EXHIBIT L

RESOLUTION NO. 16-68

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

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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

Jason Jackson, Mayo

By Y	Da	ĺ	0	alduu Clerk	4
L. Diang	Caldwe	ell, C	ity	Clerk	

APPROVED AS TO FORM: Office of the City Attorney

By Elizabeth of. 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

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

lmpscl	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
DIRECT IMPACTS			
Agricultural Resources			
AGR 1 The proposed project could potentially create land use conflicts with the adjacent agricultural properties, particularly the cattle feedlot immediately south.	AGR 1.1 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.	Prior to issuance of Final Map	City of El Centro
	AGR 1.2 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.	Prior to issuance of Final Map	City of El Centro
	AGR 1.3 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.	Prior to certificate of occupancy	City of El Centro
	AGR 1.4 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.		
Air Quality			
AN Quanty AN Quanty AN Quanty AN Quanty AN Quanty AN Quanty An actemporary, 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 cuvironment.	AQ 1.1 Standard mitigation measures for construction equipment. • Maintain all construction equipment in proper tune according to manufacturer's specifications. • Fuel alt off-road and portable diesel powered equipment, including but not himited to buildozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel. • Maximize to the extent feasible, the use of dlesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy duty diesel engines. • Install diesel oxidation catalyst (DOC), entalyzed diesel particulate, or other District-approved emission reduction retrofit devices.	Prior to Construction	City of El Centro and ICAPCD
	AQ 1.2 Standard mitigation measures for PM ₁₀ control. The entire site shall be pre-watered for 48 hours prior to clearing and grubbing. Reduce the amount of disturbed area where possible. Water at least twice daily or otherwise stabilize all active construction areas. All dirt stockpile areas should be sprayed daily as needed. 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. Haul trucks shall cover loads or maintain at least 6 inches of freeboard when traveling on public roads.	Prigr 10 Construction	City of El Centro and ICAPCD

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
	 Pre-moisten, prior to transport, impo export materials that have a silt content percent or greater. Water all materials silt content of 5 percent or greater with bar or cover trucks hattling dirt, sand, a materials. Empty trucks and trucks a asphalt material are excluded from requirement. Sweep streets at the end of each day if soil material is carried onto streets, or witness and equipment leaving site. 	nt of 5 with a a spray pri loose surrying n this visible vash off	Clay of GL
	 Q 1.3 Discretionery mitigation measures for PM₁₀ core user trucks or sprinkler systes sufficient quantities to prevent airborn from leaving the site. When wind exceed 15 mph the operators shall it watering frequency. Apply chemical soil stabilizers or apply to form and maintain a crust on it construction areas (disturbed lands construction projects that are unused for four consecutive days). Apply non-toxic binders (e.g. latex copolymer) to exposed areas after cut operations and hydro-seeded areas. Plant regetative ground cover in diareas as soon as possible and where feasing to form and maintain a crust on inactive piles. All roadways, driveways, sidewalks, etc paved should be completed as soon as possible after grading unless see soil binders are used. Vehicle speed for all construction vehicles and exceed 15 mph on any unpaved suffice construction site. Install wheel washers, rumble gates, progravel pad, or pave the area where venter and exit unpaved roads and streach of trucks and equipment leaving the 	construction a dust apeeds increase y water inactive within at least acrylic and fill isturbed fible. ressants storage c. to be ossible. laid as iding or les shall riace at ovide a vehicles ects; or	City of Ei Centro and ICAPCD
oQ 2 Operational emissions are rojected to be less than the applicable mesholds for all pollutants except ROG for construction of Phase 2 and total uildout. Emissions of ROG are due to abile sources, the use of fireplaces, and the use of consumer products essociated with the project. Impacts would be potentially significant	Use water trucks or sprinkler syste sufficient quantities to prevent airborn from leaving the site. When wind exceed 15 mph the operators shall it watering frequency. Link cul-de-sacs and dead-end streencourage prefestrian and bicycle travel. Allocate easements or land dedicated bikeways and pedestrian walkways. Provide continuous sidewalks separate the roadway by landscaping and oparking. Adequate lighting for sidewalls be provided, along with crosswall intersections. Incorporate energy efficiency measures meet mandatory, prescriptive performances measures as required by T	ne dust speeds increase cets to cons for cet from in-street ts must alks at the condition of the cet cet cet cet cet cet cet cet cet ce	City of El Centro and ICAPCD

