

**PALM SPRINGS UNIFIED SCHOOL DISTRICT**  
**Palm Springs, CA**

**APPROVING THE MITIGATED NEGATIVE DECLARATION AND  
ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE PALM  
SPRINGS HIGH SCHOOL SEISMIC UPGRADES AND MODERNIZATION  
IMPROVEMENTS PROJECT PURSUANT TO THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT AND THE CALIFORNIA EDUCATION  
CODE; APPROVING THE PROJECT, AND DELEGATION OF AUTHORITY  
TO STAFF TO EXECUTE THE NOTICE OF DETERMINATION**

**RESOLUTION NO. 2019/2020-14**

**WHEREAS**, the Palm Springs Unified School District (“District”) desires to implement various seismic upgrades and modernization improvements on the Palm Springs High School (“PSHS”) campus situated across a total area of approximately 43 acres located at 2401 East Baristo Road and immediately adjoins the Desert Learning Academy; and

**WHEREAS**, prior to implementing various seismic upgrades and modernization improvements, the District must comply with the California Environmental Quality Act (Pub. Res. Code section 21000 et seq.) (“CEQA”); and

**WHEREAS**, Meridian Consultants, in conjunction with District staff, has prepared an Initial Study and a Mitigated Negative Declaration (“MND”), State Clearinghouse No. 2019109008, pursuant to CEQA to identify significant environmental impacts, if any, associated with the implementation of various seismic upgrades and modernization improvements of the Palm Springs High School (“Project”); and

**WHEREAS**, the MND was prepared pursuant to CEQA and the State CEQA Guidelines; and

**WHEREAS**, the District, as the lead agency for the Project, provided copies of the draft MND (“Draft MND”) and Initial Study to the public for review and comment pursuant to Public Resources Code Sections 21091 and 21092, beginning October 3, 2019 and ending November 2, 2019; and

**WHEREAS**, the Board has carefully reviewed the MND and Initial Study and all other relevant information contained in the record for the Project; and

**WHEREAS**, the Board has received and considered comments received from the public and other interested agencies regarding the MND and Initial Study; and

**WHEREAS**, the MND includes mitigation measures which, if adopted, will mitigate the impacts of the Project to a level of insignificance; and

**WHEREAS**, a copy of the Final MND is attached hereto as **Exhibit “A”**; and

**WHEREAS**, all other legal prerequisites to the adoption of the Resolution have occurred; and

**NOW, THEREFORE**, the Board of the District hereby finds, determines, declares, orders and resolves as follows:

**Section 1 - Recitals.** That all of the recitals set forth above are true and correct, and the Board so finds and determines.

**Section 2 - Compliance with CEQA.** That the Board reviewed and considered the information contained in the MND including without limitation, the Draft MND, Initial Study, comments from the public and interested agencies, and any comments made at the public hearing or contained in the administrative record for the Projects and the Mitigation Monitoring Program (“Final MND”). The Board hereby makes the following specific findings with respect to the Final MND:

- (a) That the Final MND prepared for the Project contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (b) That the Final MND has been completed in compliance with CEQA and the State CEQA Guidelines; and
- (c) That the Project as designed, and with incorporated mitigation measures, will not result in significant effects upon the environment; and
- (d) That there is no substantial evidence in the record supporting a fair argument that the Projects may result in significant impacts to the environment; and
- (e) That the Final MND reflects the independent judgment of the District; and
- (f) The Board hereby makes and adopts the Mitigation Measures attached to the Final MND as **Exhibit “B”** thereto, which incorporates into the Project all mitigation measures set forth therein and approves and authorizes the implementation of the Mitigation Measures; and
- (g) That any mitigation measures added to the Final MND subsequent to the circulation of the Draft MND, if any, are either minor changes to the Project and do not result in a fundamental reorganization of the MND, and/or the purpose of the mitigation measures are to reduce the effects on the environment that were already identified in the Draft MND as insignificant, and further that the mitigation measures do not have the potential to have a significant impact upon the environment; and

(h) That any mitigation measures which have been changed or substituted subsequent to the circulation of the Draft Mitigated Negative Declaration, if any, are equivalent or more effective in mitigating the environmental impacts than the prior mitigation measures, and that the change and/or substitution of such mitigation measures and not itself cause any potentially significant effect upon the environment.

**Section 3 - Location and Custodian of Records.** The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Mitigated Negative Declaration are as follows: Julie Arthur, Palm Springs Unified School District, 150 District Center Drive, Palm Springs, California 92264.

**Section 4 - Wildlife Findings.** That the proposed Project will have no adverse impacts on wildlife as defined in Fish and Game Code Section 711.2, nor will it adversely impact the resources governed by the State Department of Fish and Game.

**Section 5 - Adoption of Final Mitigated Negative Declaration.** That the Board hereby adopts the Final MND in the form presented to the Board in conjunction with this resolution, including the Mitigation Measures.

**Section 6 - Notice of Determination.** That the Board hereby directs District staff to file a Notice of Determination with the County of Riverside and the State of California within five (5) working days after the Board's adoption of the Final MND.

**Section 7. Approval of Project.** That the Project, as described and analyzed in the Final MND, is hereby approved.

**APPROVED, PASSED AND ADOPTED** by the Board of the District on the 26<sup>th</sup> day of November, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

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Richard Clapp, President  
Board of Education of the Palm Springs  
Unified School District

Attested to:

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John Gerardi, Clerk  
Board of Education of the  
Palm Springs Unified School District