

RESOLUTION NO. 2009-115

Adopted by the Sacramento City Council

February 24, 2009

ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PLAN FOR THE GREYHOUND LINES, INC. TERMINAL PROJECT

BACKGROUND

- A. On February 24, 2009, the City Council received and considered evidence concerning the Mitigated Negative Declaration for the Greyhound Lines, Inc. Terminal project.
- B. Notice of the intent to adopt the Mitigated Negative Declaration was provided and the review period extended from July 3 through July 23, 2008 in accordance with CEQA Guidelines Sections 15072 and 15073. In addition, the proposed action to adopt the Mitigated Negative Declaration was published 20 days prior to the February 24, 2009 meeting.
- C. The City Council has received and considered the Initial Study and Mitigated Negative Declaration and has reviewed the comments received in accordance CEQA Guidelines Section 15074.

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 were made before the proposed Mitigated Negative Declaration and Initial Study were released for public review, which the City's Environmental Planning Services determined would avoid or reduce the potentially significant effects of the Project to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised 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 July 3, 2008 a Notice of Intent to Adopt the MND (NOI) dated July 3, 2008 was circulated for public comments for 20 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. In

response to the comments, technical corrections were made to the Initial Study.

2. On July 3, 2008, August 20, 2008, August 28, 2008, and February 3, 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.

Section 2. The City Council has reviewed and considered the information contained in the MND, including the Initial Study, the revisions 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 3. 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 4. The City Council adopts the MND for the Project.

Section 5. 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 (Exhibit A).

Section 6. 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 7. 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

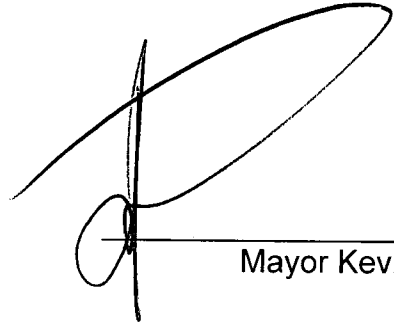
Adopted by the City of Sacramento City Council on February 24, 2009 by the following vote:

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