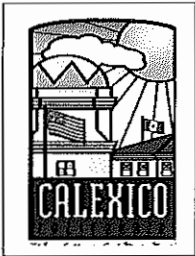


AGENDA
ITEM


14




AGENDA STAFF REPORT

DATE: October 21, 2020

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager 

PREPARED BY: Christopher Velasco, Contract Planner 

SUBJECT: A Resolution of the City Council of the City of Calexico Approving the Request by Alphet Farms, LLC to Extend Expiration of Tentative Map for Two Years Pursuant to Government Code Section 66452.6(e)

=====

Recommendation:

The Planning division recommends that the City Council approve two (2) one (1) year extensions and approve the following resolution:

A Resolution of the City Council of the City of Calexico Approving the Request by Alphet Farms, LLC to Extend Expiration of Tentative Map for Two Years Pursuant to Government Code Section 66452.6(e).

Background:

On September 8, 2020 the applicant submitted a Uniform Application requesting a time extension on the Venezia TPM. On September 30, 2020 the City's Contract Engineer determined that the application was complete and ready to move forward. On October 8, 2020 a Notice of Public Hearing was published in a local paper of circulation, informing the public of the consideration of the Tentative Parcel Map extension.

Discussion & Analysis:

The purpose of this item is to extend the Venezia Tentative Parcel Map in extension of two (2) one (1) year extensions, totaling a period of two (2) years, or October 22, 2022.

Subdivision Tentative Maps are generally granted 2 year extensions from the original approval pursuant to California Government Code 66463.5. In the case of the Venezia Tentative Parcel Map that date was October 21, 2008. California Senate Bill 1185, along with Assembly Bills 333, 208, 116 and 1303 grant an additional nine (9) years of time extensions to such maps and were crafted as a response to the Housing and Financial crisis of 2008. Section 16.24.010 of the Calexico Municipal Code allows for an additional three (3) year extension of said maps. Based on this analysis from the

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City's Contract Engineer the Venezia Tentative Parcel Map is allowed a total of fourteen (14) years of extensions from its' original approval date, or October 22, 2022.

Fiscal Impact:

There will be no impact to the General Fund.

Coordinated With:

Contract Engineer, Jose Carlos Romero.

Exhibits:

- A. Resolution Approving the Tentative Parcel Map extension until October 22, 2022
- B. CA Government Code Section 66463.5
- C. Section 16.24.010 of the Calexico Municipal Code
- D. Resolution 2019-56 Approving an Tentative Parcel Map Extension until October 21, 2020
- E. Resolution 2008-50 Approving the Original Tentative Parcel Map

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING THE REQUEST BY ALPHABET FARMS, LLC TO EXTEND EXPIRATION OF TENTATIVE MAP FOR TWO YEARS PURSUANT TO GOVERNMENT CODE SECTION 66452.6(e)

WHEREAS, pursuant to Resolution No. 2019-56 (Amended and Restated) (the "TSM Resolution") the Calexico City Council re-approved a tentative subdivision map amendment of approximately 78.31 acres of land located along the eastern boundary city limit South of the All American Canal and east of Highway 98 for the Venezia Development project (Project); and

WHEREAS, the TSM Resolution sets forth the conditions required for the Final Map of the Project; and

WHEREAS, the Final Map for the Project will be submitted for review and approval at the appropriate time and shall meet the requirements set forth in California Government Code Section 66433, et seq; and be approved by the Calexico City Council; and

WHEREAS, the City Engineer will review said Final map once submitted to ensure general conformance with the tentative map and any outstanding conditions which have yet to be met prior to the issuance of the Final Certificate of Occupancy; and

WHEREAS, the Tentative Map will expire on or about October 21, 2020; and

WHEREAS, pursuant to Government Code Section 66452.6(e) the Developer has requested that the City Council grant a two-year extension of the expiration date of the Tentative Subdivision Map.

NOW, THEREFORE, THE CITY CONCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporative herein.

SECTION 2. Based on the staff report and Exhibits attached thereto, the City Council hereby approves the extension of the expiration of the Venezia Tentative Subdivision Map two years until October 22, 2022 pursuant to Government Code Section 66452.6(e).

SECTION 3. All conditions of the Tentative Subdivision Map pursuant to Resolution No. 2008-50 remain unchanged and are incorporated herein by reference.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on this 21st day of October 2020.

CITY OF CALEXICO

Rosie Arreola-Fernandez, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS.
CITY OF CALEXICO)

I, Gabriela T. Garcia, City Clerk of Calexico, California, do hereby certify that the foregoing Resolution No. 2020-____ was duly and regularly adopted at a regular meeting of the City Council of the City of Calexico, held on the 21st day of October 2020, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Gabriela T. Garcia, City Clerk

**GOVERNMENT CODE - GOV****TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]** (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)**DIVISION 2. SUBDIVISIONS [66410 - 66499.38]** (*Division 2 added by Stats. 1974, Ch. 1536.*)**CHAPTER 3. Procedure [66451 - 66472.1]** (*Chapter 3 added by Stats. 1974, Ch. 1536.*)**ARTICLE 5. Parcel Maps [66463 - 66463.5]** (*Article 5 added by Stats. 1974, Ch. 1536.*)

66463.5. (a) When a tentative map is required, an approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months.

(b) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(c) Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. Prior to the expiration of an approved or conditionally approved tentative map, upon the application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(d) (1) The period of time specified in subdivision (a) shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) Once a moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(e) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (c), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is, or was, pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(f) For purposes of this section, a development moratorium shall include a water or sewer moratorium or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a parcel map.

