

M - N T T E S



SANTA MONICA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

SPECIAL MEETING

WEDNESDAY, JANUARY 13, 2016

Malibu City Hall (Council Chambers)
23825 Stuart Ranch Road
Malibu, California

*The complete agenda may be accessed on the
Santa Monica College website:*

<http://www.smc.edu/admin/trustees/meetings/>

*Written requests for disability-related modifications or accommodations,
including for auxiliary aids or services that are needed in order to
participate in the Board meeting are to be directed to the Office of the
Superintendent/President as soon in advance of the meeting as possible.*

BOARD OF TRUSTEES	SPECIAL MEETING
SANTA MONICA COMMUNITY COLLEGE DISTRICT	January 13, 2016

MINUTES

There was a special meeting of the Santa Monica Community College District Board of Trustees on Wednesday, January 13, 2016 at Malibu City Hall (Council Chambers), 23825 Stuart Ranch Road, Malibu, California.

I. ORGANIZATIONAL FUNCTIONS

A Call to Order – 6:31 p.m.

B Roll Call

Dr. Louise Jaffe, Chair - Present

Dr. Andrew Walzer, Vice-Chair - Present

Dr. Susan Aminoff – Absent (Excused*)

Dr. Nancy Greenstein – Absent (Excused*)

Dr. Margaret Quiñones-Perez - Present

Rob Rader - Present

Barry Snell - Present

Jonathan Eady, Student Trustee - Absent (Excused*)

**Motion was made by Rob Rader, seconded by Margaret Quiñones-Perez and approved to excuse the absences of Trustees Susan Aminoff, Nancy Greenstein, and Jonathan Eady*

II. PUBLIC COMMENTS

Al and Jody Sturgeon

Tom Urban

Steve Uhring

Pat Healy

III. MAJOR ITEMS OF BUSINESS

#1 Public Hearing – Santa Monica College Malibu Campus Project

#2 A Resolution of the Board of Trustees Certifying the Final Environmental Impact Report Prepared for the SMC Malibu Campus Project

#3 A Resolution of the Board of Trustees Making Findings Necessary to Approve the Santa Monica College Malibu Campus Project, Adopting Statement of Overriding Considerations, Adopting a Mitigation Monitoring Plan, and Approving the SMC Malibu Campus Project

#4 Ground Lease Agreement with the County of Los Angeles for the Santa Monica College Malibu Campus Project

Appendix A SMC Malibu Campus Project Staff Report

Appendix B Mitigation Monitoring and Reporting Program

Appendix C: Letter from the Los Angeles County Fire Department dated January 6, 2016.

IV. ADJOURNMENT: 7:52 p.m. The next regular meeting of the Santa Monica Community College District Board of Trustees will be Tuesday, February 2, 2016 at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	January 13, 2016

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 1

SUBJECT: **PUBLIC HEARING – SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees move to conduct a public hearing to receive input from the public on the Santa Monica College Malibu Campus Project and related environmental studies.

PUBLIC HEARING: Open Public Hearing - 6:44 p.m.
 Motion Made By: Margaret Quiñones-Perez
 Seconded By: Andrew Walzer
 Student Advisory: Absent
 Ayes: 5
 Noes: 0
 Absent: 2 (Aminoff, Greenstein)

Public Comments:
 Al and Jody Sturgeon
 Tom Urban
 Steve Uhring
 Pat Healy

Close Public Hearing – 6:45 p.m.
 Motion Made By: Rob Rader
 Seconded By: Andrew Walzer
 Student Advisory: Absent
 Ayes: 5
 Noes: 0
 Absent: 2 (Aminoff, Greenstein)

Project Description

The Proposed Project is located at 23555 Civic Center Drive, Malibu, CA. The Project Site consists of an approximately 128,500 square-foot (2.94 acres) irregularly shaped ground lease area within the larger 9.19-acre Los Angeles County-owned and operated Civic Center complex. The existing portions of the Los Angeles County Civic Center complex that include the former Los Angeles County Superior Court operations, the Los Angeles County Public Works Office, the helipad, the newly renovated public library, and associated parking and maintenance areas are located outside of the ground lease area and are not a part of the Proposed Project.

The Project Site is currently improved with the former Los Angeles County Sheriff’s Station, which was decommissioned in the early 1990s. The existing Sheriff’s Station building includes approximately 23,882 square feet of developed floor area, of which approximately 7,279 square feet is located below grade in a basement level and approximately 16,603 square feet is located at-grade. The Proposed Project includes the demolition of the existing former Sheriff’s Station building and the construction of a new joint community college satellite campus facility and Community Sheriff’s Substation and Emergency

Operations and Planning Center. The new construction will include a 2-story above-grade, approximately 25,310 square foot educational facility including an approximately 5,640 square foot Community Sheriff's Substation and Emergency Operations and Planning Center on the ground floor.

The Proposed Project would yield a net increase of 1,428 square feet as compared to the size of the existing Sheriff's Station building. The total proposed developed floor area (FAR) is approximately 0.20 to 1. The Proposed Project will also involve the relocation and replacement of the existing 70 foot high emergency communications antenna, with a new approximately 75 foot high monopole emergency communications antenna, which will be located approximately 10 to 20 feet to the west of its current location.

Upon completion, the Santa Monica College Malibu Campus would include five classrooms and labs; a multi-purpose community room that will convert into an Emergency Operations Center (EOC) for local emergencies; a computer lab; and administrative offices to accommodate up to 210 students (FTE) and 12 faculty and staff members during peak time periods. The SMC Malibu Campus also proposes an interpretive center to support Legacy Park or other programs to highlight Malibu's unique coastal environment and cultural history. The Proposed Project will also include ancillary improvements within the Project Site associated with pedestrian and vehicular access, surface parking, open space, landscaping improvements, and relocation of on-site utilities, which may include but is not limited to, relocating an existing communications antenna. It is anticipated that the occupancy and operation of the Proposed Project will be conditioned on connecting to the City's proposed Civic Center Wastewater Treatment Facility when it becomes operational. The Proposed Project is anticipated to become operational in 2017.