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
	 If the project design includes fireplaces, no wood-burning fireplaces shall be installed; rather, all fireplaces shall be natural gas 	building permit	Centro and ICAPCD
Biological Resources			<u> </u>
BIO 1 The project would disturb land that contains active burrowing owl burrows.	BIO 1.1 Pre-construction surveys will be required at least 14 days prior to ground disturbance to detect the presence of burrowing owls and inform avoidance actions. These surveys will include all areas where suitable habitat is present within the survey area.	Prior to Construction	City of El Centro and CDFW
	810 1.2 The burrow exclusion and closure technique will apply to culverts being used as burrows along the southern boundary of the southern parcel.	Prior to Construction	City of El Centro and CDFW
	BIO 1.3 Formal consultation with CDFW will be required in to develop the appropriate mitigation plans which could include actions such as translocation of burrowing owls, artificial burrow construction, and/or habitat preservation.	Prior to Construction	City of El Centro and CDFW
Geology and Soils			
GEO 1 Soil underlying the site may be subject to seismically induced liquefaction, which could present hazardous conditions.	GEO 1 A site-specific gentuchnical investigation shall be prepared to locate and evaluate on-site soils with the potential for liquefaction. Such investigation would detail the design requirements to account for any potential liquefaction conditions.	Prior to issuance of grading permit	City of El Centro
GEO 2 Soil underlying the site may be subject to seismically induced subsidence, which could present nezardous conditions.	GEO 2 A site-specific geotechnical investigation shall be prepared to locate and evaluate on-site solls with the potential for subsidence. Such investigation would detail the design requirements to account for any potential subsidence conditions.	Prior to issuance of grading permit	City of El Centro
GEO 3 Soil underlying the site may possess expansive qualities, which could present hazardous conditions on the site.	GEO 3 A site-specific geotechnical investigation shall be prepared to locate and evaluate on-site expansive soils. Such investigation would detail the design requirements to account for any potential expansive conditions.	Prior to issuance of grading permit	City of El Centro
Hydrology/Water Quality			
IYD I Impacts to Surface Water Quality and Groundwater Quality Due	HYD 1.1 Comply with NPDES General Construction Permit and City's Stormwater Program.	Prior to issuance of building permit	City of El Centro
o Construction Related Earth Disturbing Activities and Construction- Related Hazardous Substances.	HYD 1.2 Implement a Spill Prevention and Control Program	Prior to issuance of building permit	City of Ef Centro
	IIYD 1.3 Implement Measures to maintain groundwater and surface water quality.	Prior to issuance of building permit	City of El Centro
IYD 2 Water quality impacts from onstruction below the water table.	IIYD 2.1 Comply with NPDES General Construction Permit and City's Stormwaler Program.	Prior to issuance of building permit	City of El Centro
	HYD 2.2 Implement a Spill Prevention and Control Program	Prior to issuance of building permit	City of El
	HYD 2.3 Implement Measures to Maintain Groundwater or Surface Water Quality	Prior to issuance of building permit	City of El Centro
	11YD 2.4 Provisions for Dewatering	Prior to issuance of building permit	City of El Centro

impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
IIVD 3 Increased amount of surface runoff and associated impacts to drainage facilities.	ITYD 3 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.	During Construction	City of El Centro
Traffic			
T 1 Project traffic would eause a significant increase in delay at the La Brucherie Avenue / Wake Avenue intersection.	Tt 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): Northbound: one (1) dedicated left-turn lane, one (1) dedicated thru lane, one (1) dedicated right turn lane Southbound: one (1) dedicated left-turn lane, two (2) dedicated thru lane, one (1) dedicated right turn lane Westbound: one (1) dedicated left-turn lane, one (1) shared thru/right-turn lane Eastbound: one (1) dedicated left-turn lane, one (1) dedicated tight turn lane, one (1) dedicated right turn lane, one (1) dedicated right turn lane	Prior to issuance of certificate of occupancy	City of El Centro and County of Imperial
12 The project would cause an nerease the need for public transit services to and from the proposed project site.	T2 The project applicant shall coordinate with the ICTC to establish a bus stop carb pullout and location within and/or surrounding the site.	Prior to issuance of certificate of accupancy	City of El Centro and County of Imperial
Noise			
N L 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.	N 1.1 Construction contracts shall specify that all construction equipment shall be equipped with mufflers and other suitable noise attenuation devices. N 1.2 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.	Prior to issuance of a building permit Prior to issuance of grading permit	City of El Centro City of El Centro
N 2 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.	N 2 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 "Canditionally 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.	Prior to recordation of final map	City of El Contro
N 3 Traffic noise levels at the first row of homes facing La Brucherie Avenue would be 65 dBA CNEL approximately for feel from the centerline, which is within the limits of the City's 'Conditionally Acceptable' threshold of	N 3 The applicant shall be required to install a noise wall to reduce acoustical impacts to autdoor 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.	Prior to issuance of certificate of occupancy	City of El Centro

Impact	Miligation Measure	Schedule for Implementation	Monitoring Responsibility
70 dBA CNEL.			
Public Services			
PS 1 The project's 609 new residences would result in significant public service impacts due to the lack of existing water infrastructure.	PS 1 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.	Prior to issuance of building permit	City of El Centro
PS 2 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.	PS 2 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.	Prior to issuance of building permit	City of El Centro
PS 3 The project's 609 new residences would result in significant public service impacts due to the increased demand on ECFD services.	PS 3 In order to offset the costs and impacts to fire protection services, the developer will be required to pay development impact fees.	Prior to issuance of building permit	City of El Centro
PS 4 The project's 609 new residences would result in a significant public service impacts due to the necessed demand on ECPD services.	PS 4 In order to offset the costs and impacts to law enforcement services, the developer will be required to pay development impact fees.	Prior to issuance of building permit	City of El Centro
PS 5 The project would result in significant public services impacts associated with the predicted increase in mrollment at the McCabe Union School District and the Central Union High ichool District.	PS 5 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.	Prior to issuance of building permit	City of El Centro
PS 6 The project would result in a ignificant public services impact to ark space due to the addition of approximately 1,993 and the additional lemand of an additional 10 acres of park pace.	PS 6 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.	Prior to issuance of building permit	City of El Centro
CUMULATIVE IMPACTS			
Cumulative Agricultural Resou	rces		
C-AG 1 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	C-AG 1.1 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.	Prior to recordation of final map	City of El Centro
	C-AG 1.2 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.	Prior to recordation of final map	City of El Centro
	C-AG 1.3 Design implementing projects to increase transportation benefits for the agricultural sector to maximize the efficient transport of products and machinery.	Prior to recordation of final map	City of El Centro
	C-AG 1.4 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.	Prior to recordation of final map	City of El Centro

