

RESOLUTION NO. RES-2024-161

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT; APPROVING THE ROSELAND CREEK COMMUNITY PARK MASTER PLAN PROJECT; AND ADOPTING THE RELATED CEQA FINDINGS OF FACT AND MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, Roseland Creek Community Park is an approximately 20-acre community park located in the southwest quadrant of Santa Rosa between Burbank and McMinn Avenues; and

WHEREAS, Roseland Creek Community Park consists of the following parcel numbers: 125-252-004, 125-252-002, 125-252-003, 125-331-001; and

WHEREAS, Roseland Creek Community Park land was acquired with partial funding from the Sonoma County Agricultural Preservation and Open Space District grant funds between 2011 and 2018; and

WHEREAS, a Master Plan is utilized to graphically represent and locate in map form the park amenities and features requested by the community for future implementation. The Master Plan is needed for environmental analysis of the future improvements requested by the community; and

WHEREAS, over twenty public meetings, including five Board of Community Services (BOCS) meetings were conducted from December 16, 2009, to August 8, 2019, to receive community input regarding the design of the Master Plan for the Roseland Creek Community Park; and

WHEREAS, on February 28, 2017, the Council approved an Agreement (F001375) with David J Powers & Associates (DJP), Inc, of San Jose, CA to provide environmental analysis for the proposed Roseland Creek Community Park Master Plan project; and

WHEREAS, DJP conducted an Initial Study to begin the environmental review process in 2017 consistent with the California Environmental Quality Act (CEQA) guidelines; and

WHEREAS, on November 18, 2019, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration was submitted to the Sonoma County Clerk's Office to begin the 30-day public comment period for the Initial Study/Mitigated Negative Declaration; and

WHEREAS, the Council held a duly noticed public hearing to adopt a Mitigated Negative Declaration and Master Plan for Roseland Creek Community Park at their January 14, 2020, meeting. The Council did not adopt the Mitigated Negative Declaration and Master Plan but rather directed staff to gather more community input in response to comments raised at the Council hearing; and

WHEREAS, in response to Council direction received at the January 14, 2020, council meeting a further community meeting was held on March 4, 2020, to receive additional community input; and

WHEREAS, between February 11, 2021, and April 9, 2021, seven listening sessions were held by City Council Member Alvarez (Council District 1) regarding the Roseland Creek Community Park Master Plan to receive more community input from groups with divergent interests for the Roseland Creek Community Park Master Plan; and

WHEREAS, at the July 21, 2021, Special BOCS public meeting, City staff presented a very detailed and thorough review of all collected data and provided summaries of all community meetings and outreach and every update to the draft Master Plan. All information from the listening sessions conducted by Council Member Alvarez was also provided to the BOCS for their review. The BOCS received public comments, discussed the draft Master Plan and voted unanimously in favor of the proposed park Master Plan and recommended Council approval of the same; and

WHEREAS, at their September 28, 2021, meeting, the Council held a duly noticed public hearing and adopted a Mitigated Negative Declaration and Master Plan for Roseland Creek Community Park; and

WHEREAS, at their January 25, 2022, meeting, the Council rescinded their previous decision to adopt the Mitigated Negative Declaration and approve the Master Plan for Roseland Creek Community Park and directed staff to instead prepare a full Environmental Impact Report (EIR) for the Roseland Creek Community Park Master Plan as presented; and

WHEREAS, in accordance with California Environmental Quality Act (CEQA) Guidelines, Section 15082, a Notice of Preparation (NOP) of an EIR was circulated on August 8, 2022, to local, state, and federal agencies for 30 days until September 9, 2022. The NOP explains that the City decided to prepare a full EIR and provides a general description of the proposed project and identifies possible environmental impacts that could result from the implementation of the Roseland Creek Community Park Master Plan; and

WHEREAS, on August 17, 2022, the City conducted a community scoping meeting for preparation of an Environmental Impact Report for the Roseland Creek Community Park Master Plan. The meeting was held virtually due to restrictions regarding preventing the spread of the Corona virus and was open to receive any preliminary comments as part of the NOP process and those not able to attend could submit comments; and

WHEREAS, the City prepared a Draft EIR (DEIR) and sent it to the State Clearinghouse (SCH #2022080148) for review by State and responsible agencies and in accordance with CEQA Guidelines, Section 15087, the City prepared and issued a Notice of Availability (NOA) of the DEIR for the Roseland Creek Community Park Master Plan and circulated the DEIR for a 53-day

public review and comment period beginning on April 25, 2024 and concluding on June 17, 2024; and

WHEREAS, the NOA of the DEIR and/or the DEIR itself was provided and made widely available as required by law in the following ways: posting on the City's Recreation and Parks Department's project web site; publishing in the Press Democrat newspaper; advertising on KSRO radio station; printing full copies and making them available at the two main offices for the Recreation and Parks Department, at 55 Stony Point Road (Parks Division office) and 2600 College Avenue (Finely Community Center); mailing postcards to all previous commenters who provided an address as well as to over 2000 residents surrounding the park site; providing email notification to previous commenters who provided email addresses; providing notification at the park site on posted signage; providing stakeholder notification to those who previously expressed interest in receiving notification, and providing written and electronic notifications to the Federated Indians of Graton Rancheria and Lytton Rancheria of California; and

