

RESOLUTION No. 2013-07

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN JUAN BAUTISTA (1) ADOPTING THE
MITIGATED NEGATIVE DECLARATION FOR THE RECYCLED WATER
IMPROVEMENT PROJECT 400-2012, AND (2) APPROVING THE PROJECT

WHEREAS, the City Council of the City of San Juan Bautista conducted a public hearing March 19, 2013, regarding (1) the proposed mitigated negative declaration (with attached initial study) for the Recycling Water Improvement Project 400-2012 (“Project”), and (2) the Project itself; and

WHEREAS, the hearing was duly posted, noticed, and publicized, and property owners within 300 feet of the proposed Project area were notified; and

WHEREAS, at the hearing the City Council received oral and written comments from the staff and public; and

WHEREAS, the City Council has reviewed the staff report (including a thorough description of the Project, the need for the Project, and its many components), initial study, proposed mitigated negative declaration and other pertinent documents that relate to the findings required for adopting the mitigated negative declaration and approval of the Project; and

WHEREAS, the City Council is charged with the authority to approve the Project, to determine whether the proposed mitigated negative declaration meets all legal requirements, and to adopt the mitigated negative declaration; and

WHEREAS, the City Council has considered the recommendation of the City Manager, and has considered all materials and comments made and submitted to the Council regarding this matter.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SAN JUAN BAUTISTA DOES RESOLVE AS FOLLOWS:

1. Having so considered all materials and comments noted hereinabove, and the recommendation of the City Manager, the City Council finds as follows:
 - a. The initial study and mitigation measures identified in the environmental analysis demonstrate that there is no substantial evidence, in the light of the entire record before this Council, that the Project may have a significant effect on the environment.
 - b. The mitigated negative declaration with its mitigation measures reflect this Council’s independent judgment and analysis.

- c. The Project is necessary to comply with the Settlement Agreement and Stipulation for Entry of Administrative City Liability Order No. R3-2012-0400 with the Central Coast Regional Water Quality Control Board (“CCRWQB”).
 - d. The Project is necessary and beneficial to further the objectives to protect the groundwater quality, reduce salt loading to the water basin, and reduce discharge of wastewater to the San Juan Creek.
 - e. The Project is necessary to further the objectives and goals of the CCRWQB policies for water quality control of recycled waters.
 - f. The Project will avoid significant environmental effects so as to avoid adverse effects on the environments.
 - g. The Project will not cause any significant environmental and economic impact on the City or its residents, and will not adversely affect the health, safety, or welfare of persons living or working in or near the City, or be materially detrimental to the public welfare of the residents of the City.
2. This Council, therefore, hereby adopts the negative declaration, and all mitigation measures set out therein. Further, this Council directs and adopts a mitigation reporting program, a written compliance review from and prepared by the City Manager regarding the progress and application of mitigation measures hereby adopted, by reports to this Council at each of its regular monthly meetings until all measures have been completed and/or implemented.
3. This Council hereby directs the City Manager to commence and complete the Project, and all its component parts, in the manner and subject to the timelines, mandated by the CCRWQB.

PASSED AND ADOPTED this 19th day of March, 2013, at a regular meeting of the San Juan Bautista City Council, by the following vote:

AYES: Boch, Edge, Moore, Cosio, Lund

NOES: None

ABSENT: None

ABSTAIN: None

Tony Boch, Mayor

ATTEST:

Linda G. McIntyre, City Clerk