RESOLUTION NO. 28620

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE JENNINGS AVENUE PEDESTRIAN AND BICYCLE RAIL CROSSING PROJECT

WHEREAS, pursuant to requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Santa Rosa City Code, a Notice of Preparation of an Environmental Impact Report for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project ("Project") was issued on November 12, 2013, and a public scoping meeting was held on December 4, 2013, to offer interested individuals, organizations, and governmental agencies an opportunity to provide input regarding the potential environmental effects of the Project; and

WHEREAS, a Draft Environmental Impact Report ("EIR") was prepared and sent to the State Clearinghouse for review by state agencies; and

WHEREAS, a notice of availability of the Draft EIR was provided and the Draft EIR was made available to the public for review and comment for a period of 45 days beginning on October 17, 2014, and ending on December 1, 2014; and

WHEREAS, on November 18, 2014, the Council held a noticed public hearing regarding the Draft EIR at which time all persons wishing to be heard were invited to speak or submit written comment; and

WHEREAS, written responses were prepared to all comments, oral and written, regarding the Draft EIR received during the public review period; and

WHEREAS, the Draft EIR (State Clearinghouse Number 2013112019), dated October 17, 2014, and the Final EIR, dated February 9, 2015, which contains all comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies submitting comments on the Draft EIR, and responses by the City to comments received, and the Mitigation Monitoring and Reporting Program, comprise the Final EIR; and

WHEREAS, the Final EIR was presented to the Council in accordance with the requirements of CEQA and the Santa Rosa City Code; and

WHEREAS, on March 17, 2015, the Council considered the public comments, reviewed the Final EIR, and found that the Final EIR was completed in compliance with CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa makes the following findings:

A.  The Council has reviewed and considered the information contained in the Final EIR, including the Draft EIR, the comments on the Draft EIR and the responses to the comments;

B.  An adequate opportunity for public participation, including review and comment on the Draft EIR, has been provided in accordance with the requirements of CEQA;

C.  The responses to comments contained in the Final EIR represent a reasoned, good faith evaluation of each comment and respond to all significant environmental issues raised in the comments;

D.  The responses to comments in the Final EIR do not provide any significant new information, which would require re-circulation of the Draft EIR;

E.  The Council, having independently reviewed, analyzed and considered the information contained in the Final EIR, finds and determines that the Final EIR adequately identifies and analyzes the environmental effects of the Project and the alternatives;

F.  The Final EIR was completed in compliance with the requirements of CEQA, the State CEQA Guidelines and the Santa Rosa City Code; and

G.  The Final EIR, and this Resolution, including the findings, represent the independent judgment and analysis of the Council.

BE IT FURTHER RESOLVED that the Final EIR, as described above, is hereby certified as complete, adequate and prepared in compliance with the California Environmental Quality Act.

BE IT FURTHER RESOLVED that the City of Santa Rosa shall use the Final EIR, as certified, to assist it in its consideration of the Project.

IN COUNCIL DULY PASSED this 17th day of March, 2015.

AYES:          (7) Mayor Sawyer, Vice Mayor Coursey, Council Members Carlstrom, Combs, Olivares, Schwedhelm, Wysocky

NOES:          (0)

ABSENT:      (0)

ABSTAIN:     (0)

ATTEST: _____     APPROVED: _____
                    Deputy City Clerk                                                Mayor

APPROVED AS TO FORM:

_____
        City Attorney