

## **RESOLUTION NO. 2012-294**

Adopted by the Sacramento City Council

July 31, 2012

### **DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (P12-020)**

#### **BACKGROUND**

On July 31, 2012, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code section 17.200.010(C)(2) (a), (b), and (c) (publication, posting, and mail (500 feet)), and received and considered evidence concerning the Second Amendment to City Agreement No. 97-144 (Gateway West Development Agreement Amendment).

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

- Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under the California Environmental Quality Act ("**CEQA**"), as follows:
- A. It can be seen with certainty that there is no possibility that approval of the Second Amendment to City Agreement No. 97-144 may have a significant effect on the environment.
  - B. The Second Amendment to City Agreement No. 97-144 is thus covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment.
  - C. Accordingly, under section 15061(b)(3) of the CEQA Guidelines, approval of the Second Amendment to City Agreement No. 97-144 is not subject to CEQA.

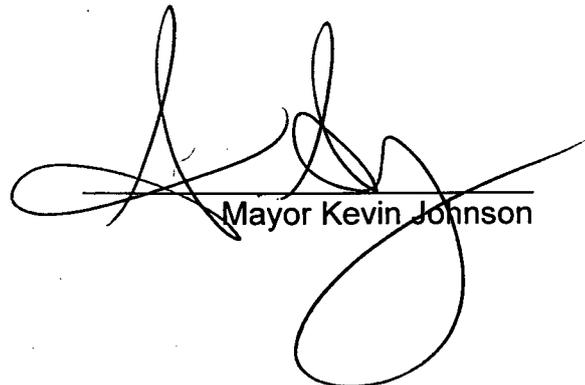
Adopted by the City of Sacramento City Council on July 31, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Sheedy,  
and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmember Schenirer.



Mayor Kevin Johnson

Attest:



Shirley Conobino, City Clerk