

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 OCT -2 PM 2:03

TO: Office of the City Manager
ATTN: Deborah Edgerly, Interim City Manager
FROM: Oakland Public Library
DATE: October 14, 2003

RE: RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS IN AN AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6.5M) FROM THE STATE OF CALIFORNIA PROPOSITION 14 FUNDS (CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000) FOR THE FISCAL YEAR 2003-2004 FOR THE DEVELOPMENT OF A JOINT-USE SCHOOL AND PUBLIC LIBRARY WITH THE OAKLAND UNIFIED SCHOOL DISTRICT AND CONSENTING TO THE USE OF REDEVELOPMENT AGENCY FUNDS AS MATCHING FUNDS FOR THIS GRANT, AND AUTHORIZING AN AMENDMENT TO THE REPAYMENT AGREEMENT WITH THE REDEVELOPMENT AGENCY TO ACCEPT THIS FUNDING OF \$3.5 MILLION IN COLISEUM REDEVELOPMENT SETASIDE FUNDS

SUMMARY

In FY 2001-02, City Council provided \$250,000 toward funding of a Master Facilities Plan ("Master Plan") for the Oakland Public Library and for the preparation of a California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Proposition 14) application. The Library committed to find additional funding to ensure completion of the Master Plan and Proposition 14 application. This is a Resolution requesting Council approval for the proposed Proposition 14 application that is recommended to Council; Council approval is necessary to allow the Library to apply for the grant due January 2004.

With Council approval, the Library intends to advance an application for Proposition 14 funding for submission in the last application cycle (January 2004) for a new facility co-located with the Oakland Unified School District (OUSD). After careful assessment of the City's current libraries and available potential sites, and in consultation with the community, the Library has concluded that a site in east Oakland – the new Woodland small school site at 81st and Rudsdale, currently under construction – is the most competitive Proposition 14 project. The new, approximately 20,000 square foot library, if approved to move forward, would be completed by 2007, and will provide library services for the 2 small elementary schools being built at this site,

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and greatly improve services to the underserved residents of this neighborhood below International Boulevard in the Elmhurst neighborhood. Based on criteria developed under the Proposition 14 regulations, Library staff believes that the Woodland site is a very competitive project for the State funding.

Library staff has been working closely with the OUSD staff regarding the development of the new library. In addition to the programmatic elements that impact the conceptual design of the facility, both staffs have been developing a joint use agreement detailing the operational issues associated with a city-owned library on school property. The programmatic elements include exciting innovative opportunities for cooperative programs, space and services. Both the school staff and the library staff are eager to work together in this new way.

This report continues to summarize for the City Council the evolving results of the Master Plan and the Library's development of a plan of service for addressing the community needs that have been identified through many community meetings, focus groups and meetings with constituencies. This project is consistent with the following Mayoral and City Council goals: #2) Develop a Sustainable City; #3) Improve Oakland Neighborhoods; #4) Ensure that All Oakland Youth and Seniors Have the Opportunity to Be Successful; and #6) Maintain and Enhance Oakland's Physical Assets.

This report has been forwarded to both the Finance and Management and Life Enrichment Committees for consideration.

FISCAL IMPACT

The Library's application will request \$6.5 million in California Proposition 14 grant program funds representing 65 percent of the project costs. To qualify for the Proposition 14 funds and complete the application by the January 2004 deadline, the Library is also seeking a matching funds commitment in an amount not-to-exceed \$3.5 million from the Oakland Redevelopment Agency (ORA)'s Coliseum School Set-Aside Fund. As of June 30, 2003, the ORA Coliseum School Set-Aside fund (Entity 5, Fund 9527) balance is approximately \$2.1 million with projected revenues of \$500,000 per fiscal year. Council's acceptance of this report will commit this current \$2.1 million balance, as well as \$1.4 million of its revenues for the next three fiscal years, for this Library-OUSD project exclusively.

BACKGROUND

Proposition 14 Site Evaluation

Based on evaluations of all existing City libraries, as well as new sites identified with Public Works Agency and Real Estate, potential grant candidate sites were documented and vetted according to community need and criteria established under Proposition 14 regulations. Due to grant regulations that make new facilities and joint-use with K-12 schools more competitive and

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the need to secure local match, by the application submission of January 2004, three strong candidate sites surfaced under those criteria.

Because the application requires site control, site technical analysis including CEQA approval, conceptual design and committed funds for local match, after further assessment, the joint OPL-OUSD 81st Avenue/Woodland Public Library at Rudsdale emerged as the strongest candidate based on community need, competitiveness, accessibility, grant funding priorities and the significant potential of securing local match funds.

The concept of a 20,000 square foot public library at the Woodland small school site holds tremendous potential for benefits to both OUSD and OPL – increased benefits to the community and school children, as well as cost savings to the City and the District.

Master Plan

The Oakland Public Library, established in 1878, is the second oldest public library in California. Its infrastructure, in relationship to other library systems, is considered relatively old at an average age of 44 years, making it inefficient and undersized, and impacting upon its ability to accommodate needed services and collections. Citywide, the amount of square footage devoted per capita (0.4 sf/person) is low in relationship to the needs of the community and industry-wide standards of 0.8 to 1.0 sf/person.

In order to address the needs identified through the many community meetings and focus groups, the Library is undertaking a year-long process to respond to immediate needs and to plan for future improvements. Through site visits, meetings and focus groups, assessments of current service levels, user and non-user surveys, and demographic trends analyses, the Library has developed a needs assessment that will assist in developing strategies to meet community needs.

Through the Library surveys and needs assessment, as well as the Auditor's recent telephone survey, we have learned that the location network of Oakland's public libraries works well for the community. However, improvements identified by respondents indicate they would like to see more current and up-to-date materials such as books, CDs, videos, books-on-tape, etc., more computers and computer access, meeting rooms for community use and more open hours.

The Needs Assessment has identified that:

- Lack of space to grow the collection constrains the size and diversity of the collection;
- At peak use times, library patrons cannot find places to sit;
- Libraries provide a vital link to technology for Oakland residents; and
- Patrons see a need for life-skills, job training and enrichment programs as vital services.

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KEY ISSUES AND IMPACTS

In order to qualify for Proposition 14 funding, components of the Master Facilities Plan must be completed and included as part of the application. Successful applicants for funds shall receive 65% of the eligible project costs up to a State grant maximum amount of \$20 million for each application. Staff anticipates applying for the joint Woodland Public Library facility with the OUSD. As a co-located facility, it will receive a 1st level Priority designation based on the State Proposition 14 criteria. As indicated earlier, if the City is to qualify for funding, the 35% local match (\$3.5M) must be committed by time of application (January 2004).

