

RESOLUTION NO. 2013-34-PFA

A RESOLUTION OF THE PUBLIC FINANCING AUTHORITY OF THE CITY OF BELL CERTIFYING AS A RESPONSIBLE AGENCY THE BELL BUSINESS CENTER PROJECT ENVIRONMENTAL IMPACT REPORT (SCH# 2013041025) FOR THE BELL BUSINESS CENTER PROJECT ENVIRONMENTAL IMPACT REPORT (APN: Parcel A: 6332-002-965; Parcel F: 6332-002-948 and 6332-002-945; Parcel G: 6332-002-949 and Parcel H: 6332-002-946, 6332-002-950, 6332-002-952 and 6332-002-954)

WHEREAS, the Bell Public Financing Authority ("Authority") and the City of Bell ("City") are negotiating the sale and development of approximately 40.2 acres, comprising four, non-contiguous building sites located west of Eastern Avenue on Rickenbacker Road, City of Bell, CA 90201 (the "Properties") to and by PI Bell LLC ("Developer"), pursuant to the terms of a Stipulation for Settlement, entered into on June 10, 2013 (the "Stipulation") by and among the City, Authority, and Dexia Credit Local ("Dexia"); and

WHEREAS, the sale of the Properties pursuant to the Stipulation will fully satisfy obligations existing to Dexia under the Authority's \$35 million Taxable Lease Revenue Bonds, which were secured by certain portions of the Properties and for which the Authority was sued by Dexia on October 14, 2011, for default; and

WHEREAS, an application for Development Agreement DA 2013-01 between the City, the Authority, and PI Bell LLC ("Developer"), for development of the Bell Business Center Project, an 840,390 -square foot warehouse/distribution/logistics/light industrial development on 40.2 acres of real property located within the City, west of Eastern Avenue on Rickenbacker Road, has been filed; and,

WHEREAS, the proposed project would result in the sale of property to allow the construction of up to 840,390 square feet of industrial and ancillary office space on four parcels owned by the City of Bell collectively referred to as the Bell Business Center Project hereinafter referred to as the proposed project; and,

WHEREAS, the City's Community Development Director determined that there was substantial evidence that the construction would have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

WHEREAS, the Authority is a responsible agency as defined by CEQA, Public Resources Code § 21069; and,

WHEREAS, the EIR consists of the following documents included as Exhibits to this Resolution: Exhibit A: Bell Business Center Project Draft Environmental Impact Report, State Clearinghouse Number 2013041025, May 2013; and, Exhibit B: Bell Business Center Project Final Environmental Impact Report, August, 2013; and,

WHEREAS, as a responsible agency, the City of Bell Public Financing Authority has limited its review to the sale of the property pursuant to Public Resources Code § 21002.1(d); and,

WHEREAS, the City of Bell Public Financing Authority considered the EIR prepared for

the Bell Business Center EIR prepared by the City of Bell pursuant to CEQA Guidelines Section 15050(a) prior to taking action on the property sale; and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on August 7, 2013, at which the Planning Commission received public testimony concerning the proposed project and considered the Draft EIR, and approved said Draft EIR.

NOW THEREFORE, the City of Bell Public Financing Authority, does hereby resolve, determine and order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City of Bell Public Financing Authority, in light of the whole record before it, including but not limited to, the EIR, all documents incorporated by reference therein, any comments received and responses provided within the record and/or provided at the public hearing, hereby finds and determines that:

Finding No. 1: Preparation of EIR: An Environmental Impact Report was prepared for the Bell Business Center Project and processed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations § 15000 et seq.), and the local CEQA Guidelines.

Finding No. 2: Notice: The EIR complies with CEQA Guidelines § 15085 and §15087 by providing a Notice of Completion of the Draft EIR to OPR and a Notice of Availability to responsible and trustee agencies and other persons and agencies as required.

Finding of Fact: The Notice of Completion was sent to OPR on May 21, 2013. The Notice of Availability/Draft EIR was circulated to responsible and trustee agencies and other persons and agencies as required on May 21, 2013,

Finding No. 3: Review Period: The EIR has complied with CEQA Guidelines §§ 15087 and 15105 by making the Draft EIR available to the public for review for the required period of time.

Finding of Fact: The Draft EIR was available to the public for 45 days as required by Public Resources Code Section 21091(a) and CEQA Guidelines Sections 15087 and 15105 from May 21, 2013, to July 5, 2013.

Finding No. 4: Response to Comments: The EIR includes responses to all written comments received during the public review period and included both comments and responses as part of the Final EIR included as Exhibit B to this resolution. In response to these comments, minor revisions have been made to the EIR. These revisions are identified in the Final EIR and do not constitute significant additional information and do not require recirculation of the EIR.

Finding of Fact: Before the close of the public comment period, the City received seven comments on the Draft EIR. The South Coast Air Quality Management District requested additional time to review the Draft EIR and submitted their comments on July 11, 2013. Eight comment letters were received on the

Draft EIR. The City met with representatives from many of the parties that commented, including the East Yard Communities for Environmental Justice and Citizens Advocating Rational Development. The city responded to all agencies listed above on July 26, 2013, pursuant to Public Resources Code Section 21092.5(a).

A ninth letter was received from Southern California Edison on August 5, 2013. It was read into the record at the Joint Public Hearing of the Planning Commission, City Council and the Authority on August 7, 2013.

Finding No. 5: Avoidance / Reduction Significant Effects: The EIR includes mitigation measures to avoid or reduce significant effects. The EIR does not identify any significant environmental impacts directly or indirectly resulting from the sale of the property as proposed by the City of Bell Public Financing Authority. As a result, no mitigation measures were necessary.

SECTION 2. ACTION.

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Bell Public Financing Authority hereby takes the following actions:

1. Notice of Determination: Direct staff to prepare a Notice of Determination concerning certification of the Bell Business Center Project EIR, and within five (5) days of project approval, file the Notice with the Los Angeles County Clerk for posting.

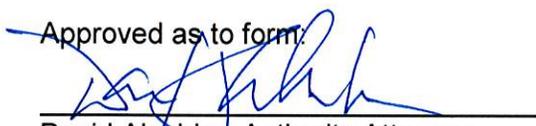
2. Location: The Bell Business Center Project Final Environmental Impact Report No. 2013041025 and all documents incorporated therein and forming the record of decision therefore, be filed with the City of Bell Planning Department at the Bell City Hall, 6330 Park Street, Bell, CA 90201, and be made available for public review upon request..

PASSED, APPROVED AND ADOPTED this 7th day of August, 2013.



Violeta Alvarez, Chairman

Approved as to form:



David Aleshire, Authority Attorney

(Attestation by City Clerk on Separate Page)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Janet Martinez, Secretary of the City of Bell, hereby attest to and certify that the foregoing resolution is the original Resolution No. 2013-34-PFA adopted by the Bell Public Finance Authority at its regular meeting held on the 7th day of August, 2013, by the following vote:

AYES: Agency Members Romero, Saleh, Valencia, Quintana and Alvarez
NOES: None
ABSENT: None
ABSTAIN: None



Janet Martinez, Agency Secretary

LIST OF EXHIBITS: All Exhibits are included under separate cover

- Exhibit A: Business Center Project Draft Environmental Impact Report, State Clearinghouse Number 2013041025, May 2013
- Exhibit B: Bell Business Center Project Final Environmental Impact Report, August, 2013
- Exhibit C: Bell Business Center Project Environmental Impact Report Findings of Fact
- Exhibit D: Bell Business Center Project Mitigation Monitoring Program