permit Approved, Tree Protection Requirements included in Plans and Specifications.

Environmental Resource	Mitigation Measure	Responsible Entity	Compliance Milestone / Confirm Complete
<b>HAZARDOUS MATERIALS RISKS</b>	<b>MITIGATION MEASURE 3:</b> For the Redevelopment Component of the Project, the City of Sacramento Real Estate Division, shall require the submission of a minimum of a Phase I site assessment to determine if the site history presents any unusual liabilities for use as a public right-of-way. Prior to any agreement to acceptance of any land in the 1000 block for right-of-way, the City shall determine if there is any potential contamination that could affect worker and public safety if so shall develop a mutually acceptable plan with the property owner and Sacramento County Environmental Management Department for the remediation of such hazardous substances.	Department of Transportation and Real Estate Services Division	Phase 1 Site Assessment completed for ROW to be dedicated.