Project Objectives

The primary objective of the Malibu Campus Project is to establish a satellite campus in the City of Malibu to meet educational needs for emeritus and community college classes in the Malibu community. This objective is consistent with the Santa Monica College Facilities Master Plan for Education (2004 Update). The Malibu Campus Project will faithfully expend Measure S general obligation bond proceeds for this purpose.

In cooperation with the County of Los Angeles, the Malibu Campus Project will also benefit the Malibu community by: incorporating a police substation into the new educational building for use by the Los Angeles County Sheriff's Department, designing and constructing a classroom or multi-purpose room in a way that facilitates its occasional temporary conversion by the County into an emergency operations center when circumstances so warrant, and updating the County's existing antiquated emergency communications tower with a modern monopole support tower. In addition, the Project provides opportunities for an interpretive center that would support Malibu's Legacy Park.

Environmental Impact Report

The Santa Monica Community College District acted as the lead agency in preparing an environmental impact report (EIR) for the Santa Monica College Malibu Campus Project. A notice to solicit public comments and conduct a public scoping meeting was sent to all households within the City of Malibu in May 2012. The Draft EIR was circulated for a 60-day period starting on July 10, 2015 and ending on September 7, 2015. The Draft EIR was available to the public via the College's official website; copies of the Draft EIR were available for public review at SMC's administrative offices during normal business hours, at Malibu City Hall, and at the Malibu Public Library; and notices were published in the Malibu Times, the Malibu Surfside News, and the Santa Monica Daily Press. Interested parties, organizations and individuals were invited to provide written comments to the District with respect to the adequacy and completeness of the EIR as part of the California Environmental Quality Act (CEQA) review process. Comments and responses to comments are provided in the Final EIR, prepared December 4, 2015.

Staff Report

Additional background and discussion of the Project is provided in the staff report accompanying this item (Appendix A).

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	January 13, 2016

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 2

SUBJECT: **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees adopt the following resolution certifying the Final Environmental Impact Report on the Santa Monica College Malibu Campus Project:

WHEREAS, a Notice of Preparation was filed with the Los Angeles County Clerk on May 17, 2012 and distributed to involved public agencies and interested parties for a 30-day public review period that concluded on June 17, 2012; and

WHEREAS, a Notice of Completion and Public Availability of a Draft Environmental Impact Report (EIR) was published on July 10, 2015; and

WHEREAS, the Draft EIR was circulated for a 60-day period that concluded on September 7, 2015; and

WHEREAS, on December 4, 2015, the Final EIR was published; and

WHEREAS, a copy of the Final EIR was provided to all public agencies that submitted comments on the Draft EIR at least 10 days prior to certifying the Final EIR; and

WHEREAS, on January 13, 2016, the Board of Trustees, as the Lead Agency pursuant to State CEQA Guidelines Section 15051(a), has reviewed and considered the Final EIR in full compliance with State and Santa Monica College CEQA Guidelines.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Board of Trustees has reviewed and considered the information contained in the Final Environmental Impact Report on the Santa Monica College Malibu Campus Project prior to acting on the project.

SECTION 2. The Board of Trustees certifies that the Final EIR for the project was presented to the Board of Trustees, that the Final EIR was completed in full compliance with CEQA and the State and College CEQA Guidelines, that there was adequate public review of the Draft Environmental Impact Report, that the Board of Trustees has considered all comments on the Draft Environmental Impact Report and responses to comments, that the Final Environmental Impact Report adequately discusses all significant environmental issues, and that the Final Environmental Impact Report reflects the independent judgment and analysis of the College.

MOTION MADE BY: Andrew Walzer
 SECONDED BY: Rob Rader
 STUDENT ADVISORY: Absent
 AYES: 5
 NOES: 0
 ABSENT: 2 (Aminoff, Greenstein)

BOARD OF TRUSTEES	ACTION
Santa Monica Community College District	January 13, 2016

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 3

SUBJECT: **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT MAKING FINDINGS NECESSARY TO APPROVE THE SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT, ADOPTING STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING PLAN, AND APPROVING THE SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT**

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees adopt the following resolution making CEQA findings necessary to approve the Santa Monica College Malibu Campus Project, adopting a statement of overriding considerations, adopting a mitigation monitoring plan, and approving the Santa Monica College Malibu Campus Project:

WHEREAS, an Environmental Impact Report was prepared which analyzes the environmental effects of the Santa Monica College Malibu Campus Project; and

WHEREAS, the Board of Trustees of the Santa Monica Community College District, as the Lead Agency pursuant to State CEQA Guidelines Section 15051(a), reviewed the Final Environmental Impact Report in full compliance with the California Environmental Quality Act ("CEQA") and the State and Santa Monica College CEQA Guidelines; and

WHEREAS, on January 13, 2016, the Board of Trustees certified that the Final Environmental Impact Report was prepared in full compliance with CEQA and the State and Santa Monica College CEQA Guidelines.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Section 15128 of the State CEQA Guidelines, the Initial Study/Notice of Preparation incorporated herein by reference determined that the following environmental impacts were not considered potentially significant and were not addressed in the Final EIR: agricultural resources, biological resources, mineral resources, and population and housing.

SECTION 2. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, the Board of Trustees finds that most impacts resulting from the Project can be reduced to a level that is less than significant. More specifically, significant environmental effects, as identified in this Section below, can feasibly be eliminated or substantially reduced to below a level of significance. However, significant adverse environmental effects in the area of construction noise cannot feasibly be avoided or mitigated below a level of significance. Nevertheless, in accordance with Section 15093 of the State CEQA Guidelines, these impacts are found to be acceptable due to overriding considerations as discussed in Section 5 below.

