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1       **WHEREAS**, pursuant to the provisions of the California Environmental Quality Act,  
2 Public Resources Code Sections 21000 et. seq. (" CEQA"), the State's CEQA Guidelines,  
3 California Code of Regulations, Title 14, Section 15000 et. seq., and Government Code Section  
4 65962.5(f) (Hazardous Waste and Substances Statement), the City reviewed an Initial Study  
5 (Environmental Assessment Review No. 2017-0066) prepared by and determined that there is no  
6 substantial evidence that the approval of the Project would result in a significant adverse effect on  
7 the environment, provided appropriate mitigation measures are imposed on the Project; thus, a  
8 Mitigated Negative Declaration was prepared and notice thereof was given in the manner required  
9 by law; and

10       **WHEREAS**, a Notice of Intent to adopt the Mitigated Negative Declaration for the Project  
11 was published in the San Bernardino Sun newspaper, and mailed to all property owners within 300  
12 feet of the Project Site, and a twenty (20) day public comment period was held from October 24,  
13 2018 to November 12, 2018; and

14       **WHEREAS**, The Planning Division received no public comment letters during the twenty  
15 (20) day public comment period; and

16       **WHEREAS**, the City mailed public hearing notices for the proposed Project to all property  
17 owners within 300 feet of the project site, and published the public hearing notice in the San  
18 Bernardino Sun newspaper as required by State law; and

19       **WHEREAS**, on November 28, 2018, the Planning Commission of the City of Rialto  
20 conducted a duly noticed public hearing, as required by law, on the Mitigated Negative  
21 Declaration, GPA No. 2018-0002, ZC No. 2017-0004, and TTM No. 20108, took testimony, at  
22 which time it received input from staff, the city attorney, and the Applicant; heard public  
23 testimony; discussed the proposed GPA No. 2018-0002, ZC No. 2017-0004, and TTM No. 20108;  
24 and closed the public hearing; and

25       **WHEREAS**, on November 28, 2018, the Planning Commission voted 6-0 (1 absence) to  
26 recommend approval of the Mitigated Negative Declaration, GPA No. 2018-0002, ZC No. 2017-  
27 0004, and TTM No. 20108 to the City Council; and

1       **WHEREAS**, on January 29, 2019, the City Council conducted a public hearing, as required  
2 by law, on the Mitigated Negative Declaration, GPA No. 2018-0002, ZC No. 2017-0004, and TTM  
3 No. 20108, took testimony, at which time it received input from staff, the city attorney, and the  
4 applicant; heard public testimony, discussed the Mitigated Negative Declaration, GPA No. 2018-  
5 0002, ZC No. 2017-0004, and TTM No. 20108; and closed the public hearing; and

6       **WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

7       **NOW, THEREFORE**, the City Council hereby finds, determines, and resolves as follows:

8       **SECTION 1.** The City Council hereby specifically finds that all of the facts set forth in the  
9 recitals above of this Resolution are true and correct and incorporated herein.

10       **SECTION 2.** The City Council has independently reviewed and considered the proposed  
11 Mitigated Negative Declaration, the public comments upon it, and other evidence and finds that  
12 the Mitigated Negative Declaration was prepared in the manner required by law, and there is no  
13 substantial evidence, provided appropriate mitigation measures are imposed, that the Project would  
14 result in a significant adverse effect upon the environment.

15       **SECTION 3.** The Initial Study (Environmental Assessment Review No. 2017-0066)  
16 prepared for the project identified that the Site did not have suitable habitat for any threatened or  
17 endangered species, and therefore the proposed Project will have no individual or cumulative  
18 adverse impacts upon resources, as defined in Section 711. 2 of the State Fish and Game Code.

19       **SECTION 4:** The attached proposed Mitigated Negative Declaration, Exhibit “B” hereto,  
20 finds that there are no impacts or less than significant impacts to aesthetics, agriculture and forestry  
21 resources, air quality, biological resources, geology/soils, greenhouse gas emissions, hazards and  
22 hazardous materials, hydrology/water quality, land use/planning, mineral resources,  
23 population/housing, public services, recreation, transportation/traffic, tribal cultural resources, and  
24 utilities and service systems.