WHEREAS, the City prepared written responses to all comments received by the City on the DEIR and included those responses to comments in the Final EIR, which is comprised of the Draft EIR, the Response to Comments document, and the Mitigation Monitoring and Reporting Program; and

WHEREAS, in compliance with CEQA Guidelines Section 15088(b), written responses to all comments received by public agencies that commented on the DEIR were provided to those agencies at least 10 days before the Council considered certifying the Final EIR; and

WHEREAS, the Master Plan was prepared as part of an adaptive process and is based on all community comments received from 2009 through 2021 to include preservation of native grassland, oak woodland, and purple needlegrass habitat in addition to community serving improvements including paved pedestrian and bicycle trails, community garden or outdoor classroom, nature center and parking, picnic areas with barbeques and sink, parking, children's play areas for ages 2-5 and 5-12, restroom building, sport court, fitness stations, irrigated lawn area, two pedestrian bridges, cross walk, looped walking paths and interpretive signage; and

WHEREAS, the Final EIR prepared for the Roseland Creek Community Park Master Plan identifies a number of potentially significant environmental effects that can all be reduced to levels of insignificance by mitigation measures identified in the EIR, as set forth in Exhibit A (Findings of Fact), and the City has prepared a program designed to implement, monitor and ensure the success of those mitigation measures, as set forth in Exhibit B (Mitigation Monitoring and Reporting Program or MMRP) attached hereto; and

WHEREAS, CEQA and the State Guidelines thereto, Section 15091, prohibit a public agency from approving or carrying out a project for which an environmental impact report has been completed which identifies one or more significant effects, unless the public agency makes one or more of the following written findings for each of those significant effects accompanied by statements of the facts supporting each finding:

A. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the certified EIR; or

B. Changes or alterations have been required in, or incorporated into the project, which mitigate or avoid the significant environmental effects thereof as identified in the Final EIR; or

C. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and

WHEREAS, on September 24, 2024, the Council held a duly noticed public hearing to consider whether to certify the Final EIR and approve the proposed Roseland Creek Community Park Master Plan, at which time it considered the Master Plan itself together with the environmental analysis in the Final EIR, the Findings of Fact, the Mitigation Monitoring and Reporting Program, and the staff report, oral and written comments presented by all persons, including members of the public, who addressed the Council; and

WHEREAS, the Council has before it all of the necessary environmental information required by the California Environmental Quality Act to properly analyze and evaluate the adequacy of the Final EIR and all of the potential environmental impacts of the proposed project; and

WHEREAS, the Council has independently reviewed and analyzed the 2024 Final EIR.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa finds and determines that the Final EIR was presented to and reviewed and considered by the Council before any decision to approve the Master Plan project, that the Final EIR reflects the Council's independent judgment and analysis and that the Final EIR adequately identifies and analyzes all of the potential environmental effects of the Master Plan project, and as a result the Council hereby certifies that the Final EIR was completed in compliance with all of the requirements of CEQA and the State CEQA Guidelines.

BE IT FURTHER RESOLVED that the Council makes the following additional findings:

1. 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.
2. The Final EIR contains a full and complete explanation as to how the project's potentially significant impacts are reduced to less than significant levels by incorporation of the required mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B, which the City will use to monitor and report on the implementation of all of the mitigation measures.

BE IT FURTHER RESOLVED that the Council adopts the Findings of Fact set forth in Exhibit A, attached hereto, which findings are incorporated by this reference and demonstrate that all of the Master Plan project's potentially significant environmental impacts can and will be reduced to insignificant levels with implementation of the mitigation measures listed in the Final EIR and Mitigation Monitoring and Reporting Program.

BE IT FURTHER RESOLVED that the Council adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B, which is hereby made part of this Resolution, and mandates that all of the mitigation measures be made a part of and fully implemented together with the Master Plan project.

BE IT FURTHER RESOLVED that the Council, based on the above findings and determinations, hereby adopts and approves the Roseland Creek Community Park Master Plan attached hereto and incorporated herein as Exhibit C to this Resolution, which, according to the Final EIR certified and Findings of Fact and Mitigation Monitoring and Reporting Program adopted herein, will not have a significant adverse effect on the environment.

BE IT FURTHER RESOLVED that the Council directs City staff to promptly prepare and file a Notice of Determination as required by CEQA.

IN COUNCIL DULY PASSED this 24th day of September, 2024.

AYES: (4) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Okrepkie

NOES: (0)

ABSENT: (2) Council Members C. Rogers, Fleming

ABSTAIN/RECUSE: (1) Council Member MacDonald

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
Assistant City Attorney

Exhibit A – CEQA Findings of Fact
Exhibit B – Mitigation and Monitoring Reporting Program (MMRP)
Exhibit C – Roseland Creek Community Park Master Plan Map