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Enactment Date	8-13-14 <i>rf</i>



Memo

To Board of Education

From Antwan Wilson, Superintendent
Jacqueline P. Minor, General Counsel

Board Meeting Date August 13, 2014

Subject **AUTHORIZING THE DISTRICT TO APPLY FOR CEQA CATEGORICAL EXEMPTION FOR THE GLENVIEW CONSTRUCTION PROJECT**

Action Requested **ADOPTION OF RESOLUTION 1415-0020 AUTHORIZING THE DISTRICT TO APPLY FOR CEQA CATEGORICAL EXEMPTION FOR THE GLENVIEW CONSTRUCTION PROJECT**

Background And Discussion

Pursuant to the District's Bond Measure J, the District developed the Glenview Elementary School Measure J Project ("Proposed Project") that includes the following components: retention of the School's main entry and accompanying façade, both of which display pleasing architectural features; retention of the main entry's porch and stairs; demolition of the remainder of the School's permanent 35,491 square foot building, 8,454 square feet of relocatables, portions of hardscape, and play equipment; replacement of 21 classrooms, library, cafeteria, multipurpose room, stage and administration offices; and provision of associated site work.

Prior to approving the Proposed Project, the District must comply with the California Environmental Quality Act ("CEQA"). The District staff determined that the Proposed Project meets, without limitation, the following exemptions:

- The definition of the Replacement or Reconstruction Class 2 Categorical Exemption provided in CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) section 15302. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
 - The net addition of development square footage to the campus as a result of the Proposed Project would be 12



percent. The Proposed Project also replaces existing facilities and structures on the Campus. The number of classrooms will remain at 21 when the Proposed Project is completed and the portable classrooms are removed.

- The definition of the Minor Additions to Schools Class 14 Categorical Exemption provided in CEQA Guidelines section 15314. Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less.
 - The Proposed Project’s additions to the existing school totaling a net increase of development square footage of 12 percent are minor additions.
 - The Proposed Project’s replacement of the same number of classrooms (21) and replacement of support space on the existing Campus does not increase the original student capacity of the school.

ICF International was retained to determine whether the Campus’s grounds or buildings were a mandatory or presumptive historical resource under CEQA and determined that there is no historical resource.

District staff is not aware of any unusual circumstances that would except the Proposed Project from these categorical exemptions. Therefore, the Proposed Project is exempt from CEQA as further detailed in the Resolution.

Once a project is determined to be exempt, the project is no longer subject to either the procedural or substantive requirements of CEQA, and construction of the project can begin upon its approval.

Should the Board adopt the Resolution, District staff will file a Notice of Exemption with the Alameda County Clerk.

Recommendation

ADOPTION OF RESOLUTION 1415-0020 AUTHORIZING THE DISTRICT TO APPLY FOR CEQA CATEGORICAL EXEMPTION FOR THE GLENVIEW CONSTRUCTION PROJECT

Fiscal Impact

See project budget

Attachments

Resolution No 1415-0020

OAKLAND UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 1415-0020

AUTHORIZING THE DISTRICT TO APPLY FOR CEQA CATEGORICAL EXEMPTION FOR THE GLENVIEW CONSTRUCTION PROJECT

WHEREAS, the Oakland Unified School District ("District") has developed the Glenview Elementary School ("School") Measure J Project ("Project") described in detail below, located within the existing school grounds of the Glenview Elementary School Campus ("Campus") at 4215 La Cresta Avenue, Oakland, California 94602. The Project replaces the aging and substandard Campus' facilities to contemporary standards to support the School's educational programs.

WHEREAS, the Project consists of the following: retention of the School's main entry and accompanying façade, both of which display pleasing architectural features; retention of the main entry's porch and stairs; retention of the entry courtyard; demolition of the remainder of the School's permanent 35,491 square foot building, 8,454 square feet of relocatables, portions of hardscape, and play equipment; replacement of 21 classrooms, library, cafeteria, multipurpose room, stage, and administration offices; and provision of associated site work (the layout of the Project is attached hereto as Exhibit 1 and is incorporated herewith as though it was set forth in full);

WHEREAS, the Campus is already extensively used during the year by both school and non-school users;

WHEREAS, the Campus currently has sufficient water supply capacity, sewer capacity and storm water capacity to accommodate the Project;

WHEREAS, the California Environmental Quality Act ("CEQA") Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) section 15302 identifies the Replacement or Reconstruction Class 2 Categorical Exemption that exempts projects that consist of replacement or reconstruction of existing structures and facilities where the new structure or facility will be located on the same site as the structure or facility replaced and will have substantially the same purpose and capacity as the structure or facility replaced, including but not limited to replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent;

WHEREAS, the Project's replacement or reconstruction will be on the existing Campus and provide earthquake resistant structures and facilities;

WHEREAS, all of the replacement facilities and structures will have substantially the same capacity as its predecessors;

WHEREAS, the existing Campus's total development consists of 35,491 square feet of permanent building, 8,454 square feet of relocatables, and 21,200 square feet of play hardscape equaling 65,145 square feet;

