

CITY COUNCIL RESOLUTION NO. 2346 (2009)

A RESOLUTION OF THE CITY OF LAKEPORT CITY COUNCIL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2025 LAKEPORT GENERAL PLAN

WHEREAS, the City of Lakeport prepared and circulated a Notice of Preparation on October 25, 2005, for a 30-day review period ending on November 23, 2005; and

WHEREAS, the City of Lakeport prepared a Draft Environmental Impact Report in accordance with State law; and

WHEREAS, on November 4, 2008, said documents were released by the Community Development Department to the public and local and State agencies for review; and

WHEREAS, a public notice was published in the Lake County Record-Bee and mailed to all persons requesting notice of the availability of the Draft EIR and a 45-day review period for commenting on the Draft EIR, and said public review period ended on December 18, 2008; and

WHEREAS, public notices were published in the Lake County Record-Bee and mailed to all persons requesting notice of the date, time, and location of the Planning Commission and City Council public hearings to comment on the updates to the General Plan; and

WHEREAS, the Planning Commission is responsible for reviewing the proposed updates to the General Plan forwarding a recommendation to the City Council on the adoption or adoption with modifications of the aforementioned items; and

WHEREAS, on February 25, 2009, the Planning Commission held a public hearing and recommended certification of the Final EIR with a vote of 4-0 (one member absent); and

WHEREAS, the City Council finds the Final EIR reflects the independent judgment and analysis of the City of Lakeport; and

WHEREAS, the City Council reviewed and considered the information contained in the Final EIR and the testimony presented at public hearings; and

WHEREAS, the City Council finds the Final EIR provides specific economic, legal, social, technological, and other considerations with necessary supporting documentation as to why identified mitigation measures and alternatives are not feasible to reduce the significant and unavoidable impacts to a less than significant level; and

WHEREAS, the City Council finds that the recommended revisions to the General Plan as a result of the public hearings on February 25, 2009, and March 24, 2009, will not create new environmental impacts, and will not result in more intensive impacts on environmental topics analyzed in the Draft EIR.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEPORT AS FOLLOWS:

Section 1. The City Council hereby finds that the Final EIR has identified and discussed significant effects that will occur as a result of the Lakeport General Plan and update. With the implementation of the mitigation measures discussed in the Final EIR, these effects can be mitigated to a less than significant level except for the unavoidable significant impacts as discussed in the Final EIR.

Section 2. The City Council declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate, through adoption of all feasible mitigation measures, all potential impacts that may result from the Project.

Section 3. The City Council hereby certifies the Final Environmental Impact Report for the updates to the General Plan, consisting of the following documents on file with the City of Lakeport City Clerk:

1. The November 2008 Public Review Draft of the General Plan EIR and Technical Appendices.
2. The February 2009 Final EIR of the 2025 General Plan EIR.

DULY AND REGULARLY ADOPTED this 21st day of April, 2009, by the following vote:

AYES: Council Members Parmentier, Rumfelt, and Irwin and Mayor Bertsch
NOES: Council Member Lyons
ABSTAINING: None
ABSENT: None



RONALD BERTSCH, Mayor

ATTEST:

APPROVED AS TO FORM:



JANEL M. CHAPMAN, City Clerk



STEVEN J. BROOKES, City Attorney