SAN LEANDRO UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 13-61

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN LEANDRO UNIFIED SCHOOL DISTRICT SEPARATELY DETERMINING THAT TWO (2) PROJECTS ARE BOTH STATUTORILY EXEMPT AND CATEGORICALLY EXEMPT AND SEPARATELY APPROVING EACH OF THE TWO (2) PROJECTS

WHEREAS, the San Leandro Unified School District ("District") has developed two (2) separate projects (the "Projects"), each one consisting of the construction and installation of solar/photovoltaic systems and associated equipment at two (2) separate, existing school sites to provide supplemental green energy in the form of electricity from solar energy to each respective school site; and

WHEREAS, each of the Projects are located within the existing school grounds of the following two (2) separate, existing school sites (the "School Sites"):

(1) Bancroft Middle School, located at 1150 Bancroft Ave. San Leandro, CA 94577
(2) San Leandro High School, located at 2200 Bancroft Ave., San Leandro, CA 94577; and

WHEREAS, the District must comply with the California Environmental Quality Act ("CEQA") for each of the Projects; and

WHEREAS, each Project consists of the installation of a solar energy system on the roof(s) of existing building(s) and at existing parking lot(s), in accordance with the requirements of Public Resources Code section 21080.35, therefore, each Project is a statutorily exempt project; and

WHEREAS, in addition to the above statutory exemption, categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations ("CEQA Guidelines"); and

WHEREAS, the Class 3 Categorical exemption set forth in CEQA Guidelines section 15303 exempts a project that consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and

WHEREAS, the Projects consist of the construction and operation of solar panel systems that comprise a limited number of new small structures on a single parcel that is an existing school site; and

WHEREAS, the Class 14 Categorical exemption set forth in California Code Regulations, title 14 section 15314 exempts a project that consists of 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; and

WHEREAS, each of the Projects consists of minor additions to each respective School Site per CEQA Guidelines section 15314; and

WHEREAS, none of the Projects will increase student capacity because none of the Projects change the physical space for housing students, since each one of the Projects is a solar/photovoltaic system and associated equipment to generate and supply solar energy to each respective school site; and

WHEREAS, attached hereto as **Exhibits 1 to 2**, are the two (2) individual Notices of Exemption for each one of the Projects; and

WHEREAS, the District has reviewed each of the Projects individually and has considered whether each of the Projects may have significant environmental impacts due to unusual circumstances, and has determined that none exist for any of the Projects.

NOW, THEREFORE, it is found, determined and resolved by the Governing Board of the District as follows, for good and sufficient cause based on the entire record of proceedings:

1. The above recitals are true and correct.

2. Each Project is a statutorily exempt project as provided in Public Resources Code § 21080.35, because each Project consists of the installation of solar energy systems on the roof(s) of existing building(s) and at existing parking lot(s), in accordance with the requirements of that statutory provision.

3. Each of the Projects meets the definition of the Class 3 Categorical Exemption (CEQA Guidelines, § 15303), because each of the Projects consists of the construction and operation of a solar panel system containing a limited number of new small facilities or structures on a single parcel that is an existing school site.

4. Each of the Projects meets the definition of the Class 14 Categorical Exemption (CEQA Guidelines, § 15314), because each of the Projects consists of minor additions to an existing public school that will not increase original student capacity by more than twenty-five percent (25%) or ten (10) classrooms.

5. There is no indication of unusual circumstances that would cause a potentially significant environmental impact related to any of the Projects.

6. The applicable requirements of CEQA have been fulfilled for each of the Projects.

BE IT FURTHER RESOLVED that the Board hereby determines separately that each of Projects is statutorily exempt from CEQA.

BE IT FURTHER RESOLVED that the Board hereby determines separately that each of Projects is categorically exempt from CEQA.

BE IT FURTHER RESOLVED that the Board hereby separately approves each of the Projects.

BE IT FURTHER RESOLVED that the Superintendent or the Superintendent's designee is authorized and directed to file the attached two (2) Notices of Exemption for each of the Projects with the Alameda County Clerk within five (5) days of the adoption of this Resolution.

PASSED AND ADOPTED by the Governing Board of Education of the San Leandro Unified School District, this 17th day of December, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

CERTIFICATION

I, _____ Clerk of the Governing Board of Education of the San Leandro Unified School District, Alameda County, State of California, do 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 17th day of December, 2013, with a copy of the Resolution being on file in the Administrative Office of the District.

_____
Clerk, Board of Education

Attachments:

Exhibit 1. Notice of Exemption for Bancroft Middle School, located at 1150 Bancroft Ave. San Leandro, CA 94577, including attachments thereto.

Exhibit 2. Notice of Exemption for San Leandro High School, located at 2200 Bancroft Ave., San Leandro, CA 94577, including attachments thereto.

Exhibit 1
Notice of Exemption
for
Bancroft Middle School, located at 1150 Bancroft Ave. San Leandro, CA 94577

Print Form

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): San Leandro Unified School District
14735 Juniper Street, San Leandro, CA 94579
(Address)

Project Title: Construction and Installation of Solar/Photovoltaic Systems

Project Applicant: San Leandro Unified School District

Project Location - Specific:

Bancroft Middle School, located at 1150 Bancroft Ave., San Leandro, CA 94577

Project Location - City: San Leandro Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:
The project consists of construction and installation of solar/photovoltaic systems and associated equipment on an existing school site to generate and supply solar energy to that school site.

