

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. 6132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT PREPARED IN CONJUNCTION WITH THE PROPOSED LYTLE CREEK RANCH PROJECT AND ADOPTING THE MITIGATION MEASURE MONITORING AND REPORTING PROGRAM, FINDINGS OF FACT AND A STATEMENT OF OVERIDING CONSIDERATIONS IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 AND CITY ENVIRONMENTAL GUIDELINES.

WHEREAS, the City of Rialto, acting in compliance with the State of California Environmental Quality Act (CEQA) of 1970 and City Environmental Guidelines, required the preparation of an Environmental Impact Report (EIR) in conjunction with the proposed development of the Lytle Creek Ranch project. The City of Rialto is the Lead Agency as defined by CEQA and coordinated the preparation of the Draft EIR, which describes and evaluates the proposed project, and

WHEREAS, on June 29, 2009, a Notice of Preparation identifying the scope of environmental issues to be addressed in the EIR (State Clearinghouse No. 2009061113) was sent to all responsible and interested agencies and parties. The City held a public scoping meeting to solicit comments and questions regarding the scope of the EIR on July 28, 2009. The 30-day circulation and review period required by CEQA began on June 29, 2009 and concluded on July 28, 2009, and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, *et. seq.*, "CEQA"), the State CEQA Guidelines (Title 14 California Code of Regulations Section 1500, *et. seq.*, "CEQA Guidelines"), and the City of Rialto Guidelines for implementing CEQA, the City of Rialto prepared and circulated a Draft EIR on March 1, 2010. A Notice of Availability (NOA) of the Draft EIR was published in the San Bernardino County Sun Newspaper on March 1, 2010. The public comment period began on March 1, 2010 and ended on April 15, 2010 and. A Notice of Completion (NOC) of the Draft EIR (State Clearinghouse No. 2009061113) was issued to the State Clearing House on February 26, 2010, and

WHEREAS, comments relating to the DEIR and RPDEIR have been received and are incorporated into the Final EIR, and

1 **WHEREAS**, on May 30, 2012, the City of Rialto Planning Commission conducted a duly
2 noticed public meeting in accordance with the provisions of Government Code Section 65090 *et*
3 *seq.* and the City of Rialto Municipal Code. Based on existing evidence, facts and oral testimony, the
4 Planning Commission determined that the DEIR was adequate and adopted Resolution No. 10-31, and

5 **WHEREAS**, on June 26, 2012 and July 24, 2012 the City Council considered the FEIR
6 including the Response to Comments section, the Statement of Overriding Considerations (SOC) and
7 the Mitigation Monitoring and Reporting Program (MMRP) and Errata for the proposed Lytle Creek
8 Ranch project at a regularly scheduled public hearing.

9 **NOW THEREFORE**, the City Council does hereby resolve as follows:

10 **SECTION 1:** That the EIR is adequate and prepared in compliance with California
11 Environmental Quality Act (CEQA) and City of Rialto Environmental Guidelines. The Draft EIR
12 addresses the following Significant Impacts: Air Quality, Noise and Growth Inducement. The
13 Draft EIR also identifies the following significant irreversible impacts for the proposed project:
14 Fossil Fuel Consumption, Building Material Consumption, Real Property Commitments, Forfeiture
15 of Mineral Resources and Environmental Accidents that relate to the on-site discharge into the air,
16 ground or surface waters of hazardous materials, petroleum products, and pesticides that may be
17 used during construction and subsequent operation of the proposed project. These significant and
18 unavoidable impacts cannot be reduced to less than significant after mitigation.

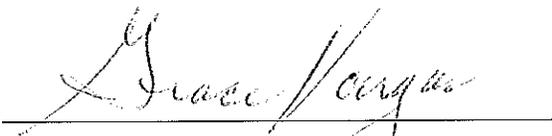
19 **SECTION 2:** Based on the determination made by the Planning Commission, written and
20 oral testimony and technical information contained in the FEIR, the City Council hereby certifies
21 the FEIR and Errata, adopts the Statement of Overriding Considerations and Findings of Fact
22 (Exhibit 'A') and approves the Mitigation Monitoring and Reporting Plan (Attachment 'B') with
23 the following revision:

24 *"The former El Rancho Verde Golf Course property shall be abated for weeds every 8*
25 *weeks until the property is developed as provided for in the Lytle Creek Ranch Specific*
26 *Plan".*

27 **EFFECTIVE DATE:** This resolution shall become effective upon adoption.

28 **PASSED, APPROVED AND ADOPTED** this 24th day of July, 2012.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


GRACE VARGAS, Mayor

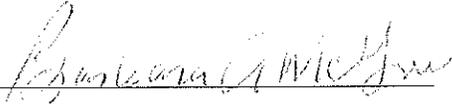
1 ATTEST:

2

3

4

5



6

BARBARA A. McGEE, City Clerk

7

8

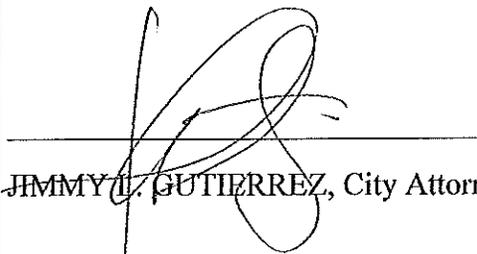
9

APPROVED AS TO FORM

10

11

12



13

JIMMY L. GUTIERREZ, City Attorney

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO)ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No. 6132 was duly passed and adopted at a regular meeting of the City Council of the City
6 of Rialto held on the 24th day of July, 2012.

7 Upon motion of Councilmember Robertson, seconded by Councilmember Scott, the foregoing
8 Resolution No. 6132 was duly passed and adopted.

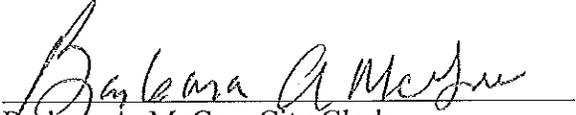
9 Vote on the Motion:

10 AYES: Mayor Vargas, Council Members: Scott, Robertson, Baca Jr.

11 NOES:

12 ABSENT: Council Member Palmer

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto, this 15th day of August, 2012.

15 
16 Barbara A. McGee, City Clerk

17
18
19
20
21
22
23
24
25
26
27
28