(g) Notwithstanding subdivisions (a), (b), and (c), for the purposes of Chapter 4.5 (commencing with Section 66498.1), subdivisions (b), (c), and (d) of Section 66498.5 shall apply to vesting tentative maps prepared in connection with a parcel map except that, for purposes of this section, the time periods specified in subdivisions

(b), (c), and (d) of Section 66498.5 shall be determined from the recordation of the parcel map instead of the final map.

(Amended by Stats. 2008, Ch. 124, Sec. 5. Effective July 15, 2008.)

16.24.010 - Time limit for filing and recording.

After the approval or conditional approval of the tentative map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a final map thereof prepared and filed with the city engineer. The failure of a subdivider to file such map with the city engineer and to have said map recorded in the office of the county recorder within three years after the date of approval of the tentative map shall automatically terminate and void the proceedings. The time limit for such filing and recording may be extended by the city council for a period not exceeding three years unless permitted by an extension granted to state law or by any development permit extension granted by the City Council by ordinance.

(Ord. 575 § 2 (part), 1964: prior code § 8431)

(Ord. No. 1173, § 6, 10-12-2016)

RESOLUTION NO. 2019-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING THE REQUEST BY ALPHABET FARMS, LLC TO EXTEND EXPIRATION OF TENTATIVE MAP FOR TWO YEARS PURSUANT TO GOVERNMENT CODE SECTION 66452.6(e)

WHEREAS, pursuant to Resolution No. 2008 - 50 (Amended and Restated) (the "TSM Resolution") the Calexico City Council re-approved a tentative subdivision map amendment of approximately 78.31 acres of land located along the eastern boundary city limit South of the All American Canal and east of Highway 98 for the Venezia Development project (Project); and

WHEREAS, the TSM Resolution sets forth the conditions required for the Final Map of the Project; and

WHEREAS, the Final Map for the Project will be submitted for review and approval at the appropriate time and shall meet the requirements set forth in California Government Code Section 66433, et seq; and be approved by the Calexico City Council; and

WHEREAS, the City Engineer will review said Final map once submitted to ensure general conformance with the tentative map and any outstanding conditions which have yet to be met prior to the issuance of the Final Certificate of Occupancy; and

WHEREAS, the Tentative Map will expire on or about October 21, 2008; and

WHEREAS, pursuant to Government Code Section 66452.6(e) the Developer has requested that the City Council grant a two-year extension of the expiration date of the Tentative Subdivision Map.

NOW, THEREFORE, THE CITY CONCIL OF THE CITY OF CALEXICO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporative herein.

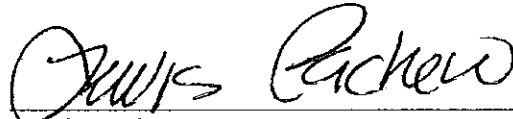
SECTION 2. Based on the staff report and Exhibits attached thereto, the City Council hereby approves the extension of the expiration of the Venezia Tentative Subdivision Map two years until October 21, 2020 pursuant to Government Code Section 66452.6(e).

SECTION 3. All conditions of the Tentative Subdivision Map pursuant to Resolution No. 2008-50 remain unchanged and are incorporated herein by reference.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

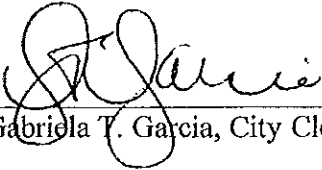
PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on this 20th day of March 2019.

CITY OF CALEXICO



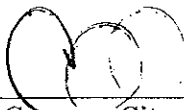
Lewis Pacheco, Mayor

ATTEST:



Gabriela T. Garcia, City Clerk

APPROVED AS TO FORM:

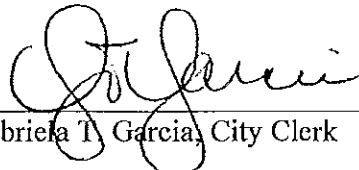


Carlos Campos, City Attorney

STATE OF CALIFORNIA
COUNTY OF IMPERIAL,
CITY OF CALEXICO

I, Gabriela Garcia, City Clerk of Calexico, California, do hereby certify that the foregoing Resolution No. 2019-56 was duly and regularly adopted at a regular meeting of the City Council of the City of Calexico, held on the 20th day of March 2019, by the following vote:

| | |
|----------|--|
| AYES: | Pacheco, Hodge, Romero, Arreola-Fernandez, Reisin, |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |



Gabriela T. Garcia, City Clerk

RESOLUTION NO. 2008-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, APPROVING TENTATIVE SUBDIVISION MAP AMENDMENT WHICH AMENDS CERTAIN CONDITIONS OF APPROVAL AND MITIGATION MEASURES RELATED TO TRAFFIC & CIRCULATION AND TO ALLOW FOR THE DEVELOPMENT OF 249 RESIDENTIAL UNITS, 2 OPEN SPACE UNITS, AND 1 COMMERCIAL HIGHWAY UNIT FOR VENEZIA SUBDIVISION - UA NO. 2003-73

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program which relates to traffic and circulation issues. As a result of this request, additional conditions of approval will be triggered resulting from updated policies established to date. The original subdivision design concept will remain unchanged.

WHEREAS, the Planning Commission, at its regular meeting on September 22, 2008, held a duly noticed public hearing, and recommended to the City Council approval of Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73 (Resolution No. 2008-16); and

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of approving subdivision maps; and

WHEREAS, public notice of said application has been given, and the City Council has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on October 21, 2008.

