

EXHIBIT L

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OCT 21 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CENTRO MAKING FINDINGS AND CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 12-06, AND ADOPTING THE MITIGATION MONITORING & REPORTING PROGRAM FOR THE LOTUS RANCH SUBDIVISION

WHEREAS, an Environmental Impact Report was prepared to assess the environmental impacts of the proposed Lotus Ranch Subdivision project, which consists of the subdivision of 213 acres of land in order to create 574 residential lots, one (1) park site, one (1) school site, and three (3) stormwater detention basins at the southwest quadrant of I-8 and La Brucherie Avenue.

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") and the CEQA Guidelines of 1970, as amended, an Environmental Impact Report (12-06) with mitigation measures is appropriate for the above-named project; and

WHEREAS, on the basis of the whole record, including the Initial Study for the above-named project and comments received, the City Council of the City of El Centro, California ("the City Council") finds as follows:

1. That the EIR has been completed in compliance with CEQA;
2. That the FEIR was presented to the City Council and that the City Council reviewed and considered the information contained in the FEIR prior to approval of the project;
3. Changes or alternations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the FEIR;
4. That with the Mitigation Monitoring and Reporting Program required for the Project or made a condition of approval, which measures are fully enforceable through permit conditions, agreements or other measures, there is no substantial evidence that the project will have a significant effect on the environment;
5. That the Environmental Impact Report reflects the City of El Centro, California's independent judgment and analysis; and

WHEREAS, the City Clerk and the Director of Community Development both located at 1275 West Main Street, El Centro, California, are the custodians of the records of material which constitute the record of proceedings upon which the City Council's decision is based in this matter.

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

1. That the foregoing is true, correct and adopted.
2. That Environmental Impact Report 12-06 with Mitigation Monitoring and Reporting Program, included as Attachment A a copy of which is on file at the Office of the City Clerk, on the above-named project is hereby certified.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of El Centro, California, held on the 6th day of Sept, 2016.

CITY OF EL CENTRO

By   
Jason Jackson, Mayor

ATTEST:

By L. Diane Caldwell  
L. Diane Caldwell, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

By Elizabeth L. Martyn  
Elizabeth L. Martyn, City Attorney

STATE OF CALIFORNIA     )  
COUNTY OF IMPERIAL    ) ss  
CITY OF EL CENTRO        )

I, L. Diane Caldwell, City Clerk of the City of El Centro, California, do hereby certify that the foregoing Resolution No. 16-68 was duly and regularly adopted at a regular meeting of the City Council of the City of El Centro, California, held on the 6th day of Sept., 2016, by the following vote:

AYES:           Silva, Cardenas, Viegas-Walker, Garcia  
NOES:           None  
ABSENT:         None  
ABSTAINED:     Jackson

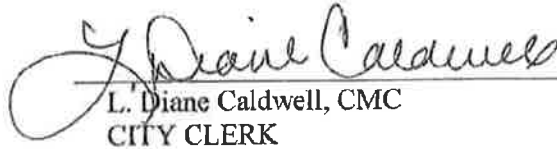
By L. Diane Caldwell  
L. Diane Caldwell, City Clerk

STATE OF CALIFORNIA)  
COUNTY OF IMPERIAL)§  
CITY OF EL CENTRO )

I, L. Diane Caldwell, City Clerk of the City of El Centro, California do hereby certify that the foregoing is a true and correct copy of Resolution No. 16-68, which was duly and regularly adopted at a regular meeting of the City Council of the City of El Centro held on September 6, 2016, by the following vote:

YES:	Silva, Cardenas, Viegas-Walker, Garcia
NOES:	None
ABSENT:	None
ABSTAINED:	Jackson

(SEAL)