Name of Public Agency Approving Project: San Leandro Unified School District

Name of Person or Agency Carrying Out Project: San Leandro 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));
- ☒ Categorical Exemption. State type and section number: Cal. Code Regs., tit. 14, §§ 15303, 15314
- ☒ Statutory Exemptions. State code number: Public Resources Code § 21080.35

Reasons why project is exempt:
See Attachment "1".
See Resolution of the Board of Education of the San Leandro Unified School District, Resolution No. 13-61 , passed on December 17, 2013, exempting project from CEQA.

Lead Agency Contact Person: Song Chin-Bendib, Assoc. Sup. Area Code/Telephone/Extension: 510-667-3500

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: _____ Date: _____ Title: _____

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT "1"
to
Notice of Exemption
for
Bancroft Middle School, located at 1150 Bancroft Ave. San Leandro, CA 94577

Reasons why the project at the above-referenced site ("Project") is exempt:

The Project consists of the construction and installation of solar/photovoltaic systems and associated equipment on an existing school site to enable the generation and use of solar electricity. The Project is a statutorily exempt project as provided in Public Resources Code § 21080.35. The Project is also a Class 3 and 14 categorical exemption project as provided in California Code Regulations, title 14 sections 15303 and 15314, respectively.

- The Project is a statutorily exempt project as provided in Public Resources Code § 21080.35, because the Project consists of the installation of solar energy systems on the roof(s) of existing building(s) and at existing parking lot(s).

- The Project meets the definition of a Class 3 Categorical Exemption project because it consists of the construction, placement, and operation of a limited numbers of new, small accessory or appurtenant facilities or structures. Bancroft Middle School consists of approximately **352,836** sq. ft., and the Project consists of approximately **13,000** sq. ft. of a limited number of solar arrays. Accordingly, the square foot size of the Project is less than **3.7%** of the square foot size of the school site's entire acreage.

- The Project is a Class 14 Categorical Exemption project because the Project consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than twenty-five percent (25%) or ten (10) classrooms. The Project does not increase student capacity, because the Project does not change the physical space for housing students, since the Project is a solar/photovoltaic system and associated equipment to generate and supply solar energy to the school site.

Exhibit 2
Notice of Exemption
for
San Leandro High School, located at 2200 Bancroft Ave., San Leandro, CA 94577

Print Form

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): San Leandro Unified School District
14735 Juniper Street, San Leandro, CA 94579
(Address)

Project Title: Construction and Installation of Solar/Photovoltaic Systems

Project Applicant: San Leandro Unified School District

Project Location - Specific:

San Leandro High School, located at 2200 Bancroft Ave., San Leandro, CA 94577

Project Location - City: San Leandro Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:
The project consists of construction and installation of solar/photovoltaic systems and associated equipment on an existing school site to generate and supply solar energy to that school site.

Name of Public Agency Approving Project: San Leandro Unified School District

Name of Person or Agency Carrying Out Project: San Leandro 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));
- ☒ Categorical Exemption. State type and section number: Cal. Code Regs., tit. 14, §§ 15303, 15314
- ☒ Statutory Exemptions. State code number: Public Resources Code § 21080.35

Reasons why project is exempt:
See Attachment "1".
See Resolution of the Board of Education of the San Leandro Unified School District, Resolution No. 13-61 , passed on December 17, 2013, exempting project from CEQA.

Lead Agency
Contact Person: Song Chin-Bendib, Assoc. Sup. Area Code/Telephone/Extension: 510-667-3500

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: _____ Date: _____ Title: _____

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT "1"
to
Notice of Exemption
for
San Leandro High School, located at 2200 Bancroft Ave., San Leandro, CA 94577

Reasons why the project at the above-referenced site ("Project") is exempt:

The Project consists of the construction and installation of solar/photovoltaic systems and associated equipment on an existing school site to enable the generation and use of solar electricity. The Project is a statutorily exempt project as provided in Public Resources Code § 21080.35. The Project is also a Class 3 and 14 categorical exemption project as provided in California Code Regulations, title 14 sections 15303 and 15314, respectively.

- The Project is a statutorily exempt project as provided in Public Resources Code § 21080.35, because the Project consists of the installation of solar energy systems on the roof(s) of existing building(s) and at existing parking lot(s).

- The Project meets the definition of a Class 3 Categorical Exemption project because it consists of the construction, placement, and operation of a limited numbers of new, small accessory or appurtenant facilities or structures. San Leandro High School consists of approximately **1,184,832** sq. ft., and the Project consists of approximately **49,696** sq. ft. of a limited number of solar arrays. Accordingly, the square foot size of the Project is less than **4.2%** of the square foot size of the school site's entire acreage.

- The Project is a Class 14 Categorical Exemption project because the Project consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than twenty-five percent (25%) or ten (10) classrooms. The Project does not increase student capacity, because the Project does not change the physical space for housing students, since the Project is a solar/photovoltaic system and associated equipment to generate and supply solar energy to the school site.