The funding commitment from the City, as part of the application due in January 2004, includes its assurance that if funding is provided for the project by the State, the City will provide 1) its local match and 2) the necessary operational funds to operate the library for at least 40 years. The 35% local match can be in the form of CIP funding, bond measure, redevelopment funds, parcel tax, etc. The OUSD is providing the land for the project and a joint use agreement is being negotiated with the City to determine shared costs of facility operations.

City staff from the Library, Redevelopment and Attorney's offices, have been working to assure that all requirements are met with respect to the criteria necessary to the use of up to \$3.5 million in Coliseum school set-aside funds as a local match. To that end, before tax increment funds can be spent on the construction of a publicly-owned building, a public hearing before the City Council must be held. The public hearing is anticipated at the City Council's November 4, 2003 meeting and will be properly noticed with requisite report and resolution for consideration.

Findings for the use of the set aside funds include:

1. That the funding of the joint use public library project will benefit the Coliseum Project Area by increasing the educational opportunities available to area residents, providing community meeting space, classrooms for adult education, after school programs for school age children, and programs for area teens, and
2. That no other reasonable means of financing the local match for the Proposition 14 grant are available to the City other than Redevelopment Agency funding, because the economic downturn has reduced the City's ability to provide for general capital funds for construction, and
3. That the use of tax increment funds from the Coliseum Project Area for the local match will assist in the elimination of blight by contributing to the transformation and enhancement of a vacant former industrial site and is consistent with the implementation plan adopted for the Coliseum Project.

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Group 4, the architectural planning consultant to the library, will assist staff in the preparation of the application for Proposition 14 funding, ensuring that all needed information is supplied and explained in the proper format, including first year operating costs. Grant applications are due January 16, 2004.

Grant awards are anticipated to occur in the fall of 2004. Consequently, should the City receive state funding, the new library would be scheduled to begin construction in 2005 and be scheduled for opening in 2007. Future operational costs will also impact the City and will be identified in the application and addressed through a reauthorization of Measure O that the Library is currently considering for city voter approval in 2004. Staff will return to City Council with further information about proposed Measure O future actions.

SUSTAINABLE OPPORTUNITIES

Economic: The architectural consultant's team includes small local business enterprises, which will provide job opportunities for Oakland's residents. Construction of proposed library improvements will generate business tax, sales tax, and other revenues for the City. The library will also serve as a hub and anchor to attract residents and others to the area; it will increase the foot traffic to the areas and thus benefit the existing surrounding businesses in close proximity (i.e., International Boulevard).

Environmental: The Proposition 14 application requires documents through the Conceptual Design Phase for the applicant facility. Development of the conceptual design will take into consideration green building technologies, LEEDs standards and City Sustainable Design guidelines, and to the extent feasible, utilize recycled materials in the products specified and explore other environmental opportunities such as waste reduction and energy conservation.

Addendum to Environmental Impact Report

The Oakland Unified School District reviewed and certified the Final Environmental Impact Report (EIR) for the original proposed New Woodland Elementary School project. An Addendum to the Certified EIR (Attachment A) has been prepared to address the project modification from a School Library to a Public Library/School Library with the addition of 14,000 to 18,000 square feet. The Addendum analyzes the new information and finds that this is a minor modification that would not result in any new significant impacts nor would there be an increase in the severity of impacts from those that were identified.

Social Equity: The proposed project will provide opportunities to improve the quality of life for all Oakland residents, especially for individuals living in the most underserved neighborhoods in terms of current library services.

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DISABILITY AND SENIOR CITIZEN ACCESS

As part of the design requirements in the Library Bond Act of 2000 (Proposition 14), design considerations must include ADA access elements as well as ensuring improved accessibility for senior citizen communities.

RECOMMENDATION(S) AND RATIONALE

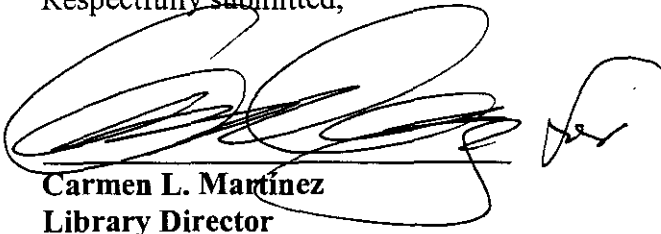
Staff recommends that the City Council Committee(s):

- 1) Approve the Addendum to the New Woodland Elementary School SCH#2001082082 Final Environmental Impact Report; and
- 2) Direct staff to prepare and file a Notice of Determination; and
- 3) Approve these resolutions in order to qualify the application of Proposition 14 funding for a new joint-use school/public library that will be submitted in January 2004.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the Council approve the Addendum to the New Woodland Elementary School Final Environmental Impact Report, direct staff to prepare and file a Notice of Determination, and approve of these resolutions regarding the Proposition 14 Application.

Respectfully submitted,



Carmen L. Martínez
Library Director

Prepared by: Gerard G. Garzón
Administrative Librarian

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



OFFICE OF THE CITY MANAGER

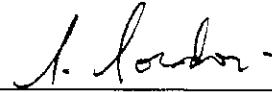
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FILED
OFFICE OF THE CITY CLERK
OAKLAND

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APPROVED AS TO FORM AND LEGALITY:



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

INTRODUCED BY
COUNCILMEMBER _____


RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS IN AN AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6.5 MILLION) FROM THE STATE OF CALIFORNIA PROPOSITION 14 FUNDS (CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000) FOR THE FISCAL YEAR 2003-2004 FOR THE DEVELOPMENT OF A JOINT-USE SCHOOL AND PUBLIC LIBRARY WITH THE OAKLAND UNIFIED SCHOOL DISTRICT AND CONSENTING TO THE USE OF REDEVELOPMENT AGENCY FUNDS AS MATCHING FUNDS FOR THIS GRANT, AND AUTHORIZING AN AMENDMENT TO THE REPAYMENT AGREEMENT WITH THE REDEVELOPMENT AGENCY TO ACCEPT THIS FUNDING OF \$3.5 MILLION IN COLISEUM REDEVELOPMENT SET-ASIDE FUNDS

WHEREAS, the Oakland Public Library has embarked on the development of a long-range Master Facilities Planning process that includes the development of community libraries providing a wide range of services and collections; and

WHEREAS, the City of Oakland and the Oakland Unified School District are committed to developing cooperative relationships that further the quality of life for the community; and

WHEREAS, the City of Oakland, the Oakland Public Library and the Oakland Unified School District have been working on the development of a co-located school/public library in East Oakland; and

WHEREAS, the Oakland Public Library intends to submit a Proposition 14 application to the State of California to assist in funding construction of the new 20,000 square foot joint-use library between the Oakland Public Library and the Oakland Unified School District; and