(a) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on aesthetics. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's impact on aesthetics to below a level of significance:

1. Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in good appearance throughout the construction period. Graffiti shall be removed immediately upon discovery.
2. Prior to the issuance of a grading permit, SMC shall submit a landscape plan that incorporates native plant species to the satisfaction of the City of Malibu Planning Department and Los Angeles County Department of Regional Planning. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained during the life of the Project.
3. The exterior of the proposed building shall be constructed of glare-reducing materials that minimize glare impacts on motorists and other persons on and off-site.
4. Outdoor lighting shall incorporate low-level lighting fixtures and shall be designed and installed with directional shields so that the light source cannot be seen from adjacent land uses, consistent with the Rural Outdoor Lighting District Ordinance.

(b) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on air quality. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's air quality impacts to below a level of significance:

1. The Project Applicant shall include in construction contracts the control measures required and/or recommended by the SCAQMD at the time of development, including but not limited to the following:

Rule 403 – Fugitive Dust

- Use watering to control dust generation during demolition of structures or break-up of pavement;
- Water active grading/excavation sites and unpaved surfaces at least three times daily;
- Cover stockpiles with tarps or apply non-toxic chemical soil binders;
- Limit vehicle speed on unpaved roads to 15 miles per hour;
- Sweep daily (with water sweepers) all paved construction parking areas and staging areas;
- Provide daily cleanup of mud and dirt carried onto paved streets from the Site;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more; and,
- An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt if feasible.

2. The Applicant shall comply with SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines to limit potential objectionable odor impacts during the Project's long-term operations phase.
3. The Applicant shall ensure all construction contractors comply with SCAQMD Rules 1108 and 1113, which include control measures to limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents.

(c) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on cultural resources. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's impacts on cultural resources to below a level of significance:

1. In the event that archaeological resources are encountered during the course of grading or construction, all development must temporarily cease in the area of discovery until the resources are properly assessed and subsequent recommendations are determined by a qualified consultant.
2. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains or cultural resources. If evidence of prehistoric artifacts is discovered, construction activities in the affected areas shall not proceed until written authorization is granted by the City of Malibu Planning Director.

(d) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on geology and soils. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measure has been required in the Project that will mitigate or reduce the Project's impacts on geology and soils to below a level of significance:

1. The Proposed Project shall be designed and constructed in accordance with the City and State Building Codes and shall adhere to all modern earthquake standards, including the recommendations provided in the Project's Final Geotechnical Report, which shall be reviewed by the Division of the State Architect prior to construction.

(e) The Final EIR determined that without mitigation, the Project could have a potentially significant effect due to hazards and hazardous materials. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's impacts due to hazards and hazardous materials to below a level of significance:

1. The Project Developer shall obtain all necessary permits from the RWQCB prior to the installation of any temporary and/or permanent dewatering systems. Procurement of all applicable RWQCB permits will ensure the water quality of groundwater discharge into the storm drain infrastructure.

2. A demolition-level asbestos survey by a licensed contractor shall be conducted for the existing on-site structures. If the survey reveals that these structures contain ACMs, the structures shall be stabilized, removed, and disposed of in accordance with applicable regulations, including but not limited to, SCAQMD Rule 1403 and Cal/OSHA requirements.
3. During the demolition of existing structures, building materials shall be handled and disposed of in accordance with applicable federal, State, and local regulations regarding lead-containing materials.
4. Fluorescent light ballasts not specifically labeled as not to contain PCBs shall be presumed to contain them and shall be disposed of in accordance with applicable regulations, including but not limited to, Cal/OSHA requirements.
5. If any operation within the Project Site includes construction, installation, modification, or removal of underground storage tanks (Los Angeles County Code Title 11, Division 4), the County of Los Angeles must be contacted for required approvals and operation permits.

(f) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on hydrology and water quality. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's impacts on hydrology and water quality to below a level of significance:

1. The Project shall comply with all applicable City and County Low/Impact Development water quality requirements. The Proposed Project shall be designed and constructed in accordance with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ. The Applicant shall submit a Stormwater Pollution and Prevention Plan (SWPPP) to the appropriate governing agency.
2. Prior to the start of any construction activity, SMC or its contractor shall submit a Water Quality Management Plan (WQMP) to the satisfaction of the City of Malibu that incorporates appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff.

(g) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on public services. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measure has been required in the Project that will mitigate or reduce the Project's impacts on public services to below a level of significance:

1. The Project shall comply with all applicable code and ordinance requirements for construction, emergency access, water main fire flows and fire hydrants.

(h) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on transportation and traffic. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measure has been required in the Project that will mitigate or reduce the Project's impacts on transportation and traffic to below a level of significance:

1. Heavy duty truck trips shall be scheduled outside of peak hours when possible during the construction process.

(i) The Final EIR determined that without mitigation, the Project could have a potentially significant effect on utilities and service systems. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section 5 of the Final EIR, incorporated herein by reference, the Board of Trustees finds that the following mitigation measures have been required in the Project that will mitigate or reduce the Project's impacts on utilities and service systems to below a level of significance:

1. Occupancy and operation of the Proposed Project shall be conditioned upon the successful operation of and connection to the City's proposed Civic Center Wastewater Treatment Facility, not on-site. The average wastewater generation rate for the project shall not exceed 11,102 gallons per day.
2. Certificate(s) of Occupancy for this Project shall not be issued until the Civic Center Wastewater Treatment Facility (under separate permit CDP 13-057) is constructed and operational, and all on-site sewer connections to the new sewer laterals are completed.
3. Conditions of approval by the City of Malibu Public Works Department for Sewer are incorporated by reference into the Environmental Health Conditions of approval.
4. Prior to the issuance of a building permit, the Applicant shall pay any applicable and lawful fees adopted by the City and generally and uniformly imposed by the City's Environmental Sustainability Department and/or Public Works Department for construction of new water supply and distribution facilities.
5. Automatic sprinkler systems shall be set to irrigate landscaping during early morning hours or during the evening to reduce water loss from evaporation. Care must be taken to reset sprinklers to water less often in cooler months and during the rainfall season to avoid wasting water by excessive landscape irrigation.
6. Selection of native, drought-tolerant, low water consuming plant varieties shall be used to reduce potable irrigation water consumption to the maximum extent feasible.
7. Best Management Practices (BMP's) for water conservation shall be used within buildings to reduce wastewater generation/water use.
8. The Applicant shall install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
9. The Applicant shall install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
10. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for the proposed new building to ensure a separate connection from the library building is maintained.

