

**Resolution No. 2005-303**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR  
THE WILTON ROAD CULVERT REPLACEMENT PROJECT**

**WHEREAS**, the City of Elk Grove has identified the need to replace the subject drainage culvert to improve roadway safety and drainage efficiency; and

**WHEREAS**, sources of funding have been identified to construct the recommended improvements; and

**WHEREAS**, the City determined that the Wilton Road Culvert Replacement Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental impacts of the project; and

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

**WHEREAS**, the City distributed the Notice of Intent (NOI) to Adopt the Mitigated Negative Declaration on August 17, 2005 and the NOI was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and available at the City offices, pursuant to CEQA Guidelines 15072; a 30-day review and comment period was opened on August 17, 2005 and closed on September 15, 2005, and the Mitigated Negative Declaration was made available to the public during this review period; and

**WHEREAS**, the City received one written question and two questions by telephone within the 30-day public review period and responded to those comments in the project staff report.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby:

A. Adopts 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 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 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; and

3. The City Council finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

**B. Adopts 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; and
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. Approves 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 Wilton Road Culvert Replacement Project.

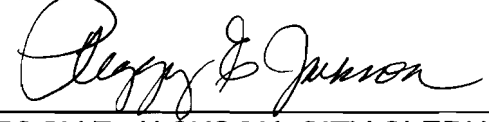
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 28<sup>th</sup> day of September 2005.



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DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE


ATTEST:



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PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



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ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-303**

**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 28th day of September, 2005 by the following vote:***

**AYES 4:       COUNCILMEMBERS:       Soares, Briggs, Cooper, Leary**

**NOES 0:       COUNCILMEMBERS:**

**ABSTAIN 0: COUNCILMEMBERS:**

**ABSENT 1: COUNCILMEMBERS:       Scherman**

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