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WHEREAS, based on assessments of current and future library sites and the potential for ensuring a strong Proposition 14 application project, this is a very competitive application; and

WHEREAS, the co-located library, to be sited on land provided by the Oakland Unified School District, holds tremendous potential for benefits to the children and underserved residents of this neighborhood; and

WHEREAS, The Oakland Unified School District reviewed and certified the Final Environmental Impact Report (EIR) for the original proposed New Woodland Elementary School project, and an Addendum to the Certified EIR has been prepared by City staff to address the project modification from a School Library to a Public Library/School Library and finds that this is a minor modification that would not result in any new significant impacts nor would there be an increase in the severity of impacts from those that were identified; and

WHEREAS, the local match funding commitment from the City is a necessary component of the Proposition 14 application; and

WHEREAS, the Redevelopment Agency has authorized the use of up to \$3.5 million from current and future Coliseum school set-aside funds, to cover the City's local match for the Proposition 14 grant; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned improvements, if the City Council acting as the legislative body has consented to such funding and has made certain findings; and

WHEREAS, Section 33679 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned buildings, if the legislative body has held a hearing on the funding; and

WHEREAS, the City Council has provided the published notice, prepared a summary of the transaction for public inspection, and held the public hearing as required by Section 33679, and wishes to consent to the use of Redevelopment Agency funding for the local match for the Proposition 14 grant; and

WHEREAS, the City and the Redevelopment Agency have entered into a Repayment Agreement for the Coliseum Redevelopment Project providing for the provision of funding and services by the City and the Agency to support redevelopment activities in the Coliseum Project Area; now, therefore be it

RESOLVED: That the City Manager is authorized to apply for, accept, and appropriate funds in an amount not to exceed \$6.5 million from the State of California Proposition 14 Funds (California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000) for the Fiscal Year 2003-2004 for the Development of a Joint-Use School and Public Library with Oakland Unified School District; and, be it

FURTHER RESOLVED: That the City Council hereby approves the Addendum to the New Woodland Elementary School Final Environmental Impact Report that addresses the project modification from a School Library to a Public Library/School Library, and finds that this action complies with the California Environmental Quality Act (CEQA), the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland; and be it

FURTHER RESOLVED: That the City Council hereby consents to the use of Redevelopment Agency funding from the Redevelopment Agency Coliseum School Set-Aside Fund in an amount not-to-exceed \$3.5 million to provide the local match toward the Proposition 14 grant for a joint use public library at 81st and Rudsdale; and be it

FURTHER RESOLVED: That the Council hereby finds and determines as follows:

1. That the funding of the joint use public library project will benefit the Coliseum Project Area by increasing the educational opportunities available to area residents, providing community meeting space, classrooms for adult education, after school programs for school age children, and programs for area teens, and
2. That no other reasonable means of financing the local match for the Proposition 14 grant are available to the City other than Redevelopment Agency funding, because the economic downturn has reduced the City's ability to provide for general capital funds for construction, and
3. That the use of tax increment funds from the Coliseum Project Area for the local match will assist in the elimination of blight by contributing to the transformation and enhancement of a vacant former industrial site and is consistent with the implementation plan adopted for the Coliseum Project; and be it

FURTHER RESOLVED: That the City Manager is hereby authorized to receive reimbursement from the Agency in the amount of \$3.5 million and appropriate it to the project stated above; and be it

FURTHER RESOLVED: That the City Manager or his or her designee as agent of the City is hereby authorized to negotiate and enter into an appropriate amendment to the Repayment Agreement with the Redevelopment Agency for the Coliseum Redevelopment Project to provide for the funding of the local match by the Agency; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

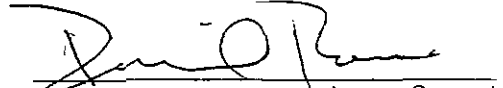
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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APPROVED AS TO FORM AND LEGALITY:


Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C. M. S.

RESOLUTION AUTHORIZING THE USE OF \$3.5 MILLION IN COLISEUM SCHOOL SETASIDE FUNDS AS LOCAL MATCHING FUNDS FOR CONSTRUCTION OF A PUBLIC LIBRARY AT 81ST AND RUDSDALE

WHEREAS, the Oakland Public Library has embarked on the development of a long-range Master Facilities Planning process that includes the development of community libraries providing a wide range of services and collections; and

WHEREAS, the City of Oakland and the Oakland Unified School District are committed to developing cooperative relationships that further the quality of life for the community; and

WHEREAS, the City of Oakland, the Oakland Public Library and the Oakland Unified School District have been working on the development of a co-located school/public library in East Oakland to be owned by the City; and

WHEREAS, the Oakland Unified School District reviewed and certified the Final Environmental Impact Report (EIR) for the original proposed New Woodland Elementary School project, and an Addendum to the Certified EIR has been prepared by City staff to address the project modification from a School Library to a Public Library/School Library and finds that this is a minor modification that would not result in any new significant impacts nor would there be an increase in the severity of impacts from those that were identified; and

WHEREAS, the Oakland Public Library intends to submit a Proposition 14 grant application to the State of California in an amount not to exceed \$6.50 million to assist in funding construction of the new 20,000 square foot joint-use library between the Oakland Public Library and the Oakland Unified School District located at 81st and Rudsdale; and

WHEREAS, under the terms of the Proposition 14 grant, the City needs local match funding in the amount of \$3.5 million; and

WHEREAS, the Agency has authorized a set-aside of 10% of Coliseum tax


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increment revenues to be used for schools; and

WHEREAS, the Agency wishes to authorize the use of up to \$3.5 million from current and future Coliseum school set-aside funds, to cover the City's local match for the Proposition 14 grant; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, Section 33679 of the California Health and Safety Code authorizes a redevelopment agency to pay for the cost of installation or construction of publicly-owned buildings, if the legislative body has held a hearing on the funding; and

WHEREAS, the City Council has held the required public hearing, has consented to the use of Agency funding of as the local match for the Proposition 14 grant, and has made the requisite findings; and

WHEREAS, the proposed public library is within the boundaries of the Coliseum Redevelopment Project Area, and its development will contribute to the Agency's goals and objectives for the Project Area; and

WHEREAS, the City and the Redevelopment Agency have entered into a Repayment Agreement for the Coliseum Redevelopment Project providing for the provision of funding and services by the City and the Agency to support redevelopment activities in the Coliseum Project Area; now, therefore, be it

RESOLVED: That Agency hereby approves and commits the use of funds from the Redevelopment Agency Coliseum School Set-Aside Fund (Entity 5, Fund 9527) in an amount not-to-exceed \$3.5 million, including the Fund's current \$2.1 million balance and \$1.4 million of its projected revenues for the next three fiscal years, to provide the local match toward the Proposition 14 grant for a joint use public library at 81st and Rudsdale; and be it

