

RESOLUTION NO. 16-21510**A RESOLUTION OF THE GOVERNING BOARD
PALOMAR COMMUNITY COLLEGE DISTRICT
PALOMAR COLLEGE, SAN MARCOS, CALIFORNIA**

WHEREAS, the Palomar Community College District ("District") proposes to construct and operate its proposed South Education Center campus (the "Project:") on property it owns in the southern part of the District at 11111 Rancho Bernardo Road, San Diego, California; and

WHEREAS, the purpose of the Project is to provide additional facilities and educational programming to meet existing and future demand of community college students within the District. The objectives of the proposed project are as follows:

- Locate an education center in the southern region of the District;
- Implement relevant goals and objectives of the PCCD 2022 Educational Master Plan 2010 Update, specifically Goal 5 which is to "Ensure that existing and future facilities support learning, programs, and services;" and Objective 5.3 which is to "Identify and purchase a site for future development of another Education Center in accordance with the Master Plan;"
- Provide a shared community resource with amenities for public use;
- Attract new students to the District through a well-defined academic program;
- Be self-sufficient/self-sustaining so as not to create a drain on the resources of the District;
- Utilize and repurpose an existing facility in order to maximize district resources;
- Provide high quality education and support services to the southern portion of the District;
- Develop a comprehensive education center campus experience that reflects its surrounding environment;
- Offer a broad-based curriculum supported by a class schedule that is convenient for students;
- Create the feel of a postsecondary campus by placing importance on support amenities, including those for learning resources, food services, and gathering places for students;
- Ensure that the facility maximizes the safety of the students, faculty and staff; and

WHEREAS, a 27-acre site, which is located at 11111 Rancho Bernardo Road, has been identified as being suitable for the Project. The Project consists of the conversion on an existing four-story, 110,000-square-foot building into a comprehensive community college education center; improvements to the existing parking structure; the construction of an approximately 1,200 foot-long looped road connecting the existing parking lot to the existing parking structure; the construction of minor drainage improvements; and installation of walkways, hardscape areas, and landscaping; and

WHEREAS, in compliance with the California Environmental Quality Act ("CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Cal. Code Regs., tit. 14, §§15000 *et seq.*, the "State CEQA Guidelines"), the District prepared and circulated a Notice of Preparation ("NOP") of an Environmental Impact Report for the Project from August 17, 2015, to September 17, 2015; and

WHEREAS, the District held a scoping meeting on the proposed Environmental Impact Report for the Project at the Poway Branch Public Library on August 26, 2015; and

WHEREAS, in response to the public scoping meeting and the NOP, a Draft Environmental Impact Report ("DEIR") for the proposed Project was prepared to analyze and evaluate the environmental effects of the Project in accordance with the requirements of and pursuant to CEQA and the State CEQA Guidelines; and

RESOLUTION NO. 16-21510

WHEREAS, on or about October 23, 2015, the District forwarded the DEIR to the State Clearinghouse for distribution to those agencies which have jurisdiction by law with respect to the Project, and sought the comments of such agencies; and

WHEREAS, the DEIR was circulated for public review and comment from October 23, 2015, to December 7, 2015; and

WHEREAS, written comments were received on the DEIR during its public review period; and

WHEREAS, to address the public and agency comments received on the DEIR, the DEIR was revised and recirculated for public review and comment from March 25, 2016, to May 9, 2016; and

WHEREAS, written comments were received on the recirculated DEIR during its public review period; and

WHEREAS, responses to those comments have been prepared and presented to this Board for its consideration as a part of the Final Environmental Impact Report ("Final EIR") for the Project; and

WHEREAS, the Final EIR, dated June 2016, consists of the DEIR, dated March 2016; the Recirculated DEIR, dated March 2016; and an Errata Sheet, dated June 2016. The Final EIR is attached hereto as Exhibit "A." The Final EIR includes all comments received during the public comment period, written responses to those comments, the technical appendices, and minor changes to the DEIR; and

WHEREAS, on June 7, 2016, the Board conducted a public workshop regarding the Project and the DEIR; and

WHEREAS, on June 14, 2016, the Final EIR was presented to and considered by this Board at a public hearing, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon, or object thereto, were given the opportunity to do so; and

WHEREAS, by this Resolution, the District, as the lead agency under CEQA for preparing the Final EIR and the entity responsible for developing the Project, desires to comply with the requirements of CEQA and the State CEQA Guidelines for the consideration, adoption and use of the Final EIR by the lead agency in connection with the approval of the Project; and

