

EXHIBIT H

RESOLUTION NO. 2017-07

**A RESOLUTION OF THE IMPERIAL CITY COUNCIL CERTIFYING A
MITIGATED NEGATIVE DECLARATION (MND) FOR
THE ANNEXATION, SUBDIVISION, GENERAL PLAN AMENDMENT, PRE-
ZONE AND TEXT AMENDMENT OF THE RUSSELL COURT
DEVELOPMENT**

WHEREAS, The City of Imperial received an application from Ray D. Roben Sr; Roben LLC; and Stephen J. & Vicki L. Urih, ("Applicant/Permittee") for annexation and development of a 29.8 acre area into 131 single family residential units and 66 apartments at the following Assessor's Parcel Numbers: 064-013-003, 064-020-043, 064-013-004, 064-254-084, 064-254-085, 064-254-086, 064-254-087 and 064-254-088, hereafter referred to as "Project"; and

WHEREAS, the Project is subject to environmental review consistent with the California Environmental Quality Act (CEQA); and

WHEREAS, a draft Mitigated Negative Declaration (MND) for the proposed Russell Court Project has been prepared and a Notice of Intent to Adopt the Draft MND was also circulated to all potentially affected and interested agencies pursuant to CEQA Guidelines; and

WHEREAS, the Draft Mitigated Negative Declaration was made available to the public for review for a minimum period of 30 days and all comments received were addressed in the final draft document; and

WHEREAS, a Notice of Public Hearing before the Planning Commission was posted at City Hall, mailed to property owners within 300 feet of the project site and published in the Imperial Valley Press, a newspaper of general circulation, on January 23, 2017; and

WHEREAS, the Planning Commission held the Public Hearing at their regularly scheduled meeting of February 8, 2017 to consider the environmental findings of the proposed Project and found the findings satisfactory; and

WHEREAS, a Notice of Public Hearing before the City Council was posted at City Hall on February 21, 2017 and published in the Imperial Valley Press, a newspaper of general circulation, on February 17, 2017; and

WHEREAS, the City Council reviewed the Draft Mitigated Negative Declaration and all maps, exhibits and written and oral comments presented for the project, and has considered all the related facts.

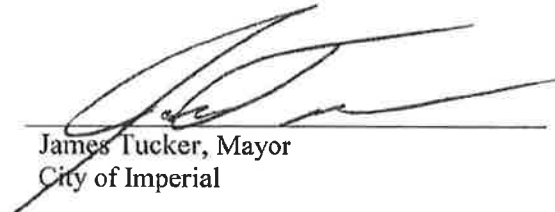
NOW THEREFORE LET IT BE RESOLVED, that the City Council of the City of Imperial determines as follows:

- A) That the foregoing recitations are true and correct; and

B) That based on the evidence presented at the public hearing, the City Council hereby **CERTIFIES** the Mitigated Negative Declaration for the proposed Russell Court Annexation, Subdivision, General Plan Amendment, Pre-Zone and Text Amendment based on the following findings:


1. That the project has been reviewed in accordance with the requirements set forth by The City of Imperial for implementation of the California Environmental Quality Act.
2. That the project is in compliance with the California Environmental Quality Act, Section 2100 through 21176 of the Public Resources Code.
3. That the proposed draft Mitigated Negative Declaration shows that any potential impacts will be mitigated to a level below significance to the environment.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 19th day of April 2017.



James Tucker, Mayor
City of Imperial

ATTEST:




Debra Jackson, City Clerk
City of Imperial

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

I, the undersigned, City Clerk of the City of Imperial, DO HEREBY CERTIFY that the foregoing Resolution No. 2017-07 was duly and regularly adopted at a Regular meeting of the City Council of the City of Imperial held on the 19th day of April 2017, by the following vote:

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NAYES: NONE
ABSTAIN: NONE
ABSENT: NONE

MOTION CARRIED 5-0



DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA

CERTIFICATE

OF

CITY CLERK

I, Debra Jackson, City Clerk of the City of Imperial DO HEREBY CERTIFY THAT the foregoing is a true and correct copy of Resolution 2017-07 adopted by the City Council of the City of Imperial at their regular meeting of April 19, 2017.


Debra Jackson
City Clerk
City of Imperial

Dated: April 27, 2017