WHEREAS, on the 21st day of October, 2008 the City Council held a duly advertised public hearing and after public comment, approved Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

WHEREAS, the City Council of the City of Calexico finds that the Tentative Subdivision Map Amendment is consistent with the objectives of the development policies of the City of Calexico, and

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AUG - 6 2009

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 2 OF 20

NOW THEREFORE, the City Council of the of the City of Calexico DOES HEREBY make the following findings as supported by the maps, exhibits and documentation of said tentative map amendment all of which are herein incorporated by reference.

SECTION 1. That in accordance with State California Subdivision Map Act and requirements of the City of Calexico the following Findings for the approval of Tentative Subdivision Map Amendment No. 2003-73 have been made as follows:

1. The proposed subdivision, together with the provisions for the design and improvement, are consistent with the General Plan; Zoning Code; Title 16 of the Municipal Code relating to Subdivisions; and the State Subdivision Map Act.

The design of the project and subdivision are consistent with the General Plan and Zoning designations. The project is consistent with the designated land use planning area, development and design standards, and all other appropriate requirements contained in the General Plan, Calexico Municipal and Zoning Codes, and Subdivision Map Act.

2. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The project is consistent with the land use plan, development and design standards and programs, and all other appropriate requirements contained in the General Plan. As discussed, the General Plan designates the project site as Commercial and Residential. The Tentative Subdivision Map is consistent with the City of Calexico General Plan and Zoning Code designations, and other applicable development and design standards.

3. The effects this proposed subdivision is likely to have upon the housing needs of the region, the public service requirements of its residents, and the available fiscal and environmental resources have been considered and balanced.

The project is consistent with the City's General Plan and Municipal and Zoning Codes, and will provide necessary public services and facilities, will pay all appropriate fees, and will not result in any adverse environmental impact, with the implementation of mitigation measures contained in the Supplemental to the Mitigated Negative Declaration for the Venezia Project.

4. The design of the subdivision provides to the greatest extent possible, for future passive or natural heating or cooling opportunities in the subdivision (Government Code Section 66412.3).

RESOLUTION NO. 2008-_____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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The project will comply with all appropriate conservation requirements of the City and Uniform Building Code.

SECTION 2. Environmental Determination pursuant to the California Environmental Quality Act (CEQA). Via a separate resolution, a Final Supplemental Mitigated Negative Declaration has been prepared and approved by Calexico Planning Commission in accordance with the City of Calexico adopted guidelines to implement CEQA.

SECTION 3.

CONDITIONS OF TENTATIVE SUBDIVISION MAP AMENDMENT APPROVAL

WHEREAS, the Planning Commission of the City of Calexico approves tentative subdivision map amendment, attached hereto as Exhibit A, subject to the following conditions of approval:

The following conditions shall be complied with before a final map is approved by the City Council and filed with the County Recorder of Imperial County or as stated in the condition or MMRP (and, where specifically indicated, shall also be complied with prior to issuance of grading or other permits as specified.)

PLANNING DIVISION CONDITIONS

GENERAL CONDITION

1. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Official, Officers, Employees, Consultants and Agents from any claim, action, or proceeding against the City, its Official, Officers, Employees, Consultants or Agents to attach, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the Venezia project, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and will cooperate fully with the defense. If the City fails to promptly notify the Applicant of any such claim, or proceeding, the Applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City.
2. The Tentative Subdivision Map shall expire two (2) years from date of approval unless within that period of time the applicant/developer submits all appropriate documentation for a Final Map which shall include CC&R's and appropriate instruments have been filed and recorded with the County Recorder, or an extension of time is granted by the City of Calexico City Council in accordance with the Subdivision Map Act.

RESOLUTION NO. 2008-_____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 4 OF 20

3. The Tentative Subdivision Map shall comply with the State of California Subdivision Map Act and shall comply with all applicable requirements of the Calexico Municipal Code, Title 16 unless modified by approved Conditions of Approval.
4. Prior to final certificate of occupancy of Tentative Subdivision Map, the project improvements specified herein and approved by the Planning Commission and the City Council shall be installed, or agreements for said project improvements, shall be submitted to the City for approval by the City Engineer, and all other stated conditions shall be complied with. All uncompleted improvements must be bonded for as part of the agreements.
5. Prior to the first certificate of occupancy the applicant shall prepare and record CC&R's. The CC&R's shall be reviewed and approved by the Development Services Director or Designee and the City Attorney. To the extent legally permissible, the CC&R's shall include methods of maintaining common areas, open space lots, landscaped areas including parkways, and methods for common maintenance of all underground, and above ground utility infrastructure improvements necessary to support the complex. Condition 5 – 7 shall not apply to improvements accepted by city for public maintenance.
6. No unit in the development shall be sold unless (one or more in combination of) a corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity has been formed with the right to financially assess all properties individually owned or jointly owned which have any rights or interest in the use of common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity/ies, and with authority to control, and duty to maintain, all said mutually available features of the development. To the extent legally permissible, such entity/ies shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&R's shall permit enforcement by the City for provisions required as Conditions of Approval. The applicant shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. Membership in the Home Owner's Association, corporation, association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be mandatory for each buyer and any successive buyer in that HOA or a Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established as a method of maintaining common areas, parking and drive aisles areas, landscaped areas including parkways, retention basins, parks, and street lighting. Right of way parkway includes all adjacent areas to Bowker, Hwy. 98 and primary streets.

