

**RESOLUTION NUMBER 4353**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING A GRANT APPLICATION TO THE STATE WITH RESPECT TO THE ENCHANTED HEIGHTS SEWER PROJECT, APPROVING A NEGATIVE DECLARATION, MAKING CERTAIN FINDINGS AND TAKING CERTAIN ACTION IN CONNECTION THEREWITH**

WHEREAS, Eastern Municipal Water District ("EMWD") has previously filed an application with the State of California under the Clean Water Act for a grant related to construction of the sewer project for the Enchanted Heights area ("Project");

WHEREAS, in connection therewith, EMWD has requested that the City of Perris (the "City") assist EMWD and take over the application to the State for the Project and construct the Project (the "Application"); and

WHEREAS, EMWD has previously approved a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Enchanted Heights Wastewater Collection System (State Clearinghouse No. 2007051071) which is on file with the City Clerk and by this reference incorporated herein (a "Negative Declaration"); and

WHEREAS, EMWD, the County of Riverside (the "County") and the City will enter into a memorandum of understanding related to the construction of this Project delineating the responsibilities of the parties and the fact that EMWD will ultimately inspect and own part of the Project and the City will own part of the Project ("MOU"); and

WHEREAS, the City Council has reviewed the information submitted herewith and the Negative Declaration;

WHEREAS, the City Staff have reviewed the Negative Declaration in order to comply with the California Environmental Quality Act; and,

WHEREAS, the City has duly noticed this action;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the information in Agenda Submittal and the Negative Declaration and hereby adopts and approves of the Project, the Negative Declaration and the Mitigated Monitoring Program related thereto. The City Council hereby finds, based on the information contained

therein and the entire record and the mitigation measures adopted, that there is no substantial evidence that the Project will have a significant adverse effect on the environment.

*Section 3.* The City Council, based on the information provided herewith, HEREBY FINDS AND DETERMINES that:

- A. That EMWD, as lead agency, previously prepared and approved the Negative Declaration.
- B. That the City Council has considered and hereby approves of the Negative Declaration and related Mitigation Monitoring Program described therein.
- C. That the findings made in this Resolution reflect the City's independent judgment and analysis.
- D. That City Clerk is hereby directed to file a notice of determination with the State Planning Office and the County Clerk.

*Section 4.* That the City Manager is hereby authorized to execute and file the grant application with the State.

*Section 5.* This resolution shall be effective upon adoption.

*ADOPTED, SIGNED and APPROVED* this 29<sup>th</sup> day of July, 2010.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney, C.M.C.

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I Judy L. Haughney, duly elected City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4352 was duly and regularly adopted by the City Council of the City of Perris at a special meeting thereof held on the 29<sup>th</sup> day of July 2010, by the following vote:

AYES: YARBROUGH, EVANS, LANDERS, ROGERS, BUSCH  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Judy Haughney, C.M.C.