FURTHER RESOLVED: That the Agency Administrator or his or her designee as agent of the Agency is hereby authorized to negotiate and enter into an appropriate amendment to the Repayment Agreement with the City for the Coliseum Redevelopment Project to provide for the funding of the local match by the Agency; and be it

FURTHER RESOLVED: That the Agency hereby approves the Addendum to the New Woodland Elementary School Final Environmental Impact Report that addresses the project modification from a School Library to a Public Library/School Library, and finds that this action complies with the California Environmental Quality Act (CEQA), the CEQA guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland; and be it

FURTHER RESOLVED: That all agreements shall be reviewed and approved as to form and legality by Agency Counsel and shall be filed with the Agency Secretary; and be it

FURTHER RESOLVED: That the Agency Administrator or his or her designee is hereby authorized to take whatever other action is necessary with respect to the funding and the project consistent with this Resolution and its basic purposes.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
CHAIRPERSON DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
Secretary of the Redevelopment
Agency of the City of Oakland

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ADDENDUM #1

to

FINAL ENVIRONMENTAL IMPACT REPORT
NEW WOODLAND ELEMENTARY SCHOOL
SCH # 2001082082

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City of Oakland
Lead Agency

October 2003

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INTRODUCTION

The Oakland Unified School District (OUSD) is proposing a joint Public Library-School Library that would be operated by the Oakland Public Library and used by both the public as well as the two small schools on the site. The OUSD has a previously approved school library of approximately 6,000 square feet at the corner of 81st Avenue and Rudsdale that the Public/School Library will be replacing. The current proposed two-story design for the Public Library-School Library has an approximately 17,000 square foot footprint, total square footage between 21,000 and 24,000 square feet.

Current land use of the parcel is an elementary school, which is currently housed in temporary structures. The OUSD is currently bidding drawings to erect permanent elementary school structures on the parcel as well as two surrounding parcels to house approximately 500-600 students, grades K-5, in two small schools, currently called the "ACORN-Woodland School" and the "Encompass Academy."

The project will be submitted for State funding under the "California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 in January", (Grant). If this Grant application is successful, the library will begin construction in approximately November of 2005 and complete construction in April 2007.

The Final Environmental Impact Report for the original proposed project was reviewed and certified by the Oakland Unified School District. This Addendum to the EIR has been prepared to address the minor change to this project.

Community Benefits

The Public Library will serve approximately 63,000 Oakland residents in the surrounding neighborhoods with a full complement of library services, including book and other library material access, a meeting room facility available for community programs, computer access, and library programming for all ages. This will bring a much-needed benefit to the surrounding neighborhoods. A Needs Assessment identified this area as historically underserved, and found it to be an ideal location for a new public library. The public library will also expand resources and opportunities for the approximately 600 students at the ACORN-Woodland and Encompass Academy Elementary Schools.

Process

The EIR for this project has been reviewed and certified by the OUSD because the OUSD has been the Lead Agency on this OUSD project on OUSD property. The Oakland City Council will review and authorize the Oakland Public Library to apply for the Grant, and create a Joint Use Agreement with the OUSD for this Grant. This change from a School Library to a Public Library/School Library and a Joint Use Agreement constitutes a minor change to the Certified EIR. Therefore an Addendum to the Certified

EIR may be prepared. The decision-making body, the City Council, shall consider the Addendum with the Final EIR prior to making a decision on the project, the Grant and the Joint Use Agreement. The project is not subject to the City of Oakland Planning Code because the project is on OUSD property.

ADDENDUM TO ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) permits a lead agency to apply a previously certified EIR to a new project if it determines that three conditions are not present, pursuant to CEQA Guidelines Section 15162:

- 1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- 2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- 3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
 - A. *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - B. *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - C. *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - D. *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - b) *If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.*
 - c) *Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on the project is required.*

- Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.*
- d) *A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.*

If these three conditions are not present and if some changes or additions are necessary, Section 15164 requires the Lead Agency to prepare an addendum to the previously certified EIR. The addendum need not be circulated for public review but can be included in or attached to the final EIR. The decision-making body shall consider the addendum with the final EIR prior to making a decision on the project.

The changes to the project, from a School Library to a Public Library/School Library with the addition of 14,000 to 18,000 square feet of library space would not result in new significant environmental impacts or increase the severity of impacts previously identified.

New Information

The proposal would result in ten additional full-time employees on the site for a total of 40 employees. Surplus school parking would be available for the Public Library employees (see discussion below.) The public library staff parking needs would be met because there would be between 26 and 51 parking spaces available for the 10 employees. This is not a substantial change since it is not a substantial increase and parking has not previously been identified as a significant effect.

The operating hours will range from 10 am to 5:30 or 8 pm (the library is anticipated to be open one evening per week with the other days of operation open until 5:30 pm). The library is expected to be open 5 to 6 days per week. Since libraries do not typically have peak hours, the use of the Public Library would not interfere with its use as a School Library and vice-versa. This is not a substantial change since the hours of operation would not affect the use of the library as a school library and has not previously been identified as a significant effect.

Approximately 12,500 visits per month (625 per day) are expected at the new facility (this is the average between visits to the Rockridge Library (15,200 sq. ft. and providing similar services) and the Eastmont Library (9,500 sq. ft.). The Rockridge Library has 10

employee parking spaces, but does not have patron parking. There is an adjacent City of Oakland paid parking lot, but this is not always available to patrons. The New Woodland Elementary School will share its parking facilities with the public library. The school's parking layout and number of parking spaces is between 78 and 103 spaces. If 103 parking spaces are provided, 52 would be dedicated to school staff during the school day and 51 would be dedicated to the Public Library users during school hours. All 103 would be available after hours and weekends. If 78 parking spaces are provided, 52 would be dedicated to staff during the school day and 26 would be dedicated to the Public Library during school hours. All 78 would be available after hours and weekends. As was determined in the EIR traffic study analysis, most children walk to school, and it is assumed that many library patrons will also walk to the neighborhood library. This is not a substantial new change since the number of patrons would not effect the use of the library as a school library, and shared parking facilities would be available to the Public Library patrons (See discussion below for traffic and circulation).

Previously Identified Potential Environmental Impacts

The DEIR addressed three potential environmental impacts: Hazardous Materials, Traffic and Circulation, and Air Quality. The DEIR found that the proposed New Woodland School project would not have any significant environmental effects on traffic, air quality or hazardous materials conditions.