RESOLUTION NO. 2008-_____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 5 OF 20

7. ~~All open space, landscaping, and parkway areas shall be maintained by the Home Owner's Association or a Community Facilities District, Benefit Area District, or other similar financing mechanism.~~ Deleted By Planning Commission Action.
8. Vehicle access to the proposed lots shall only be allowed in the front of the lot as approved in the Tentative Subdivision Map. No rear or side entry access is permitted.
9. In the event the corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity fail to maintain said common area in such a manner as to cause same to constitute a public nuisance, said City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon said common area, individual units or whole thereof as provided by law.
10. The applicant shall comply with those mitigation measures identified in the Mitigation Monitoring Program adopted with the Supplement to the Mitigated Negative Declaration for the Venezia Subdivision and all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.
11. ~~The project shall comply with the all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.~~ Deleted by Planning Commission Action.
12. The applicant shall at all times comply with Noise Control Ordinance of the Calexico Municipal Code.
13. Any new Residential & Commercial development and associated requirements including any proposed Parks and Open Space lots shall be subject to the Design and Development Review procedures and the City of Calexico Residential Design Guidelines.
14. A decorative block wall shall be constructed along the residential frontage project's primary access routes such as Bowker and where primarily visible from major streets, subject to the review and approval of the Director of Development Services or designee.

PRIOR TO BUILDING/GRADING PERMITS

15. Building Division Plan Check. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities or as otherwise stated in the condition or MMRP.

RESOLUTION NO. 2008- _____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 6 OF 20

16. All site improvements approved with this request shall be constructed as indicated on the approved site plan and elevations. Revisions to approved site plans shall be subject to the review of the Development Services Director. All plans submitted for Building Division Plan Check shall conform to the submitted plans as modified by Conditions of Approval, or the Planning Commission/City Council through subsequent action.
17. All exterior on-site lighting shall be shielded and directed on-site so as not to create glare onto neighboring property and streets or allow illumination above the horizontal plane of the fixture. All light fixtures shall match the architectural style of the building.
18. The Planning Division shall approve the location of any construction trailers utilized during construction. All construction trailers shall require a temporary permit processed through the Planning Division.
19. Onsite surface drainage shall not cross sidewalks as to cause permanent water accumulation.
20. All Open Space lots, including detentions basins, shall be landscaped and irrigated. All exposed slopes in excess of three feet in height shall have a permanent irrigation system and erosion control vegetation installed, approved by the Planning Division.
21. Prior to issuance of any grading permit or building permits, the applicant shall sign and complete an "Acknowledgement of Conditions" form and shall return the executed original to the Planning Division for inclusion in the case records.
22. Prior to the commencement of grading operations, the applicant shall provide a map of all proposed haul routes to be used for movement of dirt material. Such routes shall be subject to the review and approval of the City Engineer. A bond may be required to pay for damages to the public right-of-way caused by the hauling related to the Venezia project, subject to the approval of the City Engineer.
23. A Final Landscaping/Irrigation Detail Plan shall be submitted, reviewed and approved by the Development Services Director or designee, prior to issuance of building permit. The residential portions shall be subject to Residential performance Standards in the Zoning Code. The following requirements shall only apply to portions of the Venezia project which are not residential .
 - a) All planting areas shall have permanent and automatic sprinkler system with 100% coverage of plant and grass using a combination of drip and conventional irrigation methods.
 - b) Applicant shall plant street trees, a maximum of forty feet (40) apart and at least twenty-four-inch (24") box in size.

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 7 OF 20

- c) All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb.
 - d) Planting within fifteen feet (15') of ingress/egress points shall be no higher than thirty-six inches (36").
 - e) Landscape planters shall be planted with an appropriate parking lot shade tree to provide for 50% parking lot shading in fifteen (15) years.
 - f) Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - g) All landscape improvements shall be HOA or a Community Facilities District, Benefit Area District, or other similar financing mechanism maintained from installation sign-off by the City.
 - h) All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building. All planting areas shall include plantings in the Xeriscape concept, drought tolerant grasses and plants.
 - i) Final landscape plan must be consistent with approved site plan/landscape plan.
 - j) ~~The project shall include a minimum of thirty five trees per gross acre. Twenty percent shall be twenty four inch box size or larger, seventy percent shall be fifteen gallon size and ten percent shall be five gallon size. The project shall comply with the applicable Residential Performance Standards identified in the Calexico Zoning Code. Deleted by Planning Commission Action.~~
 - k) Final landscape plans to include planting and irrigation details.
24. Applicant shall comply with the requirements of the Imperial Irrigation District (IID). Proof shall be presented to the Chief Building Official prior to issuance of building permits and final approval.
25. Prior to issuance of building permits, applicant shall provide assurance that all required fees to the Calexico Unified School District have been paid pursuant to these conditions of approval.
26. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Fire Department have been met.

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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27. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Police Department have been met.
28. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Community Services and Recreation Department have been met.
29. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Utilities Services Department have been met.
30. Prior to the issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Finance Department have been met consistent with and in accordance with these conditions of approval (i.e. Community Facilities District, Lighting and Landscape Maintenance District, etc.).

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

31. The Home Owner's Association corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established prior to the occupancy release of the first dwelling unit.
32. The proposed Park and Open Space lots shall be funded, constructed and fully completed, including all amenities, prior to the issuance of the one hundredth (100th) certificate of occupancy. A bond shall be required prior to the COO of the 1st unit.