Impact	Mitigation bicasure	Schedule for Implementation	Monitoring Responsibility
Cumulative Air Quality			
C-AQ I Emissions of ROG are due to mobile sources, the use of fireplaces, and the use of consumer products associated with the project. Based on the estimates of the emissions associated with cumulative projects, forecast emissions are expected to contribute to regional air quality background.	C-AQ I The project would be required to implement all standard mitigation measures as well as discretionary mitigation measures. The discretionary mitigation measure would require that all fireplaces he natural gas as opposed to wood-burning.	Prior to Issuance of a building permit	City of El Centro and ICAPCD
Cumulative Biological Resource	es .		
C-BIO 1 The project would have a substantial adverse effect through habitat modifications on the burrowing owl.	C-BIQ 1.1 Take-Avoidance (Pre-Construction) Surveys. Pre- construction surveys will be required at least 14 days prior to ground disturbance to detect the presence of burrowing owls and inform necessary take avoidance actions. These surveys will include all areas where suitable habitat is present within the survey area (CDFW 2012).	Prior to Construction	City of El Centro and CDFW
	C-BIO 1.2 Burrow Exclusion and Closure. The CDFW 2012 guidelines state "Burrow exclusion is a technique of installing one-way doors in burrowing openings during the non-breeding season to temporarily exclude burrowing owls and close burrows after verifying burrows are empty by site monitoring and scoping." Although there were no formal burrows being used by the burrowing owls detected on-site, the culverts are being used as burrows. The burrow exclusion and closure technique will apply to these culverts along the southern boundary of the southern parcel.	Prior to Construction	City of El Centro and CDFW
	C-BIO 1.3 Formal consultation with CDFW will be required in order to develop the appropriate mitigation plans for the Lotus Ranch project. Other mitigation measures such as translocation of burrowing owls, artificial burrow construction, and/or habital preservation may be required.	Prior to Construction	City of El Centro and CDFW
Cumulative Traffic/Intersection	s/Highways		
C-T 1 Project traffic would cause a significant increase in delay at the imperial Avenue / Ocuillo Drive ntersection.	C-T 1 The project applicant shall contribute a fair share (2.3%) towards the provision of an eastbound right-turn overlap phase (RTOL) at the intersection of Imperial Avenue / Oculifo Drive.	Prior to issuance of certificate of occupancy	City of El Centro
C-T 2 Project traffic would cause a ignificant increase in delay at the La Brucherie Avenue / McCabe Road intersection.	C-T 2 The project applicant shall contribute a fair share (4.3%) towards signalizing the intersection of La Brucherie Avenue / McCahe Road and providing a dedicated left-turn lane at each approach.	Prior to issuance of certificate of occupancy	City of El Centro
C-T 3 Project traffic would cause a ignificant increase in volume/capacity atio at the segment of Wake Avenue from La Brucherie Avenue to Imperial ave.	C-T 3 The applicant shall contribute a fair share (36.6%) towards improving the currently constructed pontion of Wake Avenue between La Brucherie Avenue and the future extension of Imperial Avenue to City two-lane arterial standards and a fair share (12.4%) towards the construction of Imperial Avenue between 1-8 and Wake Avenue.	Prior to issuance of certificate of occupancy	City of El Centro
C-T 4 The project could result in gnificant operational impacts if proper te access is not provided.	C-T 4 The applicant shall provide dedicated northbound left-turn lanes and dedicated southbound right-turn lanes at the three proposed access points along La Brucherie Avenue and a dedicated eastbound left-turn lane and a dedicated eastbound right-turn lane on Danenberg Drive at La Brucherie Avenue.	Prior to issuance of centificate of occupancy	City of El Centro

Impact	Mitigation Measure	Schedule for Implementation	Monitoring Responsibility
Cumulative Noise			
C-N 1 Cumulative (raffic noise levels at the first tow of homes facing I-8 would exceed the City's "Clearly Unacceptable" threshold of 75 dBA CNEL.	C-N 1 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.	Prior to issuance of certificate of occupancy	City of El Centro
C-N 2 Cumulative traffic noise toyels at the first row of homes facing La Brucherie Avenue would exceed the City's "Conditionally Acceptable" threshold of 60 dBA CNEL.	C-N 2 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.	Prior to issuance of certificate of occupancy	City of El Centro
Cumulative Public Services			
C-PS 1 The City's Fire Department has insufficient resources to adequately service the combined demands of the proposed project and cumulative projects.	C-PS 1 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.	Prior to recordation of final map	City of El Centro
C-PS 2 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.	C-PS 2 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.	Prior to recordation of final map	City of El Centro