The DEIR proposed Air Quality and Hazardous Materials mitigation measures, which reduced the impacts to less-than-significant, with respect to impacts caused during construction and demolition. The additional square footage proposed for the Public Library would not alter these impacts and the same Mitigation Measures would apply to the additional construction.

With respect to Traffic and Circulation impacts, the DEIR found that the proposed project would not cause any of three study intersections to vary from their current Levels of Service, A and B. In order for a significant impact on traffic and circulation conditions, the project would have to deteriorate to a Level of Service F. This would require a substantial change in traffic patterns and numbers, above and beyond the proposed Public Library. Based on ITE Trip Generation, which is based on the square footage of the library, a 20,000 square foot library would generate 20 am trips and 140 pm trips. These numbers would not rise to a level that would significantly degrade the previous Level of Service A or B at the studied intersections.

The Mitigation Monitoring and Reporting Program addresses impacts, all related to construction. The addition of square footage to the original library and additional use would not affect the construction. Mitigation Measures would also apply to the construction of the enlarged library project.

Conclusion

The City confirms that the minor project modification, from a School Library to a Public Library/School Library with the addition of 14,000 to 18,000 square feet of library space, would not result in any new significant impacts nor would there be an increase in the severity of impacts from those that were previously identified. This Addendum has been prepared in order to meet the environmental requirements under CEQA. The Addendum with the Final EIR will be considered by the City Council prior to making a decision on the project. Attached are additional detailed project and environmental review information and the Final Environmental Impact Report.

DETAILED PROJECT DESCRIPTION

Project Title: 81st Avenue Branch of Oakland Public Library

Project Location: 81st Ave. and Rudsdale Street in Oakland, CA

Environmental Review

Initial Study

An Initial Study was prepared that identified areas of probable environmental effects. The Initial Study reviewed the original proposed project. To develop a new Woodland Elementary School at 1025 81st Avenue, in the Havenscourt neighborhood of Oakland, on a site combining APN 041-4211-001 at 1025 81st Avenue (Parcel 1 in Figure 1, Project Location), APN 041-4211-002 at 1001 81st Avenue (Parcel 2 in Figure 1), and a portion of APN 041-4211-003 at 919 81st Avenue (Parcel 3 in Figure 1). Parcel 1 has been used as a school in the past and currently houses temporary school classrooms that will be used until construction on the new school begins. Parcel 2 is occupied by an industrial building that would be demolished. The OUSD proposed to acquire this parcel (the Tedcom site), demolish the existing building and create a larger campus for the New Woodland Elementary School. Approximately 14,000 square feet of Parcel 3 would be acquired in exchange for approximately 15,000 square feet of Parcel 1 to complete the new school site. Surrounding land uses include industrial and residential uses. The proposed project would develop the site with a new elementary school of approximately 80,000 square feet serving a student population of 500 and 30 employees. The new school facilities include an amphitheater, softball field, and outdoor learning environments in addition to traditional classroom buildings.

The Initial Study identified that the proposed project may have environmental effects in the following areas:

- Air Quality
- Hazardous materials impacts
- Traffic and Circulation impacts
- Soil and groundwater impacts as related to hazardous materials impacts

Draft Environmental Impact Report (DEIR)

A Draft Environmental Impact Report (DEIR) was prepared for the Oakland Unified School District on December 18, 2001. The following conclusions regarding the Initial Study potential environmental effects were made.

Air Quality – The DEIR proposed mitigation measures with respect to construction dust emissions which would reduce the impact to a less-than-significant level. No other impacts were noted.

Hazardous materials impacts, including soil and groundwater impacts as related to hazardous materials impacts – The DEIR proposed mitigation measures with respect to impacts caused by construction and demolition which would reduce the impacts to less-than-significant. No other impacts were noted.

Traffic and Circulation impacts – The DEIR found that new weekday vehicle trips generated by the proposed project would not cause any of three study intersections to vary from their current Levels of Service. In addition, cumulative plus proposed project traffic would not cause the deterioration of current levels of Service at any of three intersections. As a result the proposed project would have a less-than-significant impact on traffic volumes at three study intersections, and *no mitigation is required*.

However, the School District requested that the City of Oakland Engineering staff implement traffic calming measures for the project. Specifically, the School District requested that both the intersections of Rudsdale Street and 81st Avenue and Rudsdale Street and 79th Avenue be converted to all-way stop intersections. At the time of the traffic study, the City of Oakland had already installed the all-way stop signs. Both of these intersections would continue to operate at an acceptable LOS A in the year 2020. These measures will provide safer crossing opportunities for the school children and residents in the area.

Significant Unavoidable Environmental Impacts - None

The DEIR found that the proposed New Woodland School project would not have any significant environmental effects on traffic, air quality or hazardous and hazardous materials conditions. The proposed project would include mitigation measures to avoid or reduce other adverse, but less-than-significant effects of the proposed project.

Significant Cumulative Impacts - None

Cumulative effects to which the project would contribute include: increases in traffic at local intersections and long-term traffic-generated increases in regional air pollutant emissions. Neither of these cumulative impacts is considered significant.

Significant Growth Inducing Impacts – None

The project would not significantly affect housing market conditions, since it would not induce household and population growth, or significantly affect the residential choices of households. As the site currently has no active uses operating on it, the project would not displace households or business activities that would be forced to relocate elsewhere, thus inducing off-site growth.

Because of the project's small scale and limited number of jobs it would create, it is expected that there would be no meaningful indirect increase in net new employment generated by the proposed project. Further, the project would be built in a developed urban area, and no expansion of the municipal infrastructure not already under

consideration would be required to accommodate new development and increased employment due to, or induced by, the project. The project would not be expected to induce regional or local growth, and would therefore have a less than significant growth-inducing effect.

Final EIR

The FEIR contains responses to comments received, and a Mitigation Monitoring and Reporting Program.

The California Governor's Office of Planning and Research letter acknowledges compliance with State Clearinghouse review requirements.

The following responses were made to the East Bay Municipal Utility District letter:

- The project sponsor will install new water mains (Including offsite improvements) or relocate water mains in order to meet the fire flow requirements set by the Oakland Fire Department as necessary.
- The proposed project shall incorporate appropriate water conservation measures into the projects design and construction. The project sponsor shall use equipment, devices, and methodologies that provide for long-term efficient water use.
- The proposed project is estimated to produce a maximum wastewater flow of 16.405 gallons per day. According to the City of Oakland's Public Works Department, the City of Oakland's Infiltration/Inflow Correction Program has the available capacity within the existing system to accommodate this project. Therefore, the implementation of this project will not discharge wastewater flows above the allocated peak.
- The project sponsor shall replace or rehabilitate the existing sanitary sewer collection system, located on the property, in order to control or reduce the amount of infiltration/inflow into the City's existing sanitary sewer system.