ENGINEERING DIVISION CONDITIONS

33. Improve or guarantee the necessary street improvements in conformance with the project corridor traffic study that will mitigate potential traffic impacts to include: all the specific conditions and the mitigation measures as specified herein and the mitigation monitoring program.
34. Improve or guarantee the improvement of the necessary water and sewer line extensions from the city of Calexico to service the proposed project at the expense of the developer based on the updated Service Area Plan to the satisfaction of the City Engineer.
35. Dedicate the necessary right-of-way and land to the appropriate jurisdictions (i.e., street, park dedication, etc.) as shown in the subdivision tentative map, to the satisfaction of the City Engineer/Director of Development Services.
36. Create a financing mechanism (assessment district, community facilities district and/or maintenance district, and/or other mechanism/entity) to support the ongoing

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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maintenance of the parks, landscaping, lighting and regional drainage services, storm water retention system facilities, fire/police services.

37. Prior to submittal of any improvement plan for plan check, geotechnical study and soils report of the project site shall be conducted to the satisfaction of the City Engineer. An approved copy of the geotechnical study and soils report, in accordance with the subdivision map act, applicable codes, and city standards, shall be submitted with the improvement plans.
38. The developer shall submit and receive an NPDES permit from the regional water quality control board in accordance with a storm water pollution prevention plan approved by the city engineer. The storm water pollution prevention plan shall include best management practices (BMP's).
39. A site specific drainage study in conformance with the sub-regional storm water retention system shall be conducted by a registered hydraulic engineer and submitted for review and approval by the city and IID. The drainage study may incorporate temporary retention basins; however, the design of the drainage system shall be in conformance with the City's sub-regional storm water retention system.
40. Any temporary relocation of private or IID canals and drainage ditches shall be approved by IID.
41. All retention facilities and drainage improvements shall be installed to the satisfaction of the City Engineer.
42. Temporary retention basin(s) shall be required to retain the residential and commercial runoff of the entire area (streets and lots) until a regional storm drain facility becomes available. The cost of the temporary retention basin shall be the responsibility of the developer. The temporary retention basin(s) shall be sized for a 100-year/24-hour storm and bonded for removal to the satisfaction of the City Engineer.
43. Prior to submittal of improvement plans, the applicant shall provide the following master plans, to the satisfaction of the City Engineer:
 - a. Water master plan (including domestic and fire flow analysis)
 - b. Sewer master plan (including sewer capacity flow and calculations)
 - c. Drainage master plan (including both hydrology and hydraulic calculations)
 - d. Street classification and traffic circulation master plan
 - e. Master Utilities plan as required by other jurisdictions.
44. All Master plans and improvements plans shall be in conformance with chapter III of the city standards entitled "City of Calexico Design Procedures and Improvement

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Standards” updated December -1, 2005 herein called city standards and any subsequent revisions and modifications and as specified in these conditions.

45. Fire hydrants shall be placed not more than 300 ft apart and nor more than 300 ft from buildings.
46. The developer shall participate in the project’s pro-rated share of the costs for the improvement of the sub-regional storm water retention system, or at the discretion of the City of Calexico, be responsible for the improvement of the portion of the sub-regional storm water retention system needed to serve the entire drainage area. The sub-regional storm water retention system shall be in conformance with the drainage master plan and the City’s most recent service area plan, and in accordance with city standards.

STREET IMPROVEMENTS AND TRAFFIC CIRCULATION

47. Primary arterials, collectors, and local site access streets of applicable street right-of-way widths shall be dedicated.
48. Improve or guarantee the improvement of road improvements and participate in a fair share contribution, as per requirements of the tentative map amendment and the specific conditions. The road improvements and fees for primary arterials and collector streets shall be in accordance with the City of Calexico service area plan, benefit assessment areas, special infrastructure fee, and impact fee program to the satisfaction of the City Engineer.
49. Developer shall retain qualified California registered civil engineer for design services in accordance with the City Standards.
50. Improvement plans, record maps, traffic control plans, and intersection “stop” sign control plans for all interior streets shall be prepared to the satisfaction of the City Engineer.

BONDS AND SURETY

51. Prior to the submittal of bonds, the applicant/developer/design engineer shall submit construction cost estimate for all required improvements using City’s provided unit cost items and standards for review and approval.
52. The developer shall submit and provide all required improvement bonds and surety to the satisfaction of the City Engineer.

IMPACT FEES AND FAIR SHARE ASSESSMENT FEES

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53. The developer shall document and make payment of development impact fees for police services in accordance with the city council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
54. The developer shall document and make payment of development impact fees for fire protection services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
55. The developer shall document and make payment of applicable school impact fees for Calexico Unified School District, as determined by state law, (currently SB 50) to the satisfaction of the Calexico Unified School District.
56. The developer shall document and make payment of development impact fees for park facilities and services in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.
57. The developer shall document and make payment of development impact fees for library facilities and services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
58. The developer shall document make payment of development impact fees for sewer and water facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
59. The developer shall document make payment of development impact fees for transportation facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
60. The developer shall document make payment of development impact fees for public facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
61. The developer shall document make payment of development impact fees for administration services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.

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62. The developer shall document and/or make payment of fees for Art in Public Places in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.

FAIR SHARE FEES

63. The developer shall pay for all applicable fees. These fees shall included but not be limited to impact fees, special infrastructure fees, benefit area assessment fces, and engineering plan check and inspection fees as determined and conditioned therein.

64. In addition to the required development impact fees for streets, water, sewer, police, fire, library, school and utility improvements, the developer shall participate in the project's prorated fair share of the costs identified in the SPECIFIC CONDITIONS, Traffic Studies, and the Mitigation Monitoring Program of the CEQA document.

NOISE

65. A detailed acoustical analysis shall be conducted for residential uses within the vicinity of CNEL 60 DB or higher noise conditions; for office and professional buildings and recreational commercial facilities within 65 DB or higher conditions; and all other land uses, except agriculture, within 70 DB or high noise conditions. The developer shall construct sound walls or berms along major thoroughfares or provide other noise attenuation in order to achieve the general plan interior and exterior noise standards.

UTILITIES

66. The developer shall coordinate with the IID regarding the location, financing, designing, and phasing of required on-site electrical facilities.

67. The developer shall pay fair share cost based on dwelling units for both the regional sewer lift station and the construction of a new force main and gravity lines that will be necessary to upgrade the sewer collection system. The fair share shall be calculated by taking into account the entire area served by the regional sewer lift station and upgraded sewer collection system, as appropriate.

68. The developer shall pay for the necessary upsizing of the sewer pipeline in order to connect into the existing sewer collection system.

SCHOOL

69. The project shall dedicate or pay a fee in-lieu of school site dedication in accordance with condition #55.

SPECIFIC CONDITIONS

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Street Circulation Element Conditions

70. Jade Ave. connection at Highway 98 south of the Tierra Santa Subdivision (the approved location of the Tierrasanta Unit 1 at the north side) shall not be made and required at this time, but shall dedicate the required Jade Ave. rights of way (R/W) as per the updated traffic study entitled "Traffic Study For Venezia Mixed Use Development In the Calexico Area of Imperial County" by Bill Darnell and Associate dated April 3, 2008 and in accordance with the Mitigation Monitoring Program for the Venezia Supplement to the Mitigated Negative Declaration.

71. Bowker Road will ultimately need to be extended to include the bridge widen with an IID approved structural crossing to include the intersection at the Highway 98 with the All American Canal. The bridge crossing and highway combined alignment is approximately 350 feet in length by 126 feet in width on Bowker Road. Additionally, Hwy 98 widening to four lanes will be required on both sides. Bowker Road is the only existing primary ingress and egress access point; therefore, the interim mitigation measure for the Bowker Road and Hwy 98 intersection improvement with the modified geometric based on the PEER report submitted to Caltrans for review will need to be constructed all at the Developer's cost prior to the issuance of occupancy permit for the project. Additionally, the developer shall pay or post security for the fair share cost for the ultimate improvement as prepared shall be made prior to the recordation of any final map. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) has been identified for this ultimate improvement (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and subsequent City Council action.

72. The approved TSM shall provide a street connection of 75 feet R/W (or width to conform with the south development) north-south street connection at approximately 1,000 feet west of the eastside tract boundary. The Design Engineer shall coordinate the design with the south boundary development (Prior CM Ranch layout) to insure compliance of the City's Street Circulation Element.

73. Hwy 98 widening (Andrade Ave to Cole Road) and Cole Road widening (Bowker Road to Hwy 98) shall be considered a part of the Corridor Benefit Assessment Areas.

a. These two roadway corridors will be established as the Hwy 98 and Cole Road Corridor Benefit Assessment Areas as per Caltrans requirement and conditions.

b. The fair share cost for the improvement has not been finalized and approved by the City Council. Based on the location, need, and conditions of the

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project, a benefit area map and percent of the improvement cost (5.03%) for Bowker Road has been identified in this area (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and council action.

Other City Wide Street Circulation Impacts

74. Fair share cost subject to percent of ADT for roadway improvements will be determined as part of the MMP submitted with the project that may include but not be limited to the following:

- a. Rockwood Road / Cole Road Intersection realignment of the eastbound through lane.
- b. Rockwood Road/Cole Road intersection replacement of split signal phasing with actuated, left-turn phasing.
- c. Jasper Road widening (Bowker Road to SR 111) and Jasper Road/SR 111 signalization.
- d. Bowker Road widening from Jasper Road to Cole Road.
- e. Bowker Road widening from Cole Road to SR 98.
- f. Citywide traffic signal synchronization.
- g. SR 98 and Andrade (Meadows) Ave.
- h. SR 98 and Jade Ave.

Drainage Element Conditions

75. The drainage element for all development shall comply with the City's Existing Drainage Facilities as defined in Section 5 of the Proposed Drainage Service Area Plan (DSAP) Report requirement and any modification herein or the General Plan Update that is in progress. The Sub-Regional Retention Basin Concept for the City of Calexico's south-east area is identified along LaVigne Road at the south development area (Note: per prior CM Ranch Concept Map).

76. Integrate retention basin design with the City's master plan of retention basins to accompany the Sub-Regional Retention Basin Concept. Pay all costs as identified in the current DSAP including the amount of land require off-site in fair market value determination. Additionally, this will be maintained and setup of a Community Facility District (CFD) and/or other financing mechanism/entity.

77. In the event that this subdivision proceeds before the regional retention basin proposed in the City's Drainage Master Plan is in service the developer will be responsible to construct a temporary retention to serve the subdivision according to the current City design standards and criteria prior to the issuance of the certificate of occupancy and/or City acceptance. The developer will be responsible to construct a temporary connection into the existing Imperial Irrigation Drain along the All

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American Canal. Developer shall contribute fair share basis (subject to capacity and runoff criteria determination, or as determined per the SAP) of special infrastructural fees toward regional retention basin.

78. Submit a master plan of hydrology and drainage map for review and approval prior to the submittal of the phase 1 unit map and improvement plans.