SECTION 3. Consistent with Sections 1405(l), (m) and (n) of the Santa Monica College CEQA Guidelines and Sections 15091, 15092 and 15093 of the State CEQA Guidelines, the Board of Trustees finds that the significant environmental effect identified below cannot feasibly be avoided or mitigated to below a level of significance. Nevertheless, that impact is found to be acceptable due to overriding considerations as discussed in Section 5 herein.

(a) The Final EIR determined that the environmental impact in the area of construction noise cannot feasibly be avoided or mitigated to below a level of significance. The impact is short-term and will cease upon completion of construction. Consistent with Section 1405(l), (m) and (n) of the Santa Monica College CEQA Guidelines and as detailed in the Final EIR at Section 5, incorporated herein by reference, the Board of Trustees finds that the Project's construction noise impact would exceed the maximum allowable exterior noise levels for nontransportation sources at the County Public Works building, the Malibu Public Library, and Legacy Park, although the construction noise levels would be below the threshold for the residential land uses to the north. The Proposed Project's construction noise impact would be considered significant on a short term and intermittent basis during the construction period.

The Final EIR identifies seven mitigation measures to reduce construction noise, however these mitigation measures will not reduce construction noise below a level of significance:

1. Consistent with the City of Malibu Noise Ordinance (Section 4204 G), construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, and prohibited on Sundays and holidays. Special circumstances may arise where construction activities are permitted during prohibited hours by expressed written permission of the City Manager, or if construction is necessary to preserve life or property when such necessity arises (Section 4205 D).
2. Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be situated away from the nearest noise- and vibration-sensitive land uses wherever feasible to do so.
3. When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
4. Barriers such as plywood structures or flexible sound control curtains shall be erected around the perimeter of the Project Site to minimize the amount of construction noise impacting adjacent off-site land uses. Plywood barriers should have a minimum thickness of $\frac{3}{4}$ inch (21 mm) and extend to a height of eight (8) feet above grade to effectively block the line of sight from the noise source to the noise receptor.
5. The project construction contractors shall ensure that equipment is properly maintained per the manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc.) or as required by the City's Department of Building and Safety, whichever is the more stringent.
6. The project construction contractors shall shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.
7. The project construction contractors shall ensure that construction equipment does not idle for extended periods of time.

SECTION 4. Consistent with Section 1405 (l), (m), and (n) of the Santa Monica College CEQA Guidelines and Sections 15091, 15092, and 15093 of the State CEQA Guidelines, and as analyzed in the Draft EIR at Section 6.4, incorporated herein by reference into the Final EIR, the Board of Trustees finds as follows:

The CEQA-mandated environmentally superior alternative is the "Zoning Compliant Alternative." According to CEQA and the State CEQA Guidelines, an EIR must include the analysis of a reasonable range of alternatives to the proposed project. The EIR includes an analysis of a "No Project Alternative" and a "Zoning Compliant Alternative." CEQA mandates that the Lead Agency identify the environmentally superior alternative (i.e., the alternative that reduces the significant impacts of the project to the greatest extent; if the No Project Alternative is the environmentally significant alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives). Nonetheless, the Lead Agency may consider the Project Objectives in part or in total in approving the project, and may adopt a Statement of Overriding Considerations in doing so.

In this instance, the EIR identified the No Project Alternative as the Environmentally Superior Alternative because in addition to avoiding adverse impacts in all other areas of study, the No Project Alternative would avoid the significant and unavoidable impact of construction noise associated with the Proposed Project. But the No Project Alternative would achieve none of the Project Objectives.

Per the CEQA Guidelines, the Zoning Compliant Alternative was also identified as an environmentally superior alternative. This Alternative was selected as an environmentally superior alternative because of its ability to reduce the Proposed Project's construction and operational impacts in nearly all impact areas; however, the significant and unavoidable impact identified with construction related noise would still remain significant and unavoidable under this alternative. This is the same significant and unavoidable impact that would be generated by the Proposed Project, and thus the environmental benefits of the Zoning Compliance Alternative are of limited value given that the Proposed Project with mitigation also avoids or reduces below a level of significance the same impacts avoided or reduced by the Zoning Compliant Alternative.

Moreover, because of its reduced height, the Zoning Compliant Alternative would need to be a single-story building, causing a reduction in floor area by 6,580 sf, which is a reduction by more than 25%. This 25% reduction in floor area would not provide sufficient community college classrooms and educational support facilities to meet the existing and projected needs of the Malibu community. Moreover, the Zoning Compliant Alternative would yield fewer parking spaces by complying with the City's larger parking stall dimensions rather than using the County's parking stall dimensions. Finally, the existing communications tower would need to remain in place and could not be upgraded, resulting in diminished capacity for future communications and foregoing safety upgrades otherwise achievable through installation of a new modern monopole support tower. Thus, while the Zoning Compliant Alternative would partially implement the basic Project Objectives, it has the foregoing deficiencies. In the final analysis, these deficiencies render the Zoning Compliant Alternative infeasible within the meaning of CEQA.

Because the environmental benefits of the Zoning Compliant Alternative do not eliminate the only significant unavoidable adverse environmental impact of the Proposed Project and also because the Zoning Compliant Alternative would fail to meet several important Project Objectives, including providing sufficient classroom space, providing sufficient parking, and replacing the existing communications tower, the Proposed Project can lawfully be approved consistent with CEQA.

