

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of June 10, 2008

ITEM # 10

ITEM TITLE: *(Please define the subject; e.g., change order – Berkeley City College)*
Resolution No. 07/08-51 - Resolution Adopting CEQA Findings for Intent to Dedicate (Stargell Extension Project) – College of Alameda

SPECIFIC BOARD ACTION REQUESTED:

Consideration of and vote to adopt a resolution adopting California Environmental Quality Act (“CEQA”) findings which (i) review the CEQA documentation prepared by the City for the Stargell Extension Project, and (ii) consider the impacts of the District possible decision to dedicate certain real property interests (the “Dedication”) to the City of Alameda (“City”) for the construction of the Stargell Extension Project.

ITEM SUMMARY: *(PLEASE DISCUSS THIS ITEM)*

The City has proposed the improvement and widening of an existing segment of roadway named “Wilver ‘Willie’ Stargell Avenue” and its extension as an arterial four-lane roadway between Main Street and Webster Street (“Stargell Extension Project”). The City, as a Lead Agency under CEQA, prepared a 2001 Mitigated Negative Declaration and Initial Study Checklist and an Addendum thereto dated February 13, 2005 (collectively the “MND”) and a Final Environmental Impact Report (a Supplement to the 2000 Catellus EIR) (“Supplemental EIR”) as revised by the First Addendum to the Supplemental EIR (SCH #2006012091) and the Second Addendum to the Supplemental EIR (SCH #2006012091) (collectively, the “FSEIR”). The District is a Responsible Agency under the terms of CEQA and must take certain action in compliance with CEQA. The Board is required to (i) consider the environmental effects of the Dedication as shown in the MND and FSEIR, (ii) make the findings required for each significant effect of the Dedication, and (iii) if necessary make the findings for a Statement of Overriding Considerations if any impacts cannot be mitigated. The District has reviewed the MND and the FSEIR and has found that, other than the impacts already indentified in the MND and FSEIR, there are no new additional impacts and no new impacts that cannot be mitigated. The CEQA findings state these results and Resolution 07/08- 51 adopts the CEQA Findings.

BACKGROUND/ANALYSIS:

ALTERNATIVES/OPTIONS:

Disapprove the Resolution Adopting CEQA Findings for the Intent to Dedicate, which would mean that the Board could not pass the Resolution of Intent to Dedicate, in which case it is expected that the City would condemn the required real property needed for the Right of Way from the College.

EVALUATION AND RECOMMENDED ACTION:

The District has found no additional impacts other than those identified by the City in the MND and FSEIR. No new CEQA analysis needs to be performed. The recommended action by the Board of Trustees is to adopt the Resolution Adopting CEQA Findings for Intent to Dedicate.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

No funds required.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ NO X

COMMENTS:

This Resolution must precede the Resolution of Intent to Dedicate.

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?

Thuy Thi Nguyen, General Counsel, District-wide Strategic Planning Manager for Peralta Community College District

DID A BOARD STANDING COMMITTEE APPROVE THE ITEM? YES _____ NO N/A

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

PLEASE ACQUIRE SIGNATURES IN THIS ORDER:

DOCUMENT PREPARED BY:

Prepared by: Luce Forward Hamilton & Scripps, LLP for Thuy Thi Nguyen, General Counsel for Peralta Community College District Date May 13, 2008

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DOCUMENT PRESENTED BY:

Prepared by: _____
Thuy Thi Nguyen, General Counsel Date May 13, 2008

FINANCE DEPARTMENT REVIEW

_____ Finance review required Finance review *not* required

If Finance review is required, determination is: ___ Approved ___ Not Approved

If not approved, please give reason: _____

Signature: Thomas Smith Date: 6.3.08
Thomas Smith, Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

Legal review required _____ Legal review *not* required

If Legal review is required, determination is: Approved ___ Not Approved

Signature: Thuy T. Nguyen Date: 6/4/08
Thuy T. Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda _____ Not Approved, but Place on Agenda

Signature: Elihu Harris Date: 6/4/08
Elihu Harris, Chancellor