The Mitigation Monitoring and Reporting Program is proposed for monitoring the implementation of the mitigation measures contained in the EIR and listed in the checklist. The Mitigation Measures address:

- Cultural resources – related to ensure that any archaeological or paleontological resources or human remains encountered during excavation or construction are adequately addressed.
- Air Quality – to address construction dust abatement.
- Noise – to address construction noise to reduce to less-than-significant.
- Hazardous Materials – to reduce the impacts caused by construction and demolition to less-than-significant level.

Final Environmental Impact Report

New Woodland Elementary School

SCH # 2001082082

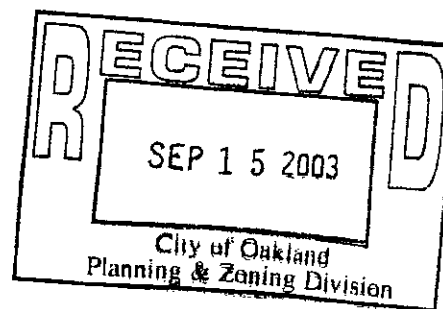
Post-it* Fax Note	7671	Date	8/21/03	# of pages	14
To	Anthony Smith	From	C. Battise		
Co./Dept.	OUSD	Co.	JFC		
Phone #	510-879-8882	Phone #	916-741-2663		
Fax #	510-879-1860	Fax #	916-741-2848		

Prepared for:

Oakland Unified School District

Prepared by:

EIP Associates
Korve Engineering



February 2002

EIP Project No. 10442-00

Draft EIR Publication Date: December 18, 2001
Draft EIR Public Comment Period: December 19, 2001 to February 4, 2002

Response to Comment Letter 1

California Governor's Office of Planning and Research, December 3, 2001

1-1 The Office of Planning and Research letter acknowledges compliance with State Clearinghouse review requirements. Receipt of this letter is noted.

Response to Comment Letter 2

East Bay Municipal Utility District, February 4, 2002

- 2-1 The project sponsor will install new water mains (including offsite improvements) or relocate water mains in order to meet the fire flow requirements set by the Oakland Fire Department as necessary.
- 2-2 The proposed project shall incorporate appropriate water conservation measures into the projects design and construction. The project sponsor shall use equipment, devices, and methodologies that provide for long-term efficient water use.
- 2-3 The proposed project is estimated to produce a maximum wastewater flow of 16,405 gallons per day. According to the City of Oakland's Public Works Department, the City of Oakland's Infiltration/Inflow Correction Program has the available capacity within the existing system accommodate this project. Therefore, the implementation of this project will not discharge wastewater flows above the allocated peak.
- 2-4 The project sponsor shall replace or rehabilitate the existing sanitary sewer collection system, located on the property, in order to control or reduce the amount of infiltration/inflow into the City's existing sanitary sewer system.



September 19, 2001

Ineda Adesanya, Director
Department of Facilities Planning and Management
Oakland Unified School District
955 High Street
Oakland, CA 94601

Dear Ms. Adesanya:

Re: Notice of Preparation of a Draft Environmental Impact Report -
New Woodland Elementary School, Oakland

East Bay Municipal Utility District (District) appreciates this opportunity to comment on the Notice of Preparation of Draft Environment Impact Report for the New Woodland Elementary School in Oakland. The District has the following comments.

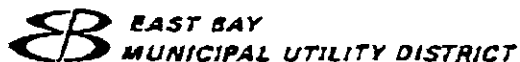
WATER SERVICE

The proposed project is located within the District's Central Pressure Zone, which serves properties between 0 and 100 feet in elevation. Currently the proposed project location is served by a 20-inch water main in Ruidsdale Street, a 12-inch water main in 81st Avenue, and a 6-inch main in 79th Avenue. Depending on fire flow requirements set by the local fire department, offsite improvements, at the project sponsor's expense, may be required. Engineering and installation of new and relocated water mains often requires substantial lead time, which should be provided for the project sponsor's development schedule.

To help mitigate the impacts of additional water demands on the District's finite water supply, the District recommends that water conservation measures for both internal and external use be incorporated into the design and construction of the proposed project. The District encourages the use of equipment, devices, and methodology that furthers water conservation and provides for long-term efficient water use. The District also recommends the use of drought resistance plants, use of inert materials, and minimum use of turf areas. Due to the District's limited water supply, all customers should plan for shortages in times of drought. The project sponsor should contact the Manager of Water Conservation at (510) 287-0591 for more information.

RECYCLED WATER

The project is located outside the service area of any currently planned the District's water recycling projects. If you have any questions regarding recycled water, please contact the Office of Water Recycling at (510) 287-2063.



February 4, 2002

Incda Adesanya, Director
Department of Facilities Planning and Management
Oakland Unified School District
955 High Street
Oakland, CA 94601

Dear Ms. Adesanya:

Re: Draft Environmental Impact Report - New Woodland Elementary School,
Oakland

East Bay Municipal Utility District (District) appreciates this opportunity to comment on the Draft Environment Impact Report (EIR) for the New Woodland Elementary School in Oakland. The District's previous comments in the letter dated September 19, 2001 (enclosed) were not included and addressed in the Draft EIR. Please incorporate our comments in the Final EIR.

If you have any questions or comments concerning this response, please contact me at (510) 287-1084.

Sincerely,

A handwritten signature in cursive script that reads 'Marie A. Valmores'.

MARIE A. VALMORES
Senior Civil Engineer of Water Service Planning

MAV:DFC:sb
sb02_042.doc

Enclosure

cc: Michael Neary, City of Oakland

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

BACKGROUND

Public Resources Code section 21081.6(a) requires all public agencies to adopt monitoring or reporting programs when they approve projects subject to Environmental Impact Reports (EIRs) or Negative Declarations that identify significant impacts (Mitigated Negative Declarations). The reporting or monitoring program must be adopted when a public agency makes its findings for EIRs and Mitigated Negative Declarations so that the program can be made a condition of project approval in order to mitigate significant effects on the environment. The program must be designed to ensure compliance during project implementation to mitigate or avoid significant environmental effects.

PURPOSE

This Mitigation Monitoring and Reporting Program Checklist is designed to serve as a tool for the evaluation of project compliance with mitigation measures identified in the Mitigated Negative Declaration for the New Woodland Elementary School project. This document will be used by the Oakland Unified School District to verify inclusion of required project design features and implementation of mitigation measures. The Checklist serves as a summary so the Department, other public agencies and the community can easily determine which measures have been complied with.