SECTION 5. As fully described in Section 4.9, the Final EIR found that the Project would result in significant and unavoidable adverse impacts due to construction noise. Consistent with 1405 (n) of the Santa Monica College CEQA Guidelines and Section 15093 of the State CEQA Guidelines, the Board of Trustees hereby makes a Statement of Overriding Considerations and finds that the educational, social, cultural and economic benefits of the Santa Monica College Malibu Campus Project outweigh the one unavoidable environmental impact based on the reasons stated below. The benefits identified are each one, in and of themselves, sufficient to make a determination that the adverse environmental effect is acceptable:

1. Providing valuable educational opportunities and other college campus programming that is not otherwise available in the City of Malibu.
2. Faithfully expending Measure S general obligation bond proceeds as approved by the voters of the cities of Malibu and Santa Monica.
3. Removing and replacing a decommissioned vacant and abandoned public building and replacing it with a new, modern, attractive, safe, energy efficient, low-scale, useful building for public use as an educational facility that will benefit the residents of Malibu.
4. Offering high-quality and affordable post-secondary educational opportunities.
5. Enhancing career opportunities, educational advancement and quality of life for those who will attend classes in the proposed facility.
6. Providing new construction jobs and employment opportunities at the satellite campus and in the Sheriff's substation.

7. Constructing a sustainable building that will be LEED[®] certified and will, among other things, promote efficiencies in water and energy use, feature a green roof, reduce stormwater runoff, treat stormwater runoff from the reconstructed surface parking lot, control night-sky light pollution from the Project Site, incorporate native plants in project landscaping, and maximize the building's operational efficiency by providing a passive air ventilation and circulation system.
8. Benefiting the Malibu community by facilitating the County's desire to better serve the residents of Malibu by: (a) updating the County's existing antiquated emergency communications tower with a modern monopole support tower, (b) incorporating a police substation into the ground floor of the new educational building for use by the Los Angeles County Sheriff's Department, and (c) designing and constructing a classroom or multi-purpose room in a way that facilitates its occasional temporary conversion into an emergency operations center.
9. Redeveloping and reactivating an underutilized portion of the Civic Center owned by the County of Los Angeles, and establishing (in place of a long-abandoned Sheriff's Station) an institutional land use that would complement and expand upon the existing public services that are currently provided within other portions of the Civic Center.
10. Providing opportunities for an interpretive center that would support Legacy Park and/or other programs to highlight Malibu's unique coastal environment and cultural history.
11. Augment funding for a new water quality treatment facility in the Malibu Civic Center for effluent and stormwater consistent with the requirements of the Regional Water Quality Control Board.

In contrast to these extensive educational, cultural, social, community, and economic benefits, the Project's one single area of adverse environmental effect which cannot be mitigated below a level of significance is comparatively minor in nature. Specifically:

- The finding of significant adverse noise impacts during construction is a short-term impact that will cease upon completion of construction.
- The Project's construction noise impacts would exceed the maximum allowable exterior noise levels for non-transportation sources at the County Public Works building, the Malibu Public Library, and Legacy Park, although the construction noise levels would be below the threshold for the residential land uses to the north.
- The Final EIR identifies five mitigation measures to reduce construction noise. While these mitigation measures will not reduce construction noise below a level of significance, they will be implemented as feasible mitigation measures designed to address and reduce construction noise until completion of construction.

SECTION 6. Consistent with Public Resources Code Section 21081.6, the Board of Trustees adopts the Mitigation Monitoring Plan, which is included as Exhibit A, to mitigate or avoid significant effects of the Project on the environment, as detailed in Sections 2 and 3 of this Resolution, and to ensure compliance during Project implementation.

SECTION 7. Consistent with Public Resources Code Section 21081.6(a)(2), the documents, which constitute the record of proceedings for approving this Project, are located in the office of Robert Isomoto, Vice President, Business and Administration, of Santa Monica College, located at 1900 Pico Boulevard, Santa Monica, CA 90405.

SECTION 8. The Santa Monica College Malibu Campus Project is hereby approved. Based upon the record of the proceeding, the Board of Trustees finds that the Santa Monica College Malibu Campus Project advances the mission of Santa Monica College “to create a learning environment that both challenges our students and supports them in achieving their educational goals” and to “prepare our students to contribute to the global community as they develop an understanding of their personal relationship to the world’s social, cultural, political, economic, technological, and natural environments.” (Adopted Mission Statement.) The Santa Monica College Malibu Campus Project will also further Santa Monica College’s adopted goals in the area of promoting student success, advancing academic excellence, developing community partnerships and providing a supportive physical environment.

Vote on Recommendation No. 3 with the following amendments:

Add to this Resolution (Recommendation #3):

SECTION 9. Santa Monica College will not commence construction on the Malibu Campus Project until the Malibu Labor Exchange has been relocated.

Add to Mitigation Measure N-1, Noise (Appendix B - Table 5)

Prior to construction activities pursuant to special permission provided by the City Manager, the contractor shall notify adjacent residents.

MOTION MADE BY: Andrew Walzer
SECONDED BY: Rob Rader
STUDENT ADVISORY: Absent
AYES: 5
NOES: 0
ABSENT: 2 (Aminoff, Greenstein)

Appendix B – Mitigation Monitoring Program

BOARD OF TRUSTEES	Special Meeting
Santa Monica Community College District	January 13, 2016

MAJOR ITEMS OF BUSINESS

RECOMMENDATION NO. 4

SUBJECT: GROUND LEASE AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR THE SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT

SUBMITTED BY: Superintendent/President

REQUESTED ACTION: It is recommended that the Board of Trustees authorize the Superintendent/President to negotiate and execute the ground lease agreement and other ancillary agreements with the County of Los Angeles related to the Santa Monica College Malibu Campus project at 23555 Civic Center Drive, Malibu, California. The Project Site consists of an approximately 128,500 square-foot (2.94 acres) irregularly shaped ground lease area within the larger 9.19-acre Los Angeles County-owned and operated Civic Center complex.

COMMENT: It is anticipated that the ground lease with the County of Los Angeles will be for an initial term of 25 years, with options to extend the lease for up to an additional 70 years. The District will prepay the equivalent of the entire net present value of the leasehold, totaling \$4,369,665, by paying for and performing the demolition of the former Sheriff’s Station and other County improvements on the leasehold, and pay for and perform some portion of the County’s requirements for the remainder of its Malibu Civic Center property, up to the remainder of the total cost. Upon completion of the construction of the Santa Monica College Malibu Campus building, including the construction of the Sheriff’s Space, the Sheriff’s Substation will no longer constitute part of the premises of the lease, and will become the unencumbered property of the County of Los Angeles. As part of the lease, the District and the County will provide for a reciprocal parking arrangement.

