

**RESOLUTION NO. 2018-046**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF BREA  
REPEALING AND SETTING ASIDE RESOLUTION NO. 2014-039  
AND RESOLUTION NO. 2014-040 OF THIS COUNCIL  
CONCERNING APPROVAL OF A RESIDENTIAL DEVELOPMENT  
WITHIN THE AREA OF VESTING TENTATIVE TRACT MAP NO.  
VTTM15956**

**A. RECITALS:**

(i) On June 3, 2014, this Council approved its Resolution No. 2014-039 entitled "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MADRONA PROJECT CONSISTING OF VESTING TENTATIVE TRACT MAP NO. VTTM15956 AND DEVELOPMENT REVIEW NO. DR 08-01, AND ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

(ii) On June 3, 2014 this Council approved its Resolution No. 2014-040 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION AND MONITORING PROGRAM, APPROVING VESTING TENTATIVE TRACT MAP NO. VTTM 15956 SUBJECT TO CONDITIONS, AND APPROVING DEVELOPMENT REVIEW NO. DR 08-01 SUBJECT TO CONDITIONS.

(iii) The two resolutions referred to above constituted approval of Vesting Tentative Tract Map No. VTTM15956 and the residential development project

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within the area of that Vesting Tentative Tract Map, an area commonly referred to as "Madrona" ("the Madrona Project" hereinafter).

(iv) The validity of the approval of the Madrona Project was challenged on July 1, 2014 by the filing of Hills For Everyone, et. al. v. City of Brea, et. al., Orange County Superior Court Case No. 30-2014-00731930-CU-WM-CXC ("the action" hereinafter).

(v) Prosecution of the action has concluded through the Court's entry of Judgment invalidating the approval of the Madrona Project and the Court's issuance of a Peremptory Writ of Mandate. A true and correct copy of that writ is attached hereto as Exhibit 1.

(vi) It is the purpose of this Resolution to commence the City of Brea's compliance with Paragraph 4 of the Peremptory Writ of Mandate referenced herein.

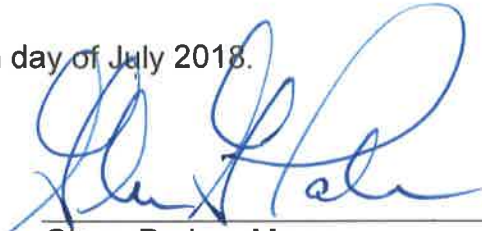
**B. RESOLUTION:**

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF BREA DOES  
HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS;**

1. This Council hereby finds that all of the facts stated in the Recitals, Part A of this Resolution are true and correct.
2. This Council hereby repeals and sets aside the approval of its Resolution No. 2014-039 and its Resolution No. 2014-040.
3. The City Clerk shall certify to the adoption of this resolution.
4. The City Attorney shall file with the Court a return to the above-referenced writ, which return shall include a certified copy of this Resolution.

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APPROVED AND ADOPTED this 17th day of July 2018.

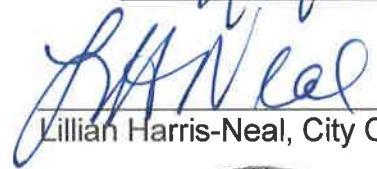
  
\_\_\_\_\_  
Glenn Parker, Mayor

ATTEST:   
\_\_\_\_\_  
Lillian Harris-Neal, City Clerk



I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 17th day of July 2018, by the following vote:

AYES: COUNCIL MEMBERS: Parker, Marick, Hupp, Simonoff, Vargas  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: None

Dated: 7/18/18  
  
\_\_\_\_\_  
Lillian Harris-Neal, City Clerk



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