

RESOLUTION NUMBER 4017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION 2259 FOR IMPLEMENTATION OF THE ORANGE AVENUE REINFORCED CULVERT CROSSING PROJECT.

WHEREAS, the proposed Orange Avenue Reinforced Culvert Crossing Project complies with the Circulation Element of the City of Perris General Plan, and is necessary to improve traffic safety and to protect the roadway and adjacent areas from flooding associated with a 10-year storm event; and,

WHEREAS, an initial study has been prepared for the proposed Orange Avenue Reinforced Culvert Crossing project (CIP D 005), and based upon the environmental information staff has determined that the project could not have a significant adverse effect on the environment, therefore a Mitigated Negative Declaration (2259) has been prepared; and

WHEREAS, the proposed culvert crossing project has been duly noticed in a newspaper of general circulation and direct mailed to the State Clearinghouse, responsible agencies and property owners within 300 feet of the site; and,

WHEREAS, on October 9, 2007, the City Council considered all materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, the City Council considered a correction to the project description that the width of the box culvert would be 80 feet, rather than the 56 feet as stated in the Initial Study, finding that this correction does not alter the analyses or findings presented in the Initial Study and Mitigated Negative Declaration (2259); and,

WHEREAS, the City Council considered and approved the Initial Study and Mitigated Negative Declaration (2259), as corrected, finding that these documents adequately addressed the impacts of the proposed project, were prepared in accordance with the California Environmental Quality Act, and reflected the independent judgment of the City; and,

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

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

Section 2. The City Council has reviewed and considered the environmental documentation for the project prior to taking action on the applications. Based on the analysis

contained in the Initial Study and the accompanying environmental information, the City Council finds that:

- A. There is no substantial evidence of potentially significant environmental impacts and a Mitigated Negative Declaration (2259) has been prepared.
- B. The City has complied with the California Environmental Quality Act (CEQA).
- C. Determinations of the City Council reflect the independent judgment of the City.

Section 3. Based on the information contained within the staff report and the accompanying attachments and exhibits, the City Council hereby finds that:

- A. The proposed project is consistent with General Plan objectives, policies and programs.
- B. The proposed project will not adversely affect the public health, safety and welfare.
- C. The proposed project will not adversely affect the environment.

Section 4. The City Council hereby adopts Mitigated Negative Declaration (2259) and approves the Orange Avenue Reinforced Culvert Crossing project (CIP D 005), based on the information and findings presented in the City Council Submittal dated September 4, 2007.

Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign this Resolution and the City Clerk shall certify to its passage and adoption.

ADOPTED, SIGNED and APPROVED this 9th day of October, 2007.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy Haughney

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

I Judy Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4017 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 9th day of October 2007, by the following vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES: None
ABSENT: None
ABSTAIN: None

Judy Haughney, City Clerk