WHEREAS, the Final EIR includes mitigation measures that reduce potentially significant impacts to a less than significant level; and

WHEREAS, California Public Resources Code Section 21081.6, requires this Board to adopt a reporting or monitoring program for the Project where mitigation measures are adopted in order to mitigate or avoid significant effects on the environment, and such a program is designed to insure compliance during Project implementation; and

WHEREAS, the "Mitigation Monitoring and Reporting Program" for the Project ("MMRP"), which has been presented to this Board and is attached hereto as Exhibit "B" and incorporated herein by reference, addresses mitigation measures identified in the Final EIR, with the exception of TRA-3, and fully complies with the requirements of California Public Resources Code Section 21081.6, and will ensure compliance with the mitigation measures identified in the Final EIR; and

WHEREAS, this Board has conducted a public hearing on the proposed Final EIR in accordance with law; and

WHEREAS, this Resolution sets forth the basis, following the public hearing, for certification of the Final EIR, approval of the CEQA Findings of Fact and Statement of Overriding Considerations, adoption of the MMRP, and approval of the Project; and

WHEREAS, it is in the best interests of the District to proceed with approval of the Project; and

RESOLUTION NO. 16-21510

WHEREAS, upon approval of this Resolution, the District shall be authorized to proceed with the Project in accordance with the substantive provisions set forth herein.

NOW, THEREFORE, THE GOVERNING BOARD OF THE PALOMAR COMMUNITY COLLEGE DISTRICT FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

- Section 1.** The foregoing recitals are true and correct.
- Section 2.** The Governing Board hereby certifies that
- (A) the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines; and
 - (B) the Final EIR was presented to this Board and the Board has reviewed and considered the information contained in the Final EIR prior to approving the Project; and
 - (C) the Final EIR reflects the District's and this Board's independent judgment and analysis.
- Section 3.** The Board hereby incorporates into the Project all mitigation measures set forth in the Final EIR, with the exception of TRA-3, and authorizes and directs their implementation. The MMRP, prepared in compliance with the requirements of California Public Resources Code, Section 21081.6, and attached hereto as Exhibit "B," is hereby approved and adopted.
- Section 4.** The Board hereby makes the findings required by Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines. Said findings are attached hereto as Exhibit "C," entitled "CEQA Findings of Fact and Statement of Overriding Considerations," and incorporated herein by this reference.
- Section 5.** The Board hereby finds that certain remaining significant unavoidable adverse environmental effects resulting from implementation of the Project have been identified in the Final EIR and such effects cannot be avoided or substantially lessened. Section 21081 of the Public Resources Code and Section 15093 of the State CEQA Guidelines require the Board to balance the benefits of the Project against its unavoidable adverse impacts in determining whether to approve the Project. The Board hereby finds that the benefits of the Project set forth in Exhibit "C," and incorporated herein by this reference, outweigh the remaining significant and unavoidable adverse environmental effect resulting from implementation of the Project, and such effects therefore are found to be "acceptable" within the meaning of the State CEQA Guidelines.
- Section 6.** The Office of the District's Assistant Superintendent/Vice President Finance and Administrative Services, located at 1140 W. Mission Road, San Marcos, CA 92069, is hereby designated as the custodian of the public record with respect to the Project.
- Section 7.** The proposed Project is approved, and District staff and consultants are authorized and directed to take all steps necessary or convenient to carry out the Project in accordance with the Final EIR, the CEQA Findings of Fact and Statement of Overriding Considerations, and the MMRP, subject to receiving final approvals and permits as may be necessary or convenient for the Project.
- Section 8.** The District's Superintendent/President, or his designee, is authorized and directed to file a Notice of Determination for the Project in accordance with CEQA and the State CEQA Guidelines.
- Section 9.** This Resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 16-21510

The foregoing Resolution No. 16-21510 was adopted by the Governing Board of the Palomar Community College District at a meeting of the Board held on June 14, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mark Evilsizer
President, Governing Board
Palomar Community College District

Attest:

Nancy Chadwick, Board Secretary
Secretary of the Governing Board
Palomar Community College District

EXHIBIT A - Final Environmental Impact Report (Final EIR) for the South Education Center Project and Errata to Final EIR, dated June 2016

EXHIBIT B - Mitigation Monitoring and Reporting Program

EXHIBIT C - CEQA Findings of Fact and Statement of Overriding Considerations