

RESOLUTION NO. 12-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON, CERTIFYING AS ADEQUATE AND COMPLETE THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE HOUSING ELEMENT (AND ASSOCIATED LAND USE CHANGES) AND THE CLIMATE ACTION PLAN**

**WHEREAS**, the City of Pleasanton has prepared a Draft Housing Element (and associated land use changes identified in the City Council Agenda Report for the January 4, 2012 City Council meeting) and a Climate Action Plan (“Project”) and is considering their adoption; and

**WHEREAS**, the City, acting as lead agency under the California Environmental Quality Act (“CEQA”), determined that a Supplemental Environmental Impact Report (“SEIR”) was required for the Project (to supplement the City of Pleasanton’s 2005-2025 General Plan EIR, which was certified in 2009). The NOP was distributed to all affected/interested agencies, organizations, and persons for a 30-day comment period beginning on August 22, 2011; and

**WHEREAS**, the City retained ESA to prepare a SEIR pursuant to CEQA for the proposed Project; and

**WHEREAS**, the City conducted an environmental scoping meeting on September 14, 2011 for members of the public to provide comments on items to be addressed in the EIR; and

**WHEREAS**, the City completed the Draft SEIR on September 26, 2011 and circulated it to affected public agencies and interested members of the public for the required 45-day public comment period, from September 27, 2011 to November 14, 2011; and

**WHEREAS**, the Planning Commission held a noticed public hearings on October 26, 2011, during the 45-day public comment period to receive comments on the Draft SEIR; and

**WHEREAS**, the City has also accepted and responded to comments received during the public comment period regarding the Draft SEIR from public agencies having jurisdiction by law, persons having special expertise with respect to any environmental impacts involved, and other persons and organizations having an interest in the Project; and

**WHEREAS**, on December 2, 2011, the City published the Final SEIR for the Project consisting of the Draft SEIR, responses to comments received on the Draft EIR,

and the revisions to the EIR as shown on the December 14, 2011 memo to the Planning Commission, Attachment 1 of the January 4, 2012, City Council Agenda Report; and

**WHEREAS**, at its noticed public hearing of December 14, 2011, the Planning Commission recommended that the City Council certify the Final EIR as adequate and complete;

**WHEREAS**, Section 21000, et. seq., of the Public Resources Code and Section 15000, et. seq., of Title 14 of the California Code of Regulations (the "CEQA Guidelines"), which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the SEIR; and

**WHEREAS**, on January 4, 2012, the City Council held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the Final SEIR.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE, AND ORDER THE FOLLOWING:**

**SECTION 1.** The City Council has independently reviewed, analyzed and considered the Final SEIR and all written documentation and public comments prior to making recommendations on the proposed Project, including the City's CEQA Findings and Statement of Overriding considerations, which document is incorporated by reference herein.

**SECTION 2.** The Final SEIR was prepared, publicized, circulated, and reviewed in compliance with the provisions of CEQA and the CEQA Guidelines.

**SECTION 3.** That the Final SEIR constitutes an adequate, accurate, objective, and complete EIR in compliance with all legal standards.

**SECTION 4.** The information and analysis contained in the Final SEIR reflects the City's independent judgment as to the environmental consequences of the proposed Project.

**SECTION 5.** The documents and other materials, including without limitation staff reports, memoranda, maps, letters and minutes of all relevant meetings, which constitute the administrative record of proceedings upon which the Council's resolution is based are located at the City of Pleasanton, Community Development Department, 200 Old Bernal Avenue, Pleasanton, CA 94566, and the custodian of the record documents is the Planning Manager.

**SECTION 6.** The City Council certifies the SEIR attached as Exhibit A, and directs the filing of a Notice of Determination.

**SECTION 7.** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Pleasanton at a regular meeting held on January 4, 2012.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 4<sup>th</sup> day of January 2012 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

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Karen Diaz, City Clerk

APPROVED AS TO FORM:

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Jonathan P. Lowell, City Attorney