MITIGATION MONITORING PROGRAM CHECKLIST

The Mitigation Monitoring and Reporting Checklist is proposed for monitoring the implementation of the mitigation measures contained in the EIR and listed in the attached checklist. The Department should implement the monitoring program as follows:

- The Director of Facilities Planning and Management is responsible for coordination of the monitoring program including the monitoring checklist.

**MITIGATION MONITORING AND REPORTING PROGRAM
NEW WOODLAND ELEMENTARY SCHOOL PROJECT**

- Each responsible individual or agency will be responsible for determining whether the applicable mitigation measures contained within the checklist have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a completed checklist to the Director of Facilities Planning and Management.

MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

NEW WOODLAND ELEMENTARY SCHOOL PROJECT

MITIGATION MEASURE

One-time or Ongoing	Responsible for Implementation	Responsible for Verification	Form of Verification	Comments/ Special Instructions	Initials	Date
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Cultural Resources:

1: The contractor shall perform all of the following activities for the life of the construction phase:

- If archaeological or paleontological resources are encountered, the contractor shall immediately halt work and consult a qualified archaeologist to evaluate the potential resource. Project personnel should not collect cultural resources. Project personnel should not dig indicators include: ovalshells and chert flakes and etched stone tools; grinding and mashing implements such as slabs and handstones, and mortars and pestles; and locally darkened reddish soils containing some of the previously listed items plus fragments of bone and fire affected stones. Historic period site indicators include: fragments of glass, ceramic, and metal objects (including railroad ties and square nails); milled and split lumber; and structure and feature remains such as building foundations and ditches, respectively; and
- If human remains are encountered, the contractor shall immediately halt work and contact the County coroner to evaluate the remains. Project personnel

Ongoing (throughout construction)	OUSD Project Manager	OUSD Director of Facilities Planning and Management	Ongoing Site Visits; written instructions to primary contractor, a copy of which is given to the OUSD Director			
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MITIGATION MONITORING AND REPORTING PROGRAM
NEW WOOD AND ELEMENTARY SCHOOL PROJECT

MITIGATION MEASURE

should not collect natural resources. Prehistoric archaeological site indicators include microfossils, and fossils of vertebrates, invertebrates, and plants.

Noise

1: OUSD and its contractor shall implement, but shall not be limited to, the following best management practices to reduce construction noise impacts to less-than-significant levels:

- To reduce the construction noise effect, OUSD shall require contractor contractors to limit noisy construction activities to the least noise-sensitive times of day and week (e.g., 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m., Saturday.)
- Construction work shall comply with the City of Oakland, Health and Safety Code (Chapter 8.1A.020), which requires that (a) all construction equipment powered by internal combustion engines shall be properly maintained and maintained, (b) unnecessary idling of internal combustion engines is prohibited, (c) all stationary noise-generating construction equipment such as tree trimmers and air compressors are to be located as far as is practical from existing residences, (d) quiet construction equipment, particularly air compressors, are to be selected whenever possible, (e) use of pile drivers and jack hammers shall be prohibited on Sundays and holidays, except for emergencies and as approved in advance. These measures should result in all new-impact tools generating a maximum noise level of no more than 65 dBA when measured at a distance of 50 feet.

Operating or Ongoing	Responsible for Implementation	Responsible for Verification	Form of Verification	Contractor/ Special Instructions	Initials	Date
Ongoing (throughout construction)	OUSD Project Manager	OUSD Director of Facilities Planning and Management	Ongoing site monitoring			

187 Garden Monitoring and Reporting Program
Oakland Unified School District
New Woodland Elementary School

MITIGATION MONITORING AND REPORTING PROGRAM
NEW WOODLAND ELEMENTARY SCHOOL PROJECT

MITIGATION MEASURE

At Quality

1: The project sponsor shall prepare and implement a dust control plan. The plan shall be submitted to the City of Oakland Public Works Department, which would be responsible for field verification of the plan during construction. The plan shall comply with the City grading ordinance. To reduce particulate matter emissions during construction and demolition phases, the contractor shall include in the dust control plan dust control strategies recommended by the BAAQMD. The project sponsor shall include the following measures, as appropriate, in the plan and specifications for construction contracts, and in the dust control plan:

- Basic Control Measures: to be implemented on all construction sites.
 - Cover all trucks handling construction and demolition debris from the site;
 - Water all exposed or disturbed soil surfaces at least twice daily;
 - Use wetting to control dust generation during demolition of structures or break-up of pavement;
 - Prime, apply water three times daily, or apply non-toxic soil stabilizers on all unimproved parking areas and staging areas;
 - Sweep daily (with water sweepers) all paved parking areas and staging areas;
 - Provide daily clean-up of mud and dirt carried onto paved streets from the site.

One-time or Ongoing	Responsible for Implementation	Responsible for Verification	Form of Verification	Exemptions/ Special Circumstances	Initials	Date
Ongoing (throughout construction)	OUSD Project Manager	OUSD Director of Facilities Planning and Management	Submission of a written document to the OUSD Director of Facilities Planning and Management			

MITIGATION MONITORING AND REPORTING PROGRAM
NEW WOODLAND ELEMENTARY SCHOOL PROJECT

MITIGATION MEASURES

Enhanced Control Measures: to be implemented at construction sites greater than four acres in area.

- Erythron, cover, water trucks daily or apply non-toxic soil binders to exposed stockpiles of soil, sand, etc.;
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sumpings or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible.

Household Materials

1. Implementation of the appropriate recommended measures (below) for the purpose of a project would reduce the impacts caused by combustion and demolition to less-than-adjacent level.

Asbestos Abatement: Asbestos abatement should be conducted prior to demolition of any existing building at the project site. (i.e., Tisdorn building). An asbestos survey shall be conducted by a state certified asbestos inspector or consultant. All asbestos-containing materials (ACMs) identified during the survey shall be removed and appropriately disposed of by a state certified asbestos contractor.

Lead-Based Paint Abatement: A lead-based paint abatement plan shall be implemented by the construction contractor. A lead-based paint survey shall be conducted by a state certified lead-based paint inspector or consultant prior to any demolition activities. Elements of the plan should include the following:

- Securing of any necessary approvals from the City of Oakland or the Alameda County Health Care Services

On-line or Ongoing	Responsible for Implementation	Responsible for Verification	Form of Verification	Comments/ Special Instructions	Initials	Date
Ongoing (throughout construction)	OUSD Project Manager	OUSD Director of Facilities Planning and Management	Ongoing site monitoring; submission of the required documents to the OUSD Director of Facilities Planning and Management			

Mitigation Monitoring and Reporting Program
Oakland Unified School District
New Woodland Elementary School

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11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

91 92 93 94 95 96 97 98 99 100

MITIGATION MONITORING AND REPORTING PROGRAM
NEW WOODLAND ELEMENTARY SCHOOL PROJECT

MITIGATION MEASURE	One-time or Ongoing	Responsible for Implementation	Responsible for Verification	Form of Verification	Comments/ Special Instructions	Initials	Date
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Agency (ACHCSA) for specifications or commencement of abatement activities.

