RESOLUTION NO. 2006-891

Adopted by the Sacramento City Council

December 5, 2006

CONSIDERING AND REVIEWING THE ENVIRONMENTAL IMPACT REPORT AND MITIGATION, MONITORING AND REPORT PROGRAM FOR THE PROJECT WHICH WAS ADOPTED BY THE CITY OF ELK GROVE AS LEAD AGENCY INCLUDING MITIGATION MEASURES AND ALTERNATIVE

BACKGROUND

A. The Sheldon Road/SR 99 Interchange is one of the most congested interchanges in the region. It provides access to residents in the southeast part of the City and Elk Grove. Elk Grove is reconstructing the interchange to accommodate existing and future traffic demands. Elk Grove is the lead agency for the Project.

B. Elk Grove as the lead agency adopted an Environmental Impact Report and Mitigation, Monitoring and Reporting Program for the Project on July 27, 2005 pursuant to the California Environmental Quality Act, and a Notice of Determination was filed on July 29, 2005.

C. The City is not responsible for the design and/or construction of the Project, or supervision thereof, and it is not financing the Project.

D. The northwest quadrant of the Project lies within City limits and Elk Grove has requested that the City obtain right-of-way, including consideration of resolutions of necessity and the potential filing of eminent domain actions, from three parcels in the City for the Project.

E. On June 13, 2006, the City adopted Resolution No. 2006-422 finding, in part, that the City Council has reviewed and considered the information contained in the Environmental Impact Report and Mitigation, Monitoring and Reporting Project prepared and adopted by the City of Elk Grove in accordance with the City's responsibilities as a responsible agency under the California Environmental Quality Act.

F. Consistent with its obligations as a responsible agency under the California Environmental Quality Act and prior to the adoption of any resolution of necessity for Project property, the City has conducted an independent review and consideration of the direct or indirect environmental effects of the acquisition of the subject property and intends to make its own findings based upon its own independent judgment regarding any significant effects of its action.

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

Section 1. The City Council has reviewed and independently considered the information contained in the Environmental Impact Report and Mitigation, Monitoring and Reporting Project prepared and adopted by the City of Elk Grove in accordance with the City's responsibilities as a responsible agency under the California Environmental Quality Act.

Section 2. The Environmental Impact Report lists numerous potentially significant impacts that can be mitigated to less-than-significant levels. Such impacts, and the mitigation thereof, are within the responsibility and jurisdiction of Elk Grove and involve aspects of the Project that Elk Grove rather than the City will carry out, finance or approve. Elk Grove has adopted measures to avoid or mitigate such impacts, and Elk Grove's findings are incorporated herein by reference.

Section 3. The City has considered alternatives to the Project including those listed as alternative 2A, alternative 3A, and the "no build" alternative as set forth in the Environmental Impact Report, and based upon its independent review and judgment determines that the alternatives to the preferred project alternative do not result in more severe environmental effects, do not meet basic Project objections, or do not provide any substantial environmental benefits as compared to the Project and therefore, the Project, as mitigated by adoption of mitigation measures identified in the FEIR/EA, can be feasibly implemented and serves the best interests of the City

Section 4. The Environmental Impact Report indicates that the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental impacts caused by the Project. Such impacts are within the responsibility and jurisdiction of Elk Grove and/ involve aspects of the Project that Elk Grove rather than the City will carry out, finance or approve. Elk Grove's findings and statement of overriding consideration are incorporated herein by reference.

Adopted by the City of Sacramento City Council on December 5, 2006 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo

Mayor, Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk