

SAN RAFAEL CITY SCHOOLS

Resolution No. 1819-3

**RESOLUTION OF THE BOARD OF TRUSTEES
OF SAN RAFAEL CITY SCHOOLS
ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION,
MITIGATION MEASURES, AND THE MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE DAVIDSON MIDDLE SCHOOL AND LAUREL
DELL ELEMENTARY SCHOOL MEASURE R AND MEASURE D IMPROVEMENTS
PROJECT (PROJECT), AND APPROVING THE PROJECT**

WHEREAS, San Rafael City Schools (“District”) is proposing the construction of certain improvements at its existing Davidson Middle School and Laurel Dell Elementary School campus as described in the Exhibits hereto, which would include:

At Davidson: new Science, Technology, Engineering, and Math (STEM) Center; physical education classrooms and offices added, and existing space for gym lockers increased; a total of 15 existing portable classroom buildings removed; new Multi-Purpose Building and new Music Building added; the project would also include utility improvements and site work, including installation of three new bioretention areas, construction of a new emergency access driveway off Woodland Avenue, and landscaping.

At Laurel Dell: reconstruction including 14,034 square feet of replacement and new construction, 6,131 square feet of existing building modernization, and site work; new construction would include replacement classroom buildings, a multi-purpose building, and a restrooms/storage building; modernization would include remodeling the existing classroom wing and school library and converting the existing multi-purpose building into two new kindergarten classrooms; site work would include reconfigurations of parking, landscaping, utility work, and new bioretention areas; a potential new dedicated drop-off lane on Woodland Avenue is also considered. (Collectively for the two sites, the “Project”); and

WHEREAS, the District is the lead agency on the Project, and the Board of Trustees (“Board”) is the decision-making body for the proposed Project; and

WHEREAS, prior to commencement of work on the Project, the District must comply with the California Environmental Quality Act of 1970, as amended, Public Resources Code Sections 21000 *et seq.* (“CEQA”); and

WHEREAS, the District has retained Amy Skewes-Cox, AICP, to prepare an Initial Study and a Mitigated Negative Declaration for the Project in accordance with the requirements of CEQA and the CEQA Guidelines (14 Cal.CodeRegs. 15000 *et seq.*); and

WHEREAS, the scope of the Project analyzed under the Initial Study/Mitigated Negative Declaration is further described in the Initial Study/Mitigated Negative Declaration. A copy of the Initial Study/Mitigated Negative Declaration is attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concludes that implementation of the Project will not result in a significant effect on the environment because the mitigation measures described in the Initial Study/Mitigated Negative Declaration are included in the Project to reduce potential impacts to a less than significant level; and

WHEREAS, pursuant to Public Resources Code Sections 21091 and 21092, on May 30, 2018, the District, as the lead agency for the Project, posted a Notice of Intent on the District's website and on and off the site in the area in which the Project is to be located, filed the Notice of Intent with the County Clerk for posting, directly mailed the Notice of Intent to public agencies, owners (as shown on the latest equalized assessment roll) and occupants of property contiguous to the Project, and requesting parties, and provided copies of the Initial Study/Mitigated Negative Declaration to the public for review and comment for a thirty (30) day period ending June 28, 2018; and

WHEREAS, the Board has evaluated any comments received from the public or other interested agencies regarding the Initial Study/Mitigated Negative Declaration that were received by the District during the public review period; and

WHEREAS, in connection with the approval of a project involving the preparation of an Initial Study/Mitigated Negative Declaration that identifies one or more potentially significant environmental effects, CEQA requires the decision making body of the lead agency to incorporate feasible mitigation measures that would reduce those potentially significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid potentially significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation. A copy of the Mitigation Monitoring and Reporting Program ("MMRP") for the Project, which defines the measures which would be imposed on the Project to mitigate or avoid potentially significant environmental impacts, is attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, the Board has carefully reviewed and considered the final Initial Study/Mitigated Negative Declaration for the Project, which includes, without limitation, the draft Mitigated Negative Declaration, the Initial Study, comments from the public and interested agency(ies), together with the proposed mitigation measures, Mitigation Monitoring and Reporting Program ("MMRP") for the Project, and all other relevant information contained in the administrative record for the Project, at its regularly scheduled meeting of July 23, 2018; and

WHEREAS, based on the CEQA findings, mitigation measures, and other findings set forth in this Resolution, and based on staff's recommendations, public and agency input, and evidence received, and all other evidence in the administrative record, the Board desires to adopt the Initial Study/Mitigated Negative Declaration and the MMRP; and

WHEREAS, the Board further desires to approve the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution and approval of the Project have occurred.

NOW, THEREFORE, the Board of Trustees of the San Rafael City Schools hereby finds, determines, declares, orders, and resolves as follows:

Section 1 - Recitals. That all of the recitals set forth above are true and correct.

Section 2 - Compliance with CEQA. That the Board has to its satisfaction independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the administrative record and has considered the information contained therein prior to acting upon or approving the Project. Based on all evidence in the administrative record for the Project, the Board hereby makes the following specific findings:

- (1) Finding 1: The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and the CEQA Guidelines.

Evidence: The relevant documents used in the preparation of the Initial Study/Mitigated Negative Declaration are filed in the Project record. Public review of the Initial Study/Mitigated Negative Declaration was conducted from May 30, 2018, to June 28, 2018 (5PM). On May 30, 2018, the Notice of Intent was filed with the County Clerk for posting, was posted by the District on its website and on and off the site in the area in which the Project is to be located, and was directly mailed to public agencies, owners (as shown on the latest equalized assessment roll) and occupants of property contiguous to the Project, and requesting parties.

- (2) Finding 2: The Initial Study/Mitigated Negative Declaration prepared for the Project contains a complete and accurate reporting of the environmental impacts associated with the Project.

Evidence: The Initial Study/Mitigated Negative Declaration describes the Project and evaluates potential environmental impacts of the Project across 20 environmental topics in accordance with the CEQA Guidelines.

- (3) Finding 3: The Board has considered the Initial Study/Mitigated Negative Declaration, together with all comments received during the public review process, and all other relevant information contained in the administrative record for the Project.

Evidence: Public review of the Initial Study/Mitigated Negative Declaration was conducted from May 30, 2018, to June 28, 2018 (5PM). As of the July 23, 2018, Board Meeting, the Board has considered to its satisfaction all information provided in the Initial Study/Mitigated Negative Declaration and all other information in the record, including comments from the public and interested agency(ies), together with the proposed mitigation

measures, CEQA findings, MMRP for the Project, and all other relevant information contained in the record for the Project.

- (4) **Finding 4:** The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the District as lead agency for the Project.

Evidence: The District, assisted by Amy Skewes-Cox, AICP, a professional environmental consultant, prepared and circulated the Initial Study/Mitigated Negative Declaration. The District independently reviewed the Initial Study/Mitigated Negative Declaration, and exercised overall control and direction of the CEQA review process for the Project. The Board has to its satisfaction considered and reviewed the Initial Study/Mitigated Negative Declaration and considered all public comments and information received, prior to taking action on the Initial Study/Mitigated Negative Declaration. The Board, exercising its independent judgment and analysis, has decided to adopt the Initial Study/Mitigated Negative Declaration.

- (5) **Finding 5:** The Project will not result in a significant effect upon the environment because the mitigation measures described in the MMRP have been added to the Project.

Evidence: After consideration of the Initial Study/Mitigated Negative Declaration, public comments received, MMRP, and other information in the record, the Board has found that the proposed mitigation measures will reduce potential effects to less than significant. The Initial Study/Mitigated Negative Declaration has not been substantially revised since public notice of its availability was provided, and no mitigation measures or Project revisions were added or required.

- (6) **Finding 6:** Based on its review of the whole record before it, there is no substantial evidence in the record supporting a fair argument that the Project will have a significant effect on the environment.

Evidence: After consideration of the Initial Study/Mitigated Negative Declaration, public comments received, and other information in the administrative record, the Board has found that the Project as proposed and described in the Initial Study/Mitigated Negative Declaration, with the adoption of the mitigation measures in the MMRP, would not have a significant effect on the environment.

Section 3 - Location and Custodian of Records. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Initial Study/Mitigated Negative Declaration are as follows:

Dr. Michael Watenpaugh, Ed.D., Superintendent
San Rafael City Schools
310 Nova Albion Way
San Rafael, CA 94903

The Initial Study/Mitigated Negative Declaration and MMRP are: (1) on file at the District Office, located at 310 Nova Albion Way, San Rafael, CA 94903; and (2) available for inspection by any interested person.

Section 4 - Adoption of Initial Study/Mitigated Negative Declaration and MMRP. That the Board hereby adopts the Initial Study/Mitigated Negative Declaration and the MMRP, including all of the mitigation measures set forth in the MMRP.

Section 5- Approval of Project. The Board hereby approves the Project as identified and evaluated in the Initial Study/Mitigated Negative Declaration and authorizes the Superintendent, or his authorized designee, to take all steps necessary to proceed with the Project.

Section 6 - Notice of Determination. That the Board hereby directs School District staff to file a Notice of Determination within five (5) working days after the Board's adoption of the Initial Study/Mitigated Negative Declaration.

APPROVED, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the San Rafael City Schools held on this 23rd day of July, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Greg Knell
President, Board of Trustees
San Rafael City Schools

Clerk, Board of Trustees
San Rafael City Schools

EXHIBIT “A”

Initial Study/Mitigated Negative Declaration

**Davidson Middle School and Laurel Dell Elementary School Measure R and Measure D
Improvements Project**

EXHIBIT “B”
Mitigation Monitoring and Reporting Program (MMRP)
Davidson Middle School Laurel Dell Elementary School Measure R and Measure D
Improvements Project