Sewer Element Conditions

79. The off-site trunk sewer line and the Regional Pump Station that the development connects at Bowker Road will provide the sewer services at the east side of E. Rivera and south of the All American Canal developments. In the event that the subdivision proceeds ahead before the Regional Pump Station and off-site sewer line proposed along Bowker Road are built, the City will allow the development to provide sewer services to the subject subdivision via the existing Andrade Sewer Pump Station gravity line at Hwy 98 and Andrade Ave. The developer shall construct all the improvements required including but not limited to a new sewer pump station within the subject subdivision and a sewer main to convey the sewer flows generated by the subdivision that will run South along Bowker Road and West on LaVigne Road and Highway 98 (Southern side) and the connection into existing gravity line near the Andrade sewer lift station). Coordinate with the City for the exact layout and connection requirement. The sewer facilities must be in operation prior to the issuance of any certificate of occupancy.
80. Prepare a sewer master plan that is in accordance with the City's master sewer plan and to ascertain that the in-tract gravity lines will be able to accommodate the sewer flows generated by the Venezia Subdivision. The Developer is required to construct all the necessary improvements to provide sewer services to the subdivision.

Water Element Conditions

81. The City is currently in the process of constructing its Phase III water master plan at the eastside. The developer shall be responsible in making the necessary waterline connection running north at Bowker Road, and will need to be incorporated into the Bowker Road project; however, a second waterline loop will be required at the eastside street tract boundary.
82. Prepare a water master plan (in-tract water line layout and hydraulic calculations) that integrates with the City's Phase III and the south development water master plan to insure compliance of the City's current water master plan.
83. Provide a second connection of proper size at the eastside to form a loop connection for the water master plan as stated above.

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84. In order to provide water to the proposed development before the 30-inch(or size as modified in subsequent study report) diameter water main proposed for Bowker Road is built, the Developer will be responsible to prepare a detailed water study to evaluate the alternative to connect into the existing municipal water distribution system as follows:
- a. Connect to the North of the development to the existing 12-inch diameter water line along Bowker Road near the northern side of Highway 98,
 - b. Connect to the West of the Development; via the construction of a water line that will loop the proposed water distribution system for the project to the existing 12-inch diameter water line along E. Rivera Avenue.
 - c. The detailed water study shall identify all the improvements required to provide adequate water pressure and redundancy to the subject subdivision. The Developer will be responsible to built all the required improvements. Once the proposed water line along Bowker Road is built, the developer will be responsible to fund and/or built the connections to the proposed 30-inch diameter water line.

Community Facility District (CFD)-Prior Recordation of any Final Map.

85. A cost participation for the regional infrastructure program (i.e. the East Calexico Facilities Area II Improvement) will be required. This program is being addressed by the City's consultant on the current City's development that will included but not limited to: off-site streets, bridges at La Vigne Road and Bowker Road at the All American Canal, sewer distribution line and lift station, water, regional retention basins, and storm drain systems, etc. Developer shall participate and pay the fair share cost contribution.
86. A maintenance and operation CFD of the Sub-Regional Retention Basin for drainage will also be required.

Fees

87. Pay all applicable fees (i.e. City's Standard Impact Fees, Special Infrastructure Fees, Benefit Assessment Fees, Plan Check and Inspection Fees, etc.) prior to recordation of any final maps, pulling of permits, and/or certificate of occupancy as per the City's standard and conditions in accordance with the MMRP. In the case of the Bowker Road and Hwy 98 improvement per Caltrans conditions and requirement for Phase 2 (Ultimate Widen Improvement), the Developer shall deposit into the City in accordance with the MMP for the necessary funds as determined by the Director of Planning and Development Services for the development of the Memorandum Of Understanding (MOU), Project Study Report (PSR), and Design and Administration

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fees) prior to approval of any final map for recordation and/or approval of any in-tract improvement plans.

Other Pertinent Conditions

88. The Bowker Road/Hwy 98 proposed signalized intersection is a capital improvement project pursuant to the City of Calexico street infrastructure plan. The developer shall agree to fund all the Phase 1 improvement and participate in the construction and pay a "fair share" basis (no greater than 5.03%) of the ultimate widening plan.
89. Notwithstanding anything else in these conditions, if any improvements (including without limitation in relation to streets, water, sewer, or any other facilities or utilities) required to be constructed or paid for by the project are in excess of the fair share portion of such improvements for which the project is responsible, as identified in these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the project shall be eligible for reimbursement of the costs of such excess and the developer shall only be required to construct and install improvements as proposed contingent upon the City's agreement to enter into a re-imbusement agreement for funding in excess of fair share participation. Further, with respect to any payments for which the developer may post security under these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the developer may make the payments to replace such security at the time of the issuance of building permits for any dwelling unit or other structure, on a pro rata basis.
90. The developer agrees to participate on a "fair share" basis for the construction of widening and signalization improvements for Jade Avenue/SR 98 when warranted by Caltrans in the future development of the commercial parcel which will be based on ADT trips in accordance with the MMP.
91. The applicant/developer will be responsible for widening of SR-98 to four lanes and additional channelization within the boundaries of the proposed project subdivision area. The Caltrans Transportation Concept Report (TCR) for SR-98 calls for an ultimate 6 lane conventional highway and widening for a total width of 172' (86' half-width) in this area. The ultimate configuration would require some Right of Way (R/W) acquisition along the frontage of this property (to be determined based upon existing State R/W in the vicinity).
92. Upon annexation, the applicant/developer shall obtain from the City of Calexico an Irrevocable Offer of Dedication (IOD) and slope rights/drainage easement in order to accomplish preserving this R/W referred in conditions No. 91 above.
93. No development improvements, including landscaping and other easements shall be located within the R/W IOD referred in conditions No. 91 above.

