

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALINAS  
CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT (ER 2017-006)  
FOR THE SALINAS ECONOMIC DEVELOPMENT ELEMENT (GPA 2013-001)**

**WHEREAS**, the City of Salinas (hereinafter “City”), as lead agency under the California Environmental Quality Act (CEQA) (Pub. Res. Code Section § 21000 et seq.), and pursuant to State CEQA Guidelines (14 Cal. Code Regs. Section § 15000 et seq.) (collectively “CEQA”) has completed the Final Program Environmental Impact Report (“Final EIR” or “FEIR”) State Clearinghouse No. 2015111036 for Economic Development Element General Plan Amendment (2013-001) (hereinafter, “GPA 2013-001” or “Project”); and

**WHEREAS**, the City prepared a Notice of Preparation (“NOP”) of a Draft EIR in accordance with Section 15082 of the CEQA Guidelines, which was distributed to the California Office of Planning and Research and each responsible and trustee agencies on November 10, 2015, requesting that agencies comment on the scope of the Draft EIR; and

**WHEREAS**, the City held a scoping meeting pursuant to the requirements of CEQA on November 23, 2015, to which all responsible and trustee agencies were invited to respond by providing comments on the scope of the Draft EIR; and

**WHEREAS** at the end of the NOP 30-day public comment period, the City received comments from six (6) agencies and commenters, which are included in Appendix “A” of the Draft Environmental Impact Report (Draft EIR or “DEIR”) herein incorporated by reference; and

**WHEREAS**, the City prepared a Draft EIR assessing the potential environmental effects of the Project. The DEIR, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives; and

**WHEREAS**, on September 5, 2017, the City filed a Notice of Completion of the Draft EIR with the California Office of Planning and Research State Clearinghouse, which commenced a 45-day state public agency review period ending on October 19, 2017; and

**WHEREAS**, on September 5, 2017, the City filed a Notice of Availability of the Draft EIR with the Monterey County Clerk, which commenced a 45-day local public review period ending on October 19, 2017; and

**WHEREAS**, in addition, the Notice of Availability was electronically posted on the City’s website with hard copies available at the City of Salinas City Hall, the Salinas Permit Center and the City’s three (3) libraries; and

**WHEREAS**, upon the close of the Draft EIR public review period, the City prepared the Final EIR, which contains fifteen (15) comment letters submitted by interested public agencies, organizations, and members of the public, as well as written responses to comments addressing the substantive environmental issues raised and revisions to text, tables and figures of the Draft EIR made in response to comments; and

**WHEREAS**, the Final EIR consists of the Draft EIR, appendices to the Draft and Final EIRs, and all documents and resources referenced and incorporated by reference in the EIRs, and is provided as Exhibit “A” to this Resolution and incorporated herein by reference; and

**WHEREAS**, On November 13, 2017, the City provided the Final EIR to commenting agencies, thereby satisfying the City’s obligations under Public Resources Code section 21092.5, subdivision (a); and

**WHEREAS**, the City Council must first certify the Final EIR as adequately prepared in compliance with CEQA before considering Project approval; and

**WHEREAS**, on November 15, 2017, the Planning Commission held a duly noticed public hearing to consider a recommendation to the City Council on the certification of the Final EIR; and

**WHEREAS**, the Planning Commission weighed the evidence presented at said public hearing, including the staff report, which is on file at the Community Development Department, together with the record of environmental review, including the Draft EIR, public comments on said document and responses thereto; the Final EIR; and evidence and public testimony presented at the public hearing; and

**WHEREAS**, the Planning Commission made no recommendation to the City Council regarding certification of the FEIR, as the Commission’s vote to certify the Final EIR resulted in a tie; and

**WHEREAS**, on December 5, 2017, the City Council held a public hearing duly noticed in accordance with Division 7: Public Hearing Notice of the Salinas Municipal Code by advertisement in The Californian on November 18, 2017, for the purpose of providing an opportunity for public testimony on the Project; and

**WHEREAS**, the City Council weighed the evidence presented at said public hearing, including the staff report, which is on file at the Community Development Department ,together with the record of environmental review, including the Draft EIR, public comments on said document and responses thereto; the Final EIR; and evidence and public testimony presented at the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council hereby finds and determines the following:

1. The above recitals are true and correct, and hereby incorporates them into this Resolution by reference.
2. State and local agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the Project.

3. It is hereby certified that the City Council has reviewed the Final EIR prepared for the Project, as well as all staff reports pertaining to the Project, and all other pertinent documents relating to the preparation of the Final EIR, including the Draft EIR and all comments received thereon.
4. It is hereby certified that the City Council has independently reviewed, analyzed and considered the Final EIR and all reports or declarations required by Section 21082.1 of the Public Resources Code, and in the exercise of its independent judgment, finds the FEIR as adequate in compliance with CEQA.
5. The City Council further finds that the Final EIR is legally sufficient not just with respect to the proposed project as set forth in the document, but also with respect to the alternatives discussed therein, including Alternative 4.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Salinas City Council approves this Resolution certifying the Salinas Economic Development Element Final Program Environmental Impact Report State Clearinghouse No. 2015111036 for General Plan Amendment (2013-001).

**PASSED AND APPROVED** this 5<sup>th</sup> day of December 2017 by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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Joe Gunter, Mayor

ATTEST:

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Patricia M. Barajas, City Clerk

Attach:

Exhibit "A" - Final Program EIR for Salinas Economic Development Element (ER 2017-006)  
Incorporated by Reference