

RESOLUTION NO. 2022-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE PROGRAM SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2021070364) FOR THE ONTARIO PLAN 2050 TECHNICAL UPDATE FOR FILE NO. PGPA20-002 PART A AND ADOPT ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the City of Ontario Certified the Environmental Impact Report prepared for The Ontario Plan and associated Statement of Overriding Considerations, and issued Resolution No. 2010-003; and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of the component framework for The Ontario Plan on January 27, 2010, and issued Resolution No. 2010-004; and

WHEREAS, the Supplemental Environmental Impact Report ("SEIR"), for the General Plan Amendment for The Ontario Plan 2050 Technical Update consists of the Draft SEIR and the comments and responses to comments made on the Draft SEIR; and

WHEREAS, the SEIR Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, File No. PGPA20-002, for The Ontario Plan 2050 Technical Update, have been prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the SEIR consists of the Draft SEIR and the comments and responses to comments made on the Draft SEIR; and

WHEREAS, the SEIR for the General Plan Amendment for The Ontario Plan was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper, submitted to the state clearinghouse, and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the SEIR were distributed to the City Council, Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the SEIR for the General Plan Amendment for The Ontario Plan has been prepared to address the environmental effects of The Ontario Plan 2050 Technical Update which establishes a Vision, Plan Governance Manual, Policy Plan, City Council Priorities, Implementation Plan and Tracking and Feedback for the City of Ontario; and

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the SEIR, at which time all persons wishing to testify were heard and the SEIR was fully studied; and

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the SEIR and concluded said hearing on that date, voting (7-0) to recommend certification of the SEIR and adoption of Environmental Findings pursuant to the California Environmental Quality Act, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting, to the City Council, issuing Resolution No. PC22-040; and

WHEREAS, on August 16, 2022, the City Council of the City of Ontario conducted a duly noticed public hearing on the SEIR at which time all persons wishing to testify were heard and the SEIR was fully studied; and

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

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO RESOLVES AS FOLLOWS:

**SECTION 1. *Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Supplemental Environmental Impact Report (SEIR) and supporting documentation. Based upon the facts and information contained in the SEIR (SCH# 2021070364) and supporting documentation, the City Council hereby makes the following findings:

- (1) The SEIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (2) The SEIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (3) The SEIR reflects the independent judgment of the City Council.

**SECTION 2. *City Council Action.*** Based on the entire record before the City Council and all written and oral evidence presented, the City Council finds the SEIR complies with CEQA for the following reasons:

- (1) The SEIR analyzes the environmental effects of the General Plan Amendment and finds that, if The Ontario Plan 2050 Technical Update is adopted as proposed by this plan, and with the implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable: air quality, cultural resources (historic), noise (mobile source, construction-related noise, construction-related vibration, noise compatibility), and transportation (increase in vehicle miles traveled); and

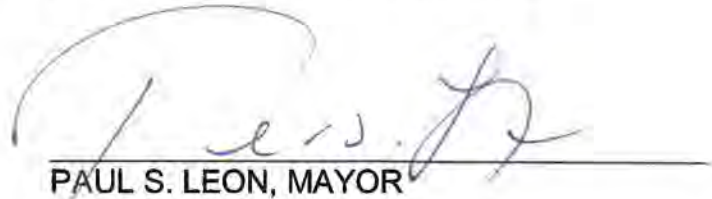
(2) The City Council further finds that the Findings of Facts and Statement of Overriding Considerations demonstrates that The Ontario Plan's benefits outweigh its significant and unavoidable impacts, and therefore the City would be justified in approving The Ontario Plan notwithstanding said significant and unavoidable impacts.

**SECTION 3. Certification.** Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council certifies the SEIR, adopt a Statement of Overriding Considerations, and that the associated Mitigation Monitoring and Reporting Program also be approved by the City Council.

**SECTION 4. Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

**SECTION 5. Certification to Adoption.** The City Clerk shall certify to the adoption of the Resolution

PASSED, APPROVED, AND ADOPTED this 16<sup>th</sup> day of August 2022.



PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO )  
CITY OF ONTARIO )

I, SHELIA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022-129 was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held August 16, 2022 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, WAPNER, DORST-PORADA AND VALENCIA

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: BOWMAN

  
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022-129 duly passed and adopted by the Ontario City Council at their regular meeting held August 16, 2022.

  
SHEILA MAUTZ, CITY CLERK

(SEAL)