SAN LEANDRO UNIFIED SCHOOL DISTRICT
San Leandro, California

RESOLUTION NO. No. 13-16

RESOLUTION ADOPTING NOTICE OF EXEMPTION PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 14, SECTION 15301(b)(3) RELATING TO SAN LEANDRO UNIFIED SCHOOL DISTRICT ACQUISITION OF REAL PROPERTY LOCATED AT 13666 EAST 14TH STREET, SAN LEANDRO, CALIFORNIA 94578

WHEREAS, the California Environmental Quality Act ("CEQA") requires a lead agency to consider the potential environmental effects of any project;

WHEREAS, in connection with the San Leandro Unified School District's ("District") acquisition of the real property located at 13666 East 14th Street, San Leandro, CA 94578, APN 77E-1525-5-4 ("Property"), for purposes of operating a school-based health center the District must consider what level of CEQA review is appropriate in this case; and

WHEREAS, the Board has analyzed the existing facilities located on the Property and the use currently taking place on the Property; and

WHEREAS, the District does not intend to modify the existing facilities to increase the capacity of the facilities nor to change the use; and

WHEREAS, the District has determined that the District's acquisition of the Property is exempt from CEQA pursuant to 14 Cal. Code Regs. Section 15301(b)(3) because there will be no increase in the capacity or use of the Property and thus the activity in question will not have a significant effect on the environment; and

WHEREAS, the Notice of Exemption attached hereto as Exhibit "A" shall be filed with the Alameda County Clerk and shall be made available for public inspection; and

WHEREAS, the filing of the Notice of Exemption shall start a thirty-five (35) day statute of limitations period on legal challenges to the District's decision that the acquisition of the Property is exempt from CEQA;

NOW THEREFORE, BE IT RESOLVED THAT,

1. The foregoing recitals are hereby adopted as true and correct.

2. The Board has reviewed and analyzed applicable law and determined that the Project is exempt from CEQA pursuant to 14 Cal.Code Regs. Section 15301(b)(3).

3. The Board adopts the Notice of Exemption, attached hereto as Exhibit "A" and finds that the District's acquisition of the Property is exempt from CEQA review.

5. The Superintendent or her designee is hereby directed to file the Notice of Exemption, attached hereto as Exhibit "A", with the Alameda County Clerk's Office to CEQA Guidelines Section 15062.

PASSED AND ADOPTED this 26th day of February, 2013, by the Governing Board of the San Leandro Unified School District, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, _____, Secretary of the Board of Trustees of the San Leandro Unified School District of Alameda County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Board at a regular meeting hereof held at this regular place of meeting on the date and by the vote stated, which Resolution is on file in the office of said Board.

_____
Secretary
San Leandro Unified School District
Board of Trustees

EXHIBIT “A”
NOTICE OF EXEMPTION