  
\_\_\_\_\_  
L. Diane Caldwell, CMC  
CITY CLERK

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
<b>DIRECT IMPACTS</b>			
<b>Agricultural Resources</b>			
<p><b>AGR 1</b> The proposed project could potentially create land use conflicts with the adjacent agricultural properties, particularly the cattle feedlot immediately south.</p>	<p><b>AGR 1.1</b> The layout of the project site is designed to reduce potential land use conflicts between the proposed single-family homes and adjacent agricultural lands by creating a "buffer zone" between the homes and the farmland. This buffer zone consists of stormwater detention basins located on the west side of the site that also serve as open space for the residents. To the south, Manuel Ortiz Avenue buffers the residences from El Toro Export.</p> <p><b>AGR 1.2</b> The development shall include the construction of a six (6) foot barrier fence or wall to further separate the southernmost residences from Manuel Ortiz Avenue and the El Toro Export facilities located south.</p> <p><b>AGR 1.3</b> To reduce the risk of fires on the hay storage facility immediately south, the City should enact an ordinance prohibiting the use of fireworks and open fires on the project site.</p> <p><b>AGR 1.4</b> To reduce potential conflicts with future residents and existing agricultural operations, and to advise future residents of potential agricultural impacts (traffic, odor, noise, etc.), the Applicant will be required to comply with the "Right to Farm Ordinance" and include an advisory notice on the Title for future purchasers.</p>	<p>Prior to issuance of Final Map</p> <p>Prior to issuance of Final Map</p> <p>Prior to certificate of occupancy</p>	<p>City of El Centro</p> <p>City of El Centro</p> <p>City of El Centro</p>
<b>Air Quality</b>			
<p><b>AQ 1</b> Construction-related activities are temporary, short-term sources of air emissions that include fugitive dust from grading activities; construction equipment exhaust; and construction-related trips by workers, delivery trucks, and material-hauling trucks that will have a potentially significant impact on the environment.</p>	<p><b>AQ 1.1</b> Standard mitigation measures for construction equipment.</p> <ul style="list-style-type: none"> <li>• Maintain all construction equipment in proper tune according to manufacturer's specifications.</li> <li>• Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel.</li> <li>• Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy duty diesel engines.</li> <li>• Install diesel oxidation catalyst (DOC), catalyzed diesel particulate, or other District-approved emission reduction retrofit devices.</li> </ul> <p><b>AQ 1.2</b> Standard mitigation measures for PM<sub>10</sub> control.</p> <ul style="list-style-type: none"> <li>• The entire site shall be pre-watered for 48 hours prior to clearing and grubbing.</li> <li>• Reduce the amount of disturbed area where possible.</li> <li>• Water at least twice daily or otherwise stabilize all active construction areas.</li> <li>• All dirt stockpile areas should be sprayed daily as needed.</li> <li>• Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</li> <li>• Haul trucks shall cover loads or maintain at least 6 inches of freeboard when traveling on public roads.</li> </ul>	<p>Prior to Construction</p> <p>Prior to Construction</p>	<p>City of El Centro and ICAPCD</p> <p>City of El Centro and ICAPCD</p>

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<p><b>AQ 2</b> Operational emissions are projected to be less than the applicable thresholds for all pollutants except ROG after construction of Phase 2 and total buildout. Emissions of ROG are due to mobile sources, the use of fireplaces, and the use of consumer products associated with the project. Impacts would be potentially significant</p>	<ul style="list-style-type: none"> <li>• Pre-moisten, prior to transport, import and export materials that have a silt content of 5 percent or greater. Water all materials with a silt content of 5 percent or greater with a spray bar or cover trucks hauling dirt, sand, or loose materials. Empty trucks and trucks carrying asphalt material are excluded from this requirement.</li> <li>• Sweep streets at the end of each day if visible soil material is carried onto streets, or wash off truck and equipment leaving site.</li> </ul>		
	<p><b>AQ 1.3</b> Discretionary mitigation measures for PM<sub>10</sub> control.</p> <ul style="list-style-type: none"> <li>• Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 mph the operators shall increase watering frequency.</li> <li>• Apply chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).</li> <li>• Apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operations and hydro-seeded areas.</li> <li>• Plant vegetative ground cover in disturbed areas as soon as possible and where feasible.</li> <li>• Cover or apply water or chemical suppressants to form and maintain a crust on inactive storage piles.</li> <li>• All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.</li> <li>• Install wheel washers, rumble gates, provide a gravel pad, or pave the area where vehicles enter and exit unpaved roads onto streets; or wash off trucks and equipment leaving the site.</li> </ul>	Prior to Construction	City of El Centro and ICAPCD
	<p><b>AQ 2.1</b> Standard Site Design Measures.</p> <ul style="list-style-type: none"> <li>• Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 mph the operators shall increase watering frequency.</li> <li>• Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.</li> <li>• Allocate easements or land dedications for bikeways and pedestrian walkways.</li> <li>• Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.</li> <li>• Incorporate energy efficiency measures which meet mandatory, prescriptive and/or performance measures as required by Title 24</li> </ul>	Prior to Construction	City of El Centro and ICAPCD
	<p><b>AQ 2.2</b> Require all fireplaces to be natural gas.</p>	Prior to issuance of	City of El



Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
<p><b>IIYD 3</b> Increased amount of surface runoff and associated impacts to drainage facilities.</p>	<p><b>IIYD 3</b> Implement Best Management Practices to Maximize Storm Water Quality. Comply with City of El Centro storm water ordinance and MS4 requirements as specified by state law.</p>	<p>During Construction</p>	<p>City of El Centro</p>
<p><b>Traffic</b></p>			
<p><b>T 1</b> Project traffic would cause a significant increase in delay at the La Brucherie Avenue / Wake Avenue intersection.</p> <p><b>T2</b> The project would cause an increase the need for public transit services to and from the proposed project site.</p>	<p><b>T 1</b> The project applicant shall signalize the intersection of La Brucherie Avenue / Wake Avenue and provide the following lane configurations (prior to the construction of 222 dwelling units):</p> <p>Northbound: one (1) dedicated left-turn lane, one (1) dedicated thru lane, one (1) dedicated right turn lane</p> <p>Southbound: one (1) dedicated left-turn lane, two (2) dedicated thru lane, one (1) dedicated right turn lane</p> <p>Westbound: one (1) dedicated left-turn lane, one (1) shared thru/right-turn lane</p> <p>Eastbound: one (1) dedicated left-turn lane, one (1) dedicated thru lane, one (1) dedicated right turn lane</p> <p><b>T2</b> The project applicant shall coordinate with the ICTC to establish a bus stop curb pullout and location within and/or surrounding the site.</p>	<p>Prior to issuance of certificate of occupancy</p> <p>Prior to issuance of certificate of occupancy</p>	<p>City of El Centro and County of Imperial</p> <p>City of El Centro and County of Imperial</p>
<p><b>Noise</b></p>			
<p><b>N 1</b> Temporary, localized noise would be received by on-site residences in excess of the acceptable 75-dBA CNEL threshold when project construction occurs within 150 feet of occupied project structures.</p> <p><b>N 2</b> Traffic noise levels at the first row of homes nearest to Interstate-8 would be 78 dBA CNEL, which exceeds the City's "Clearly Unacceptable" threshold of 75 dBA CNEL.</p> <p><b>N 3</b> Traffic noise levels at the first row of homes facing La Brucherie Avenue would be 65 dBA CNEL approximately 50 feet from the centerline, which is within the limits of the City's "Conditionally Acceptable" threshold of</p>	<p><b>N 1.1</b> Construction contracts shall specify that all construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.</p> <p><b>N 1.2</b> All existing residential units located within 200 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. Signs, legible at a distance of 50 feet shall also be posted at the construction site. All notices and signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.</p> <p><b>N 2</b> Prior to completion of the homes nearest to Interstate-8, the developer shall construct a permanent noise barrier to shield the homes and park from freeway noise. The noise wall should be designed to provide at least 8 dBA of noise reduction at the first row of homes. That noise barrier would reduce freeway noise levels at the homes nearest Interstate-8 to the "Conditionally Acceptable" noise compatibility category. The Citywide requirement to meet the Title 24 construction standards for indoor noise would then be adequate to provide a suitable noise environment inside the homes. Further analysis to determine the final height of the wall will be conducted.</p> <p><b>N 3</b> The applicant shall be required to install a noise wall to reduce acoustical impacts to outdoor uses on residences along La Brucherie Avenue. The noise barrier shall be designed to reduce the noise impacts to an acceptable level (60 CNEL) in accordance with the City of El Centro Noise Element of the General Plan.</p>	<p>Prior to issuance of a building permit</p> <p>Prior to issuance of grading permit</p> <p>Prior to recordation of final map</p> <p>Prior to issuance of certificate of occupancy</p>	<p>City of El Centro</p> <p>City of El Centro</p> <p>City of El Centro</p> <p>City of El Centro</p>



Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
70 dBA CNEL.			
<b>Public Services</b>			
<p><b>PS 1</b> The project's 609 new residences would result in significant public service impacts due to the lack of existing water infrastructure.</p>	<p><b>PS 1</b> In order to offset the costs and impacts to water service, including maintenance of infrastructure, the developer will be required to pay development impact fees.</p>	Prior to issuance of building permit	City of El Centro
<p><b>PS 2</b> The project's 609 new residences would result in a significant public services impact on the City's Sewer service since no existing sewer infrastructure currently exists on site.</p>	<p><b>PS 2</b> In order to offset the costs and impacts to sewer service, including maintenance of infrastructure, the developer will be required to pay development impact fees.</p>	Prior to issuance of building permit	City of El Centro
<p><b>PS 3</b> The project's 609 new residences would result in significant public service impacts due to the increased demand on ECFD services.</p>	<p><b>PS 3</b> In order to offset the costs and impacts to fire protection services, the developer will be required to pay development impact fees.</p>	Prior to issuance of building permit	City of El Centro
<p><b>PS 4</b> The project's 609 new residences would result in a significant public service impacts due to the increased demand on ECPD services.</p>	<p><b>PS 4</b> In order to offset the costs and impacts to law enforcement services, the developer will be required to pay development impact fees.</p>	Prior to issuance of building permit	City of El Centro
<p><b>PS 5</b> The project would result in significant public services impacts associated with the predicted increase in enrollment at the McCabe Union School District and the Central Union High School District.</p>	<p><b>PS 5</b> In order to offset the educational costs associated with increased enrollment in the McCabe Union School District and the Central Union High School District, the project applicant is required to pay State-mandated school impact fees.</p>	Prior to issuance of building permit	City of El Centro
<p><b>PS 6</b> The project would result in a significant public services impact to park space due to the addition of approximately 1,993 and the additional demand of an additional 10 acres of park space.</p>	<p><b>PS 6</b> In order to offset the impacts to the availability of park space and maintenance of parks, the developer will construct a 10.8-acre park and will be required to pay development impact fees.</p>	Prior to issuance of building permit	City of El Centro
<b>CUMULATIVE IMPACTS</b>			
<b>Cumulative Agricultural Resources</b>			
<p><b>C-AG 1</b> There are significant indirect cumulative impacts to adjacent agricultural land surrounding the project site. The development of the proposed Lotus Ranch project in combination with the other cumulative projects may create additional pressure to remove agricultural land from production..</p>	<p><b>C-AG 1.1</b> Minimize indirect impacts on adjacent agricultural lands by creating and maintaining on-site buffer zones in the form of agricultural land, greenbelts, detention basins, recreational or vacant land that protect adjacent agricultural properties from new commercial and non-agricultural uses.</p>	Prior to recordation of final map	City of El Centro
	<p><b>C-AG 1.2</b> For the conversion of agricultural land to urban uses within Urban Areas, require that at least one entire property line of the new uses adjoin an area of existing urban uses.</p>	Prior to recordation of final map	City of El Centro
	<p><b>C-AG 1.3</b> Design implementing projects to increase transportation benefits for the agricultural sector to maximize the efficient transport of products and machinery.</p>	Prior to recordation of final map	City of El Centro
	<p><b>C-AG 1.4</b> Provide adequate buffers in all future development projects in accordance with City of El Centro Zoning Ordinance setback requirements between existing farm operations and property owners.</p>	Prior to recordation of final map	City of El Centro



Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
<b>Cumulative Noise</b>			
<p><b>C-N 1</b> Cumulative traffic noise levels at the first row of homes facing I-8 would exceed the City's "Clearly Unacceptable" threshold of 75 dBA CNEL.</p>	<p><b>C-N 1</b> Mitigation measure N2, which addresses the direct noise impacts assessed for the project, would adequately reduce cumulative traffic noise impact C-N 1. No additional mitigation is required.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>City of El Centro</p>
<p><b>C-N 2</b> Cumulative traffic noise levels at the first row of homes facing La Brucherie Avenue would exceed the City's "Conditionally Acceptable" threshold of 60 dBA CNEL.</p>	<p><b>C-N 2</b> Mitigation measure N3, which addresses the direct noise impacts assessed for the project, would adequately reduce cumulative traffic noise impact C-N 2. No additional mitigation is required.</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>City of El Centro</p>
<b>Cumulative Public Services</b>			
<p><b>C-PS 1</b> The City's Fire Department has insufficient resources to adequately service the combined demands of the proposed project and cumulative projects.</p>	<p><b>C-PS 1</b> In addition to the payment of development impact fees, developers of new projects south of I-8 shall be required to pay a fair share contribution towards the construction of fire facilities and services south of I-8.</p>	<p>Prior to recordation of final map</p>	<p>City of El Centro</p>
<p><b>C-PS 2</b> The project would result in significant public services impacts associated with the predicted increase in enrollment at the McCabe Union School District and the Central Union High School District.</p>	<p><b>C-PS 2</b> Mitigation measure C-PS 1, which addresses the direct public service impacts assessed for the project, would adequately reduce cumulative traffic noise impact C-PS 1. No additional mitigation is required.</p>	<p>Prior to recordation of final map</p>	<p>City of El Centro</p>