

RESOLUTION NO. 60-11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND ADOPTING AN ADDENDUM TO THE MIRAFLORES HOUSING DEVELOPMENT ENVIRONMENTAL IMPACT REPORT

WHEREAS, on December 15, 2009, the City Council certified the Final Environmental Impact Report (the "EIR") for the Miraflores Housing Development (the "Project");

WHEREAS, the Richmond Community Redevelopment Agency, the property owner, is proposing a change to the Remedial Action Plan (the "RAP") to off-haul the lead-affected soil to a permitted waste facility rather than encapsulating the soil under the future roadways on the Project site (the "Revised RAP");

WHEREAS, on July 19, 2011, the City Council held a duly noticed public meeting to consider adopting an Addendum to the EIR and considered written and oral information provided at the meeting.

NOW THEREFORE, the City Council does hereby resolve as follows:

SECTION 1. Pursuant to Section 15164 of the California Environmental Quality Act ("CEQA") Guidelines, the Revised RAP is within the scope of the previously certified EIR (SCH# 2007082154) for the Miraflores Housing Development. An Addendum to the EIR has been prepared pursuant to Section 15162 of the CEQA Guidelines, and the Addendum concludes that while the Revised RAP is anticipated to have a significant effect on historic resources the City Council adopted statements of overriding consideration (the Overrides") when the Project was approved and the Overrides are incorporated herein by reference with respect to the Revised RAP. Based on information and analysis contained in the Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City Council finds as follows:

1. There are no substantial changes to the Project that will require major revisions to the EIR due to new, significant environmental effects or a substantial increase in the severity of impacts identified in the EIR.
2. Substantial changes have not occurred in the circumstances under which the Project is being undertaken that require major revisions of the EIR to disclose new, significant environmental effects or a substantial increase in the severity of impacts identified in the EIR.
3. There is no new information of substantial importance not known at the time the EIR was certified that shows any of the following:
 - A) The Revised RAP will have any new significant effects not discussed in the EIR.
 - B) There are new impacts that were determined to be significant in the EIR that will be substantially increased.
 - C) There are additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the EIR.
 - D) There are additional mitigation measured or alternatives to the Project that were rejected by the project proponent that are considerably different that those analyzed in the EIR that would substantially reduce any significant impact identified in the EIR.

SECTION 2. Based on the above findings, the City Council does hereby adopt the attached Addendum to the Miraflores Housing Development EIR.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a joint meeting thereof held July 19, 2011, by the following vote:

AYES: Councilmembers Bates, Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 60-11**, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on July 19, 2011.