MOTION MADE BY: Barry Snell
SECONDED BY: Rob Rader
STUDENT ADVISORY: Absent
AYES: 5
NOES: 0
ABSENT: 2 (Aminoff, Greenstein)

BOARD OF TRUSTEES	Special Meeting
Santa Monica Community College District	January 13, 2016

APPENDIX A

SUBJECT: SANTA MONICA COLLEGE MALIBU CAMPUS PROJECT STAFF REPORT

PROJECT BACKGROUND

In the 1970s and early 1980s, SMC offered a full program of about 70 general education classes and several non-credit classes in Malibu each semester. Program reduction occurred over time primarily due to SMC's inability to secure permanent sites from which to offer classes. In recent years, SMC's program in Malibu has been limited to a few classes offered at the Malibu Senior Center in City Hall as part of SMC's Emeritus College program for older adults, and, more recently, a small program of credit classes offered during the fall and spring semesters in the evenings at Webster Elementary School.

In the early 2000s, SMC conducted a multi-year facility assessment survey of all of its existing campus buildings, identification of remaining instructional facility deficiencies, and a review of potential joint-use opportunities in the communities of Santa Monica and Malibu.

In June 2004, the Santa Monica Community College District (SMCCD) Board of Trustees approved in concept acquiring a future site in the City of Malibu for the purpose of constructing a classroom facility to provide general education classes, Emeritus College classes, and special interest classes for the Malibu community. This effort was to be funded by Measure S, a bond measure that was to be placed on the November 2004 ballot.

On October 12, 2004, and prior to the November election, the SMCCD Board of Trustees authorized entering into a Joint Exercise of Powers Agreement with the City of Malibu, creating the Malibu Public Facilities Authority (the "Authority"), in connection with the expenditure of Measure S General Obligation bond proceeds on projects located within the City of Malibu.

The Authority provides for the planning for, acquisition of, and operation of new instructional opportunities in the District (intended chiefly to accommodate students from the City of Malibu) and a related clean water facility for stormwater and wastewater intended to resolve related environmental effects of the District facility. The District and the City of Malibu are each required to reach independent agreement as to the particulars of the appropriate properties and projects, prior to the expenditure of up to \$25 million in funds from Measure S, the bond measure that was approved by District voters at the November 2, 2004 election.

On November 7, 2005, the SMCCD Board of Trustees authorized allocating \$2.5 million of bond funds to the City of Malibu for the purchase of property to be used for holding stormwater. On July 7, 2008, the SMCCD Board of Trustees further authorized allocating \$2.5 million of bond funds to the City of Malibu to be used for the construction of a wastewater treatment facility. On April 20, 2010, the Authority authorized the District's pursuit of a long-term ground lease of the Project Site owned by the County of Los Angeles for the District's use as an educational center.

On April 19, 2011, the Los Angeles County Board of Supervisors approved a request of the County's Chief Executive to commence lease negotiations with the District as to the Project Site for the District's proposed construction of that educational facility. The District would need to demolish the County's former Sheriff's Station in order to construct the educational facility.

The contemplated lease would require that the District include within the new building up to 5,700 square feet of floor area at grade level for a Community Sheriff's Substation and Emergency Operations and Planning Center to be operated by the County, including a classroom design that would convert into an Emergency Operations Center for use by the County during local emergencies.

PROJECT DESCRIPTION

The Proposed Project is located at 23555 Civic Center Drive, Malibu, CA. The Project Site consists of an approximately 128,500 square-foot (2.94 acres) irregularly shaped ground lease area within the larger 9.19-acre Los Angeles County-owned and operated Civic Center complex. The existing portions of the Los Angeles County Civic Center complex that include the former Los Angeles County Superior Court operations, the Los Angeles County Public Works Office, the helipad, the newly renovated public library, and associated parking and maintenance areas are located outside of the ground lease area and are not a part of the Proposed Project.

The Project Site is currently improved with the former Los Angeles County Sheriff's Station, which was decommissioned in the early 1990s. The existing Sheriff's Station building includes approximately 23,882 square feet of developed floor area, of which approximately 7,279 square feet is located below grade in a basement level and approximately 16,603 square feet is located at-grade. The Proposed Project includes the demolition of the existing former Sheriff's Station building and the construction of a new joint community college satellite campus facility and Community Sheriff's Substation and Emergency Operations and Planning Center. The new construction will include a 2-story above-grade, approximately 25,310 square foot educational facility including an approximately 5,640 square foot Community Sheriff's Substation and Emergency Operations and Planning Center on the ground floor. The Proposed Project would yield a net increase of 1,428 square feet as compared to the size of the existing Sheriff's Station building. The total proposed developed floor area (FAR) is approximately 0.20 to 1. The Proposed Project will also involve the relocation and replacement of the existing 70 foot high emergency communications antenna, with a new approximately 75 foot high monopole emergency communications antenna, which will be located approximately 10 to 20 feet to the west of its current location.

Upon completion, the Santa Monica College Malibu Campus would include five classrooms and labs; a multi-purpose community room that will convert into an Emergency Operations Center (EOC) for local emergencies; a computer lab; and administrative offices to accommodate up to 210 students (FTE) and 12 faculty and staff members during peak time periods. The SMC Malibu Campus also proposes an interpretive center to support Legacy Park or other programs to highlight Malibu's unique coastal environment and cultural history. The Proposed Project will also include ancillary improvements within the Project Site associated with pedestrian and vehicular access, surface parking, open space, landscaping improvements, and relocation of on-site utilities, which may include but is not limited to, relocating an existing communications antenna. It is anticipated that the occupancy and operation of the Proposed Project will be conditioned on connecting to the City's proposed Civic Center Wastewater Treatment Facility when it becomes operational. The Proposed Project is anticipated to become operational in 2017.