WHEREAS, the Project will replace the main building and relocatables 43,945 square feet with a replacement building of approximately 51,800 square feet for a total net approximate increase in the Campus's total development of 7,855 square feet, which is only a net 12-percent increase over the total existing development square feet;

WHEREAS, the Project's replaced or reconstructed structures and facilities will not increase the School's capacity by more than 50 percent;

WHEREAS, the CEQA Guidelines section 15314 identifies the Minor Additions to Schools Class 14 Categorical Exemption that exempts projects that are minor additions to existing schools within existing school grounds where the additions do not increase original student capacity by more than twenty-five percent (25%) or ten (10) classrooms, whichever is less;

WHEREAS, the Project's 12-percent net square footage addition to the Campus is a minor addition;

WHEREAS, the Project's 21 new permanent classrooms will replace the existing 21 permanent and portable classrooms with no net increase in student capacity;

WHEREAS, the Project's minor additions will not increase the original student capacity or number of classrooms, thus the Project will not increase the Campus' original student capacity by more than twenty-five percent (25%) or ten (10) classrooms;

WHEREAS, CEQA Guidelines section 15300.2(c) provides that if unusual circumstances exist, an otherwise categorically exempt project would be disqualified from being exempt;

WHEREAS, ICF International, Inc. was retained to determine whether the School was a mandatory or presumptive historical resource under CEQA and determined that the School was not a mandatory or presumptive historical resource;

WHEREAS, per Public Resources Code section 21084.1, the District is not required to conduct a discretionary historical resource review of the School; and

WHEREAS, the District is unaware of any unusual circumstances that would negate the use of the Class 2 or the Class 14 Categorical Exemptions.

NOW, THEREFORE, it is found, determined and resolved by the District's Board of Education ("Board") as follows, for good and sufficient cause based on the entire record of proceedings:

1. The above recitals are true and correct.
2. The Project meets the definition of the Class 2 Categorical Exemption.
3. The Project meets the definition of the Class 14 Categorical Exemption.

4. Neither the School grounds nor any of its buildings are an historical resource.
5. There are no known unusual circumstances that would disqualify the Project from being categorically exempt.
6. The applicable requirements of CEQA have been fulfilled for the Project.

BE IT FURTHER RESOLVED that the Board hereby elects not to conduct the discretionary historical resources review of the School.

BE IT FURTHER RESOLVED that the Board hereby determines that the Project is categorically exempt from CEQA.

BE IT FURTHER RESOLVED that the Board hereby approves the Project.

BE IT FURTHER RESOLVED that the Superintendent and the Superintendent's designee are hereby authorized and directed to file a Notice of Exemption for the Project with the Clerk-Recorder's Office of the County of Alameda.

Attachments:

Exhibit 1. Glenview Elementary School Measure J Project Notice of Exemption

PASSED AND ADOPTED by the Governing Board of Education of the Oakland Unified School District, this 13th day of August, 2014, by the following vote:

AYES: Jody London, Jumoke Hinton Hodge, Anne Washington, Roseann Torres, Christopher Dobbins, Vice President James Harris and President David Kakishiba

NOES: None

ABSTAINED: None

ABSENT: None

CERTIFICATION

I, Antwan Wilson, Secretary of the Board of Education of the Oakland Unified School District does hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a meeting thereof held on the 13th day of August, 2014, with a copy of the Resolution being on file in the Administrative Office of the District.




Secretary Board of Education

File ID Number: 14-1705
Introduction Date: 8-13-14
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Rv:

Exhibit 1
Glenview Elementary School Measure Project Notice of Exemption (Including
ATTACHMENT "1" to Notice of Exemption for the Project)

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Alameda
1106 Madison Street
Oakland, CA 94607

From: (Public Agency):
Oakland Unified School District
1000 Broadway, Oakland, CA 94607
(Address)

Project Title: Glenview Elementary School Measure J Project

Project Applicant: Oakland Unified School District

Project Location - Specific:
4215 La Cresta Avenue, Oakland, California 94602

Project Location - City: Oakland Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:
Retention of the School's main entry, accompanying facade, porch, stairs, and entry courtyard; demolition of the remainder of the School's buildings, portion of hardscape, and play equipment; replacement of 21 classrooms, library, cafeteria, multipurpose room, stage, and administration offices; and associated sitework.

Name of Public Agency Approving Project: Oakland Unified School District

Name of Person or Agency Carrying Out Project: Oakland Unified School District

- Exempt Status: (check one):
[] Ministerial (Sec. 21080(b)(1); 15268);
[] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Classes 2 and 14, §§ 15302, 15314
[] Statutory Exemptions. State code number:

Reasons why project is exempt:
The Project will replace existing classroom and support space with minor additions to an existing public school facility and does not increase student capacity or the number of classrooms.
See also attached Resolution of the Board of Education of the Oakland Unified School District, Resolution No. 1415-0020, adopted on August 13, 2014 for more details.

Lead Agency
Contact Person: Jacqueline Minor Area Code/Telephone/Extension: 510-879-8535

- If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [] Yes [] No

Signature: [Handwritten Signature] Date: 8/14/14 Title: Superintendent of Schools

[X] Signed by Lead Agency [] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.