

RESOLUTION NO. RDA2008-05

A RESOLUTION ~~OF~~ THE REDEVELOPMENT AGENCY ~~OF~~ THE CITY OF  
LODI APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT  
REPORT FOR THE REDEVELOPMENT PLAN FOR THE LODI COMMUNITY  
IMPROVEMENT PROJECT

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WHEREAS, the Redevelopment Agency of the City of Lodi (the "Agency") has initiated a Redevelopment Plan for the Lodi Community Improvement Project (the "Redevelopment Plan"); and

WHEREAS, the Planning Commission of the City of Lodi has approved and forwarded to the Agency and the City of Lodi its report that the proposed Redevelopment Plan ~~is~~ in conformity with the General Plan of the City of Lodi and has recommended approval of said Redevelopment Plan; and

WHEREAS, a Draft Environmental Impact Report (the "Draft EIR") was prepared for the Redevelopment Plan pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000, *et seq.*) ("CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, California Code of Regulations Sections 15000, *et seq.*) (the "CEQA Guidelines"); and

WHEREAS, the Draft EIR was sent to the City of Lodi Planning Commission (the "Commission"), and the Commission held a public meeting to receive public input on the adequacy of the Draft Environmental Impact Report; and

WHEREAS, all actions required to be taken by applicable law related to the preparation, circulation, and review of the Draft EIR have been taken; and

WHEREAS, pursuant to public notice duly given, the City Council of the City of Lodi (the "City Council") and the Agency held a full and fair public hearing on the proposed Redevelopment Plan and Final Environmental Impact Report ("Final EIR") on May 28, 2008; and

WHEREAS, the Agency is the lead agency for the Redevelopment Plan under CEQA; and

WHEREAS, the Agency has reviewed and considered the Final EIR and the mitigation monitoring program included therein with respect to the Redevelopment Plan (the "Mitigation Monitoring Program"), including all comments and responses thereto; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE REDEVELOPMENT AGENCY ~~OF~~ THE CITY OF LODI **DOES** HEREBY RESOLVE:

SECTION 1. The Final EIR has been completed in compliance with CEQA and the CEQA Guidelines, as well as the local CEQA guidelines.

SECTION 2. The Agency hereby certifies that a full and fair public hearing has been held on the Final EIR, including all comments received thereon and responses thereto, which comments and responses are included in the Final EIR; the Agency as the lead agency has reviewed and considered the Final EIR and the information contained therein prior to deciding whether to approve the proposed Redevelopment Plan, including all comments received thereon and responses thereto; and the Agency finds that the Final EIR reflects the independent judgment of the Agency. These actions having been taken, the Final EIR is hereby approved and certified by the Agency.

SECTION 3. The Agency hereby makes and adopts the following findings of fact as set forth in the Final EIR:

Environmental impacts of the Redevelopment Plan will be less than significant without mitigation for aesthetics, agricultural resources, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic and utilities.

Certain environmental impacts related to the Redevelopment Plan are potentially significantly adverse, but will be mitigated to less than significant level by conditions imposed upon the Redevelopment Plan in the area of air quality and cultural resources. Such impacts and mitigations are identified in Sections 4.4 Air Quality and 4.7 Cultural Resources of the Draft EIR portion of the Final EIR.

All feasible mitigation measures, which are within the jurisdiction of the Redevelopment Agency of the City of Lodi as identified in the Final Environmental Impact Report, have been incorporated into the project and represent the fullest extent to which the project-related impacts can be reasonably avoided and/or substantially lessened.

SECTION 4. The Agency hereby adopts the Mitigation Monitoring Program set forth in the Final EIR, which is hereby incorporated herein by reference, and finds that the mitigation measures and Mitigation Monitoring Program set forth in the Final EIR will eliminate, mitigate, avoid, or reduce to a level of significance, all potentially significant environmental effects of the Redevelopment Plan. The Agency hereby requires that such mitigation measures and the Mitigation Monitoring Program shall be implemented in connection with, and are hereby made a part of, the Redevelopment Plan.

SECTION 5. The Agency finds that the project alternatives identified in the Final EIR, including the No Project alternative and the Reduced Project Area alternative, either would not reduce environmental impacts, or would not achieve the primary objectives of the Redevelopment Plan, and such alternatives are therefore infeasible, and the proposed Redevelopment Plan is the environmentally superior alternative.

SECTION 6. The Agency shall make available the Final EIR and other related materials which constitute the record of the proceedings upon which its decision is based at the Lodi City Hall, 221 W. Pine Street, in the City of Lodi, California.

SECTION 7. Based on the Initial Study and the entire record before the Agency, the Agency declares that there is no evidence before it that the Redevelopment Plan has any potential for an adverse effect on wildlife resources or habitats and has rebutted the presumption of adverse effects set forth in Title 14, California Code of Regulations, Section 753.5(d).

SECTION 8. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence in the record of the proceedings on the Redevelopment Plan and the Final EIR, which include, among other things, the City of Lodi General Plan and the City of Lodi zoning regulations. The documents, staff reports, plans, specifications, technical studies, and other relevant materials, including, without limitation, the Final EIR, that constitute the record of proceedings on which this Resolution is based are on file and available for public examination during normal business hours in the Agency offices, 221 W. Pine Street, Lodi, California. The custodian of said records is the Secretary of the Agency.

SECTION 9. Upon approval of the Plan by the City, the Agency Secretary shall cause a Notice of Determination to be filed forthwith in the Office of the County Clerk of the County of San Joaquin and the State Clearinghouse pursuant to CEQA Guidelines Section 15094.

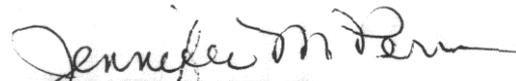
SECTION 10. That the Chairman shall sign this resolution and the Secretary shall attest and certify to the passage and adoption thereof.

Dated: June 18, 2008

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I hereby certify that Resolution No. RDA2008-05 was passed and adopted by the Members of the Redevelopment Agency of the City of Lodi in a regular meeting held June 18, 2008, by the following vote:

AYES: MEMBERS – Hansen, Johnson, and Katzakian  
NOES: MEMBERS – Chairperson Mounce  
ABSENT: MEMBERS – None  
ABSTAIN: MEMBERS – Hitchcock

  
JENNIFER M. PERRIN  
Deputy Secretary