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RESOLUTION NO. R-24-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COLTON ADOPTING THE MITIGATED NEGATIVE
DECLARATION FOR THE AGUA MANSA SEWER
MAIN IMPROVEMENT PROJECT.**

WHEREAS, the City of Colton (“City”) owns, operates, and maintains a wastewater collection, pumping, and treatment system that serve’s the City, neighboring City of Grand Terrace, and unincorporated County areas; and

WHEREAS, The plant utilizes a conventional and extended aeration secondary treatment process to produce treated effluent in compliance with Regional Water Quality Control Board regulations; and

WHEREAS, proposed new development in this area is requiring either amending the agreement or building City own infrastructure to provide additional capacity of 120,000 gpd, and City staff has identified improvements in Agua Mansa Road as a high priority need based on system infrastructure deficiencies and pending development in the area; and

WHEREAS, The Agua Mansa Sewer Main Improvement (“Project”) is part of the City’s goal to serve the properties along the Agua Mansa Corridor and provide conveyance of wastewater from businesses and industrial facilities; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code, § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs, tit. 14 § 15000 et seq.), the City is the lead agency for the proposed Project; and

WHEREAS, City staff reviewed the Project and prepared an Initial Study pursuant to CEQA; and

WHEREAS, on the basis of the Initial Study, which concluded that the Project will not have significant impacts on the environment with mitigation, the City determined that a Mitigated Negative Declaration (“MND”) should be prepared for the Project, and an MND was prepared pursuant to CEQA and the State CEQA Guidelines; and

WHEREAS, the City provided copies of the draft MND and Initial Study to the public for a thirty-day review and comment period pursuant to Public Resources Code section 21091(b); and

WHEREAS, as contained here, the City has endeavored in good faith to set forth the basis for its decision on the proposed Project; and

WHEREAS, the City has endeavored to take all steps and impose all conditions necessary to ensure that impacts to the environment would not be significant; and

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2 WHEREAS, all of the findings and conclusions made by the City pursuant to this
3 Resolution are based upon the oral and written evidence before it as a whole; and

4 WHEREAS, the City Council has reviewed the MND, Initial Study, and all other
5 relevant information contained in the record regarding the Project; and

6 WHEREAS, on May 7, 2013, at its regularly-scheduled meeting, the public was
7 afforded an opportunity to comment on the Project and the MND/Initial Study, and the City
8 Council discussed and considered the Project and the MND/Initial Study; and

9 WHEREAS, all other legal prerequisites to the adoption of this Resolution have
10 occurred;

11 BE IT NOW THEREFORE RESOLVED AS FOLLOWS:

12 Section 1. Compliance with the California Environmental Quality Act. As the
13 decisionmaking body for the Project, the City Council has reviewed and considered the
14 information contained in the MND, Initial Study, and administrative record, on file with the
15 City and available for review at the Department of Public Works, at 160 S. 10th St., Colton,
16 California. The City Council finds that the MND and Initial Study have been completed in
17 compliance with CEQA and the State CEQA Guidelines.

18 Section 2. Findings on Environmental Impacts. In the City's role as the lead agency
19 under CEQA, the City Council finds that the MND and Initial Study contain a complete and
20 accurate reporting of the environmental impacts associated with the Project. The City Council
21 further finds that the documents have been completed in compliance with CEQA and the State
22 CEQA Guidelines. The City further finds that all environmental impacts of the Project are
23 either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation
24 measures outlined in the MND, Initial Study, and the Mitigation Monitoring and Reporting
25 Program. The City Council further finds that there is no substantial evidence in the record
26 supporting a fair argument that the Project may result in significant environmental impacts, and
27 that any comments received regarding the Project have been examined and determined to not
28 modify the conclusions of the MND or the City Council. The City Council finds that the MND
contains a complete, objective, and accurate reporting of the environmental impacts associated
with the Project and reflects the independent judgment of the City Council.

29 Section 3. Adoption of Mitigated Negative Declaration. The City Council hereby
30 approves and adopts the MND prepared for the Project.

31 Section 4. Adoption of the Mitigation Monitoring and Reporting Program. The City
32 Council hereby approves and adopts the Mitigation Monitoring and Reporting Program
33 prepared for the Project, attached here to as Exhibit "A".

EXHIBIT "A"

MITIGATION MONITORING AND REPORTING PROGRAM

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

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5 **CERTIFICATION**

6 I, **EILEEN C. GOMEZ**, City Clerk of the City of Colton, California, do hereby certify
7 that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-24-13**, duly
8 adopted by the City Council of said City, and approved by the Mayor of said City, at its
9 Regular Meeting of said City Council held on the **7th day of May, 2013**, and that it was
10 adopted by the following vote, to wit:

11 AYES: COUNCILMEMBER Gonzales, Navarro, Oliva, Bennett,
Suchil, and Mayor Zamora

12 NOES: COUNCILMEMBER None

13 ABSTAIN: COUNCILMEMBER None

14 ABSENT: COUNCILMEMBER Toro

15
16 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal
17 of the City of Colton, California, this _____ day of _____, 2013.
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21 _____
EILEEN C. GOMEZ, CMC
22 City Clerk
City of Colton
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24 (SEAL)
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