

CITY OF OJAI

RESOLUTION NO. 15-37

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OJAI
APPROVING THE LIBBEY PARK PLAYGROUND REPLACEMENT
PROJECT LOCATED AT 205 E. OJAI AVENUE,
ASSESSOR'S PARCEL NUMBER: 023-0-100-210, AND THE ASSOCIATED
MITIGATED NEGATIVE DECLARATION**

WHEREAS, the project consists of the removal of the existing playground equipment and installation of new playground equipment including a small expansion of the playground area located at Libbey Park, 205 E. Ojai Avenue. The General Plan Land Use Designation of the property is Public Quasi Public (P). The Zoning Classification of the property is Public Quasi Public (P-L); and

WHEREAS, after reviewing public comments received, including during the public review process under CEQA Guidelines section 15073, and considering the Mitigated Negative Declaration, the City Council finds that the proposed project will not have a significant environmental impact, as mitigation measures are proposed to reduce the level of potential environmental impacts to a less than significant level. The Mitigated Negative Declaration includes mitigation measures for all identified potentially significant environmental impacts as a result of the proposed playground project that will mitigate all potential impacts to a less than significant level.

WHEREAS, the proposed playground project is consistent with the City's General Plan and is consistent with Article 20 of Title 10 and other pertinent sections of the City's Municipal Code; and

WHEREAS, the City Council finds that the Mitigated Negative Declaration that was prepared for the proposed project is valid and meets all the requirements of the California Environmental Quality Act (CEQA).

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council determines that the above set forth recitals are true and correct in regards to the Libbey Park Playground Replacement project and the associated Mitigated Negative Declaration ("MND").

SECTION 2. MND Adopted and Project Approved.

(a) The City Council hereby approves the proposed Libbey Park Playground Project and hereby adopts the Mitigated Negative Declaration for the Libbey Park Playground Project and hereby finds, based on its independent judgment in light of the whole record for this project, that

the proposed project will not have any significant environmental impacts, as the required mitigation measures will reduce all potentially significant environmental impacts to a less than significant level.

(b) The City Council hereby orders the Public Works Director to implement all identified mitigation measures in the course of completing the Libbey Park Playground Project and to monitor the implementation of the mitigation measures specified in the MND and complete a report regarding the mitigation measures before completing the project.

(c) The foregoing findings and determinations, which reflect the independent analysis of the City of the matters in the record pertaining thereto and are the independent judgment of the City, are based on the information in the record, including but not limited to the findings set forth herein. The City Council further finds that substantial evidence exists to support each of these findings. The City Council hereby identifies that the location of records with respect to the MND and other documents and materials constituting the record of proceedings with respect to the adoption of the MND is the Public Works Department of the City of Ojai, and that the custodian of records with respect to the MND and other documents and material constituting the record of proceedings with respect to the adoption of the MND is the Public Works Director of the City of Ojai.

SECTION 3. The Public Works Department shall prepare a Notice of Determination for the MND consistent with CEQA Guidelines section 15075 and shall promptly file the Notice of Determination with the County Clerk of the County of Ventura.

PASSED, APPROVED and ADOPTED this 22nd day of October, 2015 by the following vote:

AYES: Blatz, Clapp, Haney, Lara, Weirick

NOES: None

ABSENT: None

ABSTAIN: None

CITY OF OJAI, CALIFORNIA


Severo Lara, Mayor

ATTEST:


Rhonda K. Basore, City Clerk

APPROVED AS TO FORM:


Matthew Summers, City Attorney

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CITY OF OJAI, CALIFORNIA

Severo Lara, Mayor

ATTEST:

Rhonda K. Basore, City Clerk

APPROVED AS TO FORM:

Matthew Summers
Matthew Summers, City Attorney