It is anticipated that the ground lease with the County of Los Angeles will be for an initial term of 25 years, with options to extend the lease for up to an additional 70 years. It is anticipated that the District will prepay the equivalent of the entire net present value of the leasehold, totaling \$4,369,665, by paying for and performing the demolition of the former Sheriff's Station and other County improvements on the leasehold, and to pay for and perform some portion of the County's requirements for the remainder of its Malibu Civic Center property, up to the remainder of the total cost. It is also anticipated that upon completion of the construction of the Santa Monica College Malibu Campus building, including the construction of the Sheriff's Space, the Sheriff's Substation will no longer constitute part of the premises of the lease, and will become the unencumbered property of the County of Los Angeles. As part of the lease, the District and the County will provide for a reciprocal parking arrangement.

PROJECT OBJECTIVES AND PURPOSES

The SMCCD Board of Trustees contemplates entering into a long-term ground lease agreement with the County of Los Angeles that would facilitate the redevelopment and re-activation of a site within the Civic Center complex currently improved with a vacant and underutilized County building. The specific objectives of the Proposed Project are as follows:

- To secure an interest in real property in the City of Malibu to ensure the District can provide a satellite campus centrally located in Malibu on a long-term basis to serve the local community's needs for the types of educational programming offered by the College.
- To restore the College's presence in Malibu by faithfully expending Measure S general obligation bond proceeds for the purpose of establishing a permanent satellite campus in the City of Malibu as approved by the voters of the cities of Malibu and Santa Monica.
- To meet the educational needs for emeritus and community college classes in the Malibu community consistent with the Santa Monica College Facilities Master Plan for Education (2004 Update) goals and policies with respect to acquiring, planning, developing, and maintaining facilities and equipment to provide the best possible educational environment and promote the use of sustainable resources.
- To construct a new, modern, attractive, safe, energy efficient, low-scale, useful educational facility to be used by Santa Monica College as a satellite campus.
- To construct a building that will house sufficient community college classrooms and educational support facilities to meet the existing and projected needs of the Malibu community for the next 95 years.
- To incorporate and achieve the successful sustainable building standards of Santa Monica College within a new building that will be LEED[®] certified and will, among other things, promote efficiencies in water and energy use, feature a green roof, reduce stormwater runoff, treat stormwater runoff from the reconstructed surface parking lot, control night-sky light pollution from the Project Site, incorporate native plants in project landscaping, and maximize the building's operational efficiency by providing a passive air ventilation and circulation system.
- To establish a satellite campus in Malibu that will accommodate all of its parking needs and the Sheriff's parking needs on-site.
- To benefit the Malibu community by facilitating the County's desire to better serve the residents of Malibu by: (a) updating the County's existing antiquated emergency communications tower with a modern monopole support tower, (b) incorporating a police substation into the ground floor of the new educational building for use by the Los Angeles County Sheriff's Department, and (c) designing and constructing a classroom or multi-purpose room in a way that facilitates its occasional temporary conversion into an emergency operations center.
- To redevelop and reactivate an underutilized portion of the Civic Center owned by the County of Los Angeles, and establish (in place of a long-abandoned Sheriff's Station) an institutional land use that would complement and expand upon the existing public services that are currently provided within other portions of the Civic Center.
- To provide opportunities for an interpretive center that would support Legacy Park and/or other programs to highlight Malibu's unique coastal environment and cultural history.
- To augment funding for a new water quality treatment facility in the Malibu Civic Center for effluent and stormwater consistent with the requirements of the Regional Water Quality Control Board.

CEQA PROCESS

The California Environmental Quality Act (CEQA) was enacted in 1970 with the main objective of providing public disclosure to inform decision makers and the public of the significant environmental effects of proposed activities and to require agencies to avoid or reduce the environmental effects by implementing feasible alternatives or mitigation measures. The proposed project requires discretionary approval from multiple governmental agencies and is subject to CEQA. The Santa Monica Community College District (SMCCD) is the lead agency for the proposed project pursuant to CEQA, and the County of Los Angeles, the City of Malibu, and the Malibu Public Facilities Authority are responsible agencies pursuant to CEQA.

A project-level Draft Environmental Impact Report (EIR) was prepared in accordance with CEQA, and the State CEQA guidelines. A Notice of Preparation (NOP) for the Draft EIR was published and circulated for a 30-day review period starting on May 17, 2012 and ending on June 17, 2012. Three public outreach meetings were held, including a public scoping meeting Thursday, May 31, 2012 in the multipurpose room of Malibu City Hall. All agency and public responses are included in Appendix B to the Draft EIR.

Based on a review of agency and public comments received in response to the NOP, including at the scoping meeting, SMCCD as the lead agency determined that the following environmental issue areas should be included within the scope of the EIR: Aesthetics (Views, Light and Glare), Air Quality, Cultural Resources, Geology Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services (Police and Fire Protection), Transportation (Traffic and Parking), and Public Utilities (Water, Sewer, Energy Conservation).

PUBLIC PARTICIPATION

To provide full public disclosure of potential environmental impacts that may occur as a result of the proposed project, CEQA requires the Draft EIR to be circulated during the public review period to all responsible agencies, trustee agencies, and the general public. The Draft EIR was circulated for a 60-day public review period that began July 10, 2015 and ended September 7, 2015. The Draft EIR has been available to the public via Santa Monica College's website at www2.smc.edu/planning. Copies of the Draft EIR are also available for public review at SMC's Administrative Offices at 2714 Pico Boulevard, Room 320, Santa Monica, CA 90405, and locally at Malibu City Hall and the Malibu Public Library.

A Notice of Preparation and Availability of the Draft EIR was published July 11, 2015 in the Santa Monica Daily Press, on July 16, 2015 in the Malibu Times, and on July 16, 2015 in the Malibu Surfside News. A courtesy postcard announcing the availability of the Draft EIR was mailed to all Malibu residents during the third week of July 2015.