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94. Any work performed within Caltrans R/W will require an encroachment permit referred in conditions No. 91 above .
95. The developer shall be responsible for procuring any necessary permits or approvals from regulatory and/or resource agencies.
96. Provide utilities, conduits, and other telecommunications facilities (i.e. cable, fiber optic, etc.) from point "A" to any such facility as determined and approved by the Imperial Valley Telecommunications Authority Manager and to the satisfaction of the Director of Development Services/City Engineer.
97. Comply with City's Design Procedures and Improvement Standards as updated on December 1, 2005 Design Manual and any subsequent modifications thereon.

SECTION 4: CONDITIONS FOR RECORDATION OF FINAL MAP

98. Final map shall not be approved until developer and city have entered into an agreement, which provides for traffic facilities, emergency services, water and sewer services, and area drainage, and other services specified as needed.
99. Approval is given subject to compliance of final map and improvement drawings with all applicable zoning and subdivision ordinance of the City of Calexico.
100. The necessary improvements as set forth in the approval of the tentative tract/parcel map have been installed and accepted by the city, or provided the subdivider submits satisfactory improvement plans together with the necessary guarantee that the improvements shall be installed.
101. Guarantee for installation of improvements shown on recorded final map shall be by surety bond or letter of credit. Use of real property lien, as guarantee for installation of improvements shown on recorded final map shall be in accordance of city policy and procedure.
102. The required plan and map checking and inspection fees must be paid to all affected divisions/departments/agencies.
103. Checking has been completed by the various departments and agencies.
104. Taxes, liens and special assessments have been paid or such payment is guaranteed.
105. All applicable conditions and compliance are met with the city standards updated December 1, 2005 and all subsequent modifications and revisions thereon.

106. -

TABLE "A"
Fair Share Percentage Cost Distribution

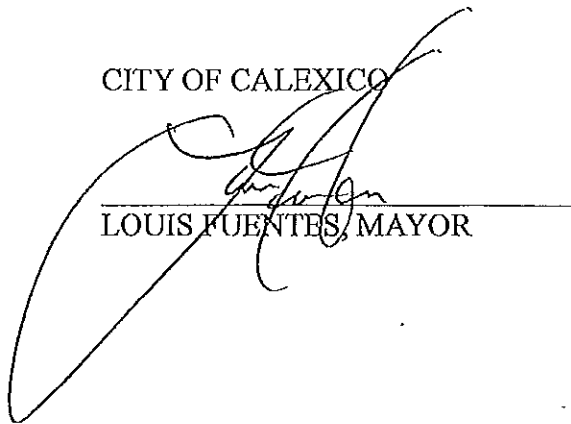
Note: Percentage of cost derivation based on ADT from the surrounding development projects

| Area # | Description | Acreage | Type of Use | ADT | % of Total ADT |
|---------------|---|----------|---|---------|----------------|
| 1b | Santa Fe Subdivision | 225.13 | per traffic study | 18,528 | 7.67% |
| 1c | Area Bounded by Jasper, Bowker, Cole and Meloland | 480 | Assume 10% Commercial, 60% Residential (25 units/acre), 30% Single-Family Residential (6 units/acre) | 67,309 | 27.87% |
| 1f | Area Bounded by Bowker & Central Main Canal | 28.66 | Industrial | 1,809 | 0.75% |
| 1g | Area Bounded by Bowker & Hwy 98 | 18.49 | Industrial | 1,167 | 0.48% |
| 1h | Area Bounded by Hwy 98, Central Main Canal & All American Canal | 36.75 | Industrial | 2,319 | 0.96% |
| 1i | Venezia Subdivision | 76.58 | per traffic study | 12,140 | 5.03% |
| 1j | Tierrasanta Unit 2 (Commercial) | 12.90 | per traffic study | 7,248 | 3.00% |
| 1k | Tierrasanta South | 16.70 | Assume Multi-Family Residential (25 units per acre) | 4,000 | 1.66% |
| 1m | CM Ranch Subdivision IIA | 346.60 | Assume 10% Commercial, 20% Multi-Family Residential (25 units/acre), 70% Single-Family Residential (6 units/acre) | 52,352 | 21.68% |
| 1n | CM Ranch Subdivision IIB | 193.20 | Assume 20% Residential (25 units/acre) 80% Residential (6 units/acre) | 18,120 | 7.50% |
| 1l | CM Ranch Subdivision | 702.00 | per traffic study | 56,538 | 23.40% |
| Total Acreage | | 2,718.01 | Total Daily Project Trips | 241,522 | 100.00% |

NOW, THEREFORE, based on the above findings and conditions, the City Council of the City of Calexico DOES HEREBY APPROVE Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73.

PASSED, APPROVED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on the 21 day of October, 2008.

CITY OF CALEXICO



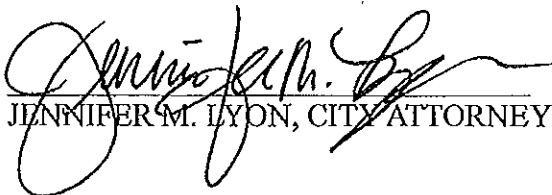
LOUIS FUENTES, MAYOR

ATTEST:



LOURDES CORDOVA, CITY CLERK

APPROVED AS TO FORM:



JENNIFER M. LYON, CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF IMPERIAL) SS.

CITY OF CALEXICO)

I, Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 2008-50 was duly passed and adopted at a regular meeting of the City of Calexico, California held on the 21 day of October, 2008 by the following vote:

| | |
|----------|--------------------------------------|
| AYES: | Castro, Romero, Ouzan, Moreno |
| NOES: | None |
| ABSENT: | Fuentes |
| ABSTAIN: | None |

(SEAL



LOURDES CORDOVA, CITY CLERK