25       **SECTION 5.** With the imposition of mitigation measures that address potential impacts  
26 upon cultural resources, geology/soils, tribal cultural resources, noise, and mandatory findings of  
27 significance in the community, and as set forth in the Mitigation Monitoring & Reporting Program,  
28

1 Exhibit "C" hereto, which is attached hereto and incorporated herein by this reference, the  
2 proposed Project's potential significant impacts will be reduced below a level of significance.

3 **SECTION 6.** For the foregoing reasons and based on the information and findings  
4 included in the Initial Study and Staff Report, the City Council has determined that the Project, as  
5 conditioned and mitigated, will not have a significant adverse impact on the environment and also  
6 finds that the preparation of the Mitigated Negative Declaration attached hereto complies with  
7 CEQA. Therefore, the City Council hereby certifies the Mitigated Negative Declaration, which is  
8 attached hereto as Exhibit "B" and incorporated herein by this reference, making certain  
9 environmental findings to allow the Project. The City Council further directs the Planning Division  
10 to file the necessary documentation with the Clerk of the Board of Supervisors for San Bernardino  
11 County.

12 **SECTION 7.** The Mayor shall sign the passage and adoption of this resolution and  
13 thereupon the same shall take effect and be in force.

14 **PASSED, APPROVED AND ADOPTED** this 29th day of January, 2019.

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DEBORAH ROBERTSON, MAYOR  
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2 **ATTEST:**  
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6 BARBARA MCGEE, CITY CLERK  
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8 **APPROVED AS TO FORM:**  
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11 FRED GALANTE, CITY ATTORNEY  
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2 STATE OF CALIFORNIA )  
3 COUNTY OF SAN BERNARDINO ) ss  
4 CITY OF RIALTO )  
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6 I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing  
7 Resolution No. \_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council  
8 of the City of Rialto held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

9 Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember  
10 \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_\_ was duly passed and adopted.

11 Vote on the motion:

12 AYES:

13 NOES:

14 ABSENT:

15 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of  
16 Rialto this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
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21 BARBARA MCGEE, CITY CLERK  
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Exhibit 'A'

All that certain real property situated in the County of San Bernardino, State of California, described as follows:

**PARCEL A:**

**The North 60 feet of the West 330 feet of the South 210 feet of Lot 138, Town of Rialto and adjoining subdivision, in the City of Rialto, County of San Bernardino, State of California, as per map recorded in Book 4 Page 11, of Maps, in the office of the County Recorder of said County.**

***Assessor's Parcel No: 0131-111-07***

**PARCEL B:**

**The South 330 feet of Farm Lot 138, Town of Rialto and adjoining subdivisions, in the City of Rialto, County of San Bernardino, State of California, as per map recorded in Book 4, Page 11 of Maps, in the Office of the County Recorder of said County.**

**Excepting therefrom the East 525 feet and the North 310 feet of the West 330 feet thereof.**

**Also excepting therefrom the East 2 feet of the West 32 feet of said land as conveyed to the City of Rialto in the deed recorded November 12, 1973, in Book 8305, Page 514, of Official Records.**

**Note: Areas and distances are computed to the street centers.**

***Assessor's Parcel No: 0131-111-05***

**PARCEL C:**

**Parcel 1 of Parcel Map Number 4596, in the City of Rialto, County of San Bernardino, State of California, as per map recorded in Book 53, of Parcel Maps, Page 94, in the Office of the County Recorder of said County.**

***Assessor's Parcel No: 0131-111-76***

**PARCEL D:**

Parcel 2 of Parcel Map 4596, in the City of Rialto, County of San Bernardino, State of California, as per map recorded in Book 53 Page 94, of Parcel Maps, in the office of the County Recorder of said County.

*Assessor's Parcel No: 0131-111-75*

Exhibit 'B'

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Exhibit 'C'

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