- Containment of all work area to prohibit off-site migration of paint chip debris.
- Removal of all peeling and stratified lead-based paint on building surfaces and on non-building surfaces to a degree necessary to safety and properly complete demolition activities per the recommendations of the survey. The contractor shall be identified as responsible for properly containing and disposing of intact lead-based paint on all equipment to be cut and/or removed during demolition.
- Providing on-site air monitoring during all abatement activities. Also provide background monitoring to ensure no contamination of work areas or adjacent properties.
- Cleanup and/or use a high efficiency particulate arresting (HEPA) vacuum to remove paint chip wastes.
- Collection, segregation, and profiling waste for disposal determination.
- Providing for appropriate disposal of all waste.

**GOLDEN GATE PARK MUSIC CONCOURSE
UNDERGROUND PARKING FACILITY**

**PRELIMINARY MASTER SCHEDULE
OF PROJECT APPROVALS
- CONFIDENTIAL -**

Item	Subject	Milestones	Early Start	Comments	Public/Private Partnership / Land	Preparation by	Documentation
13	BOS	BOS Land Use Committee for recommendation to full BOS (if required) of CEQA-related legislation	28-Jul-03			City Attorney's Office of Land Use and Real Estate; Mayor's Office of Public Finance; Planning Dept.; MSCP	Supplemental Agendas; motions; resolutions; reports related to CEQA and General Plan determination; Lease Agreement; and Project.
14	BOS	BOS Finance Committee for recommendation of legislation - (Lease and CEQA (7))			GGPCA	City Attorney's Office of Land Use and Real Estate; Mayor's Office of Public Finance; Planning Dept.; MSCP	Supplemental Agendas; motions; resolutions; reports related to CEQA and General Plan determination; Lease Agreement; and Project.
15	BOS	1) BOS Adopts resolution approving ground lease between City, acting by and through the Authority, and MSCP regarding the financing, construction, operation and ownership of garage, as required by Prop J and Chapter Section 9.11B. 2) BOS Approves and considers Final EIR and adopts mitigation measures; makes findings of consistency with General Plan and Planning Code Section 101.1 priority policies. 3) BOS Adopts ordinance approving parking fee schedule for the Facility. 4) BOS Approves TEFRRA	28-Jul-03		GGPCA	City Attorney's Office of Land Use and Real Estate; Mayor's Office of Public Finance; Planning Dept.; MSCP	Supplemental Agendas; motions; resolutions; reports related to CEQA and General Plan determination; Lease Agreement; and Project.
16	Project Permitting	Mayor signs legislation	25-Aug-03	CEQA cert. Req'd; FAM Lease		City Attorney's Office of Land Use and Real Estate; Mayor's Office of Public Finance; Planning Dept.; MSCP	Supplemental Agendas; motions; resolutions; reports related to CEQA and General Plan determination; Lease Agreement; and Project.
17	Project Permitting	City Issues Site Permit	27-Aug-03				
18	Project Permitting	15 day appeal period of site permit from Mayor signing legislation	10-Sep-03				
19	EIR	Notice of Determination Filed (after Mayor signs)	11-Sep-03				
20	Validation Action	Start of Validation Action (90 days max) (after Mayor signs legislation)	12-Sep-03	60 days judgement; 30 days appeal period			
21	Construction	Start construction; Mobilize / Demo Hardscape	12-Sep-03				
22	FAM	FAM Approves construction on FAM property	12-Sep-03			City Attorney's Office of Land Use	Motions and resolutions
23	Project Permitting	City Issues Addendum No.1 permit	06-Oct-03		FAM / GGPCA		
24	Project Permitting	City Issues Addendum No.2 permit	04-Nov-03				
25	Project Permitting	City Issues Addendum No.3 permit	03-Dec-03				
26	Validation Action	End of Validation Action period (latest date)	12-Dec-03				
27	Project Permitting	City Issues Addendum No.4 permit	29-Jan-03				
28	Construction	Completion of New Garage	01-Jun-05				

CSR schedule update 09/03/03 abster - sequential.xls
Revised 08/29/03 w/ J. Malamed comments

**GOLDEN GATE PARK MUSIC CONCOURSE
UNDERGROUND PARKING FACILITY**

**PRELIMINARY MASTER SCHEDULE
OF PROJECT APPROVALS
- CONFIDENTIAL -**

Item	Subject	Milestones	Early Start	Comments	Public/Private Partnership - Lead	Preparation By	Documentation
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GENERAL NOTES

1. Schedule assumes no challenges brought against garage.
2. Schedule to change subject to further review from City Attorney's office.
3. Schedule based on 7 month delay to EIR process.
4. Schedule based on City's determination of timing and sequencing of approvals periods.
5. Anticipated opening of garage in July 2005.
6. GGPCA confirmation of process/procedures and meeting dates.

POTENTIAL DELAYS

1. BOS Recess
BOS to recess from Aug. 27 to Sept. 14. If August hearing date missed, results in minimum 28 day delay to schedule. Total potential delay: 28 days+

Possible challenge points in project:

1. EIR appeal
An appeal can be filed within 20 days after Planning Commission certification. Once an appeal is filed, the Board of Supervisors has 30 days from the date of the appeal to hold a hearing and decide whether to approve or disapprove the Planning Commission. If a Board member is absent at this hearing, the hearing may be continued until the full Board is present or a majority decision can be made, but in no case can a hearing be held later than 90 days from the appeal date. If no decision is made, the EIR is deemed disapproved.

Total potential delay: 30 - 110 days

2. Site Permit appeal
Site permit appeal period of 15 days. If an appeal is brought, it includes the 10-day time period for a request for rehearing after the Board of Appeals holds the appeal hearing.
3. Validation Action
Validation Action appeal period of 30 days. If appeal filed, not known what happens.

Total potential delay: 10 days
Total potential delay: Unknown.

SUMMARY	Delay Period	Description	Project Completion
Past	7.0 months	Design approval process and EIR process. EIR certification delayed from Nov. 2002 to June 2003	15-May-05
Present	1.5 months	City's timing and sequencing for review and approvals process. Inclusion of appeals process	01-Jul-05
Future	5.0 months	Potential delay if project appealed at every opportunity (4 mos.) + BOS recess (1 mos.)	01-Dec-05

DSEA schedule update 08/23/03 shover - sayward/144
Revised 08/23/03 by J. Mariani/144

**14.4
ORA/COUNCIL**

NOV - 4 2003

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