The District received nine comment letters. The comment letters and responses to the comment letters can be found in the Final EIR, dated December 4, 2015. A discussion of the issues is provided below. Notices of availability of the Final EIR and responses to comments were mailed to each agency and individual that commented on the Draft EIR. Copies of the Final EIR were made available to the public and posted on the District website. Courtesy reminders of the availability of the Final EIR and the public hearing on January 13, 2016 were provided through prominent advertisements in the Malibu Times, Surfside Malibu News, and the Santa Monica Daily Press.

ENVIRONMENTAL ANALYSIS

The Initial Study/Notice of Preparation determined that the following environmental impacts were not considered potentially significant and were not addressed in the Final EIR: agricultural resources, biological resources, mineral resources, and population and housing.

The Final EIR determined that the following environmental impacts were found to be less than significant and would not result in significant cumulative impacts, and no mitigations are required or recommended: greenhouse gas emission, land use and planning, noise (operational), noise (operational event), and transportation (parking).

The Final EIR determined that the following environmental impacts could feasibly be eliminated or substantially reduced below a level of significance and that the College shall implement mitigation measures in these areas as part of the Santa Monica College Malibu Campus Project: aesthetics, air quality, cultural resources, geology and soils, hazardous materials, hydrology and water quality, public services (police and fire protection), transportation (traffic), and public utilities (water, sewer, water, and energy conservation). The mitigations for these areas are found in the Mitigation Monitoring Program in the accompanying resolution.

The Final EIR determined that the environmental impacts in the area of construction noise cannot feasibly be avoided or mitigated to below a level of significance. The impacts are short-term and will cease upon completion of construction. The Final EIR identifies five mitigation measures to reduce construction noise, however these mitigation measures will not reduce construction noise below a level of significance. Nevertheless, their impacts are found to be acceptable due to overriding considerations as discussed below.

ISSUES FOR DISCUSSION

Transportation and Circulation

A Traffic Study has been conducted to identify and evaluate the potential impacts of traffic generated by the Proposed SMC Malibu Campus Project. In order to evaluate the potential impacts to the local street system, eleven key intersections were analyzed during weekday and Saturday peak hour conditions to determine changes in operations following completion and occupancy of the Project. Application of the intersection impact threshold criteria from the City of Malibu indicates that the Proposed Project is not expected to create significant impacts at any of the eleven study intersections during weekday and Saturday conditions for Existing With Project, as well as Opening Year 2017 with Project conditions and Future 2030 With Project conditions. Incremental but not significant impacts are noted at the study intersections evaluated in this analysis. Furthermore, street segment analyses yielded incremental, but not significant impacts at the two study street segments based on City of Malibu criteria. As no significant impacts are identified due to the Proposed Project, no traffic mitigation measures are required or recommended for the study intersections or street segments. Additionally, no significant impacts are identified due to the Proposed Project using school-time traffic count data at nine of the study intersections and at an additional Los Angeles County intersection.

The Proposed Project in combination with the related projects would not result in any adverse impacts to traffic and circulation. The related projects, as identified in Section II Project Description, would be required through the City of Malibu Municipal Code requirements, to perform a traffic study, and comply with any required mitigation measures. As such, no significant cumulative impacts to traffic and circulation are anticipated.

Three CMP monitoring intersections were identified based on the 2010 Congestion Management Program for Los Angeles County. The CMP TIA guidelines require that intersection monitoring locations be examined if the Proposed Project will add 50 or more trips during either the AM or PM weekday peak hours. In addition, freeway monitoring locations must be examined if the Proposed Project will add 150 or more trips (in either direction) during either the AM or PM weekday peak hours. Based on the Project trip generation forecasts, further review of potential impacts to the nearest intersection and freeway monitoring locations that are part of the CMP highway system are not required.

As no significant impacts relative to traffic and circulation would occur, no mitigation measures are necessary.

Parking

As the Project Site is located within the Malibu Civic Center, parking for the proposed land uses on the Project Site and the existing land uses within the Malibu Civic Center will be accommodated within a shared parking lot. The Proposed Project will provide the required quantity of parking for the proposed

community college and Sheriff's Station land uses within the Project Site pursuant to the Malibu Municipal Code (MMC) and Malibu Local Implementation Plan (LIP) parking rates. However, the Malibu LIP specifies that standard parking stall dimensions should be a minimum of nine feet by twenty feet. The Parking Guidelines of the County of Los Angeles, on the other hand, specify that parking stall dimensions may be eight feet by fifteen feet for compact spaces and eight and one-half feet by eighteen feet for standard spaces. As a majority of the parking stalls in the Civic Center parking lot are located outside the boundaries of the Project Site, the Applicant is seeking to conform to the County of Los Angeles parking stall dimensions for continuity. This request will allow the parking stalls within the Project Site to be consistent with the parking stall dimensions within the remaining portions of the Malibu Civic Center parking lot that are located outside of the Project Site. Accordingly, SMCCD is seeking a variance from Section 3.12.5D of LIP Section 3.12.5D, to permit the dimensions of the parking stalls on the Project Site to be striped according to the County of Los Angeles parking stall dimensions while still providing the quantity of parking spaces per the MMC and LIP parking rates. Parking stall dimensions are not "adopted for the purpose of avoiding or mitigating an environmental effect."

Historic Site Analysis

Two qualified architectural historians were consulted to evaluate whether the former Sheriff's Station, which is a component of the Malibu Civic Center, qualifies as a historical resource pursuant to CEQA. The Historic Resource Assessment Report for the Sheriff's Station and Malibu Civic Center (October 2015) is contained in Appendix L in the Final EIR. The report was conducted by Ms. Leslie Heumann with assistance from Ms. Jenna Snow. Ms. Heumann is an architectural historian with nearly 40 years of experience in all aspects of historic resources evaluation, documentation, preservation, and planning. Ms. Snow has an independent historic preservation consulting practice with an office in Los Angeles and meets the Secretary of the Interior's Professional Qualifications Standards in Architectural History. She has authored, co-authored, and/or served as project manager for more than 75 historic preservation projects.

The Historic Resource Assessment Report evaluates the significance of the Malibu Civic Center as a potential historic district and the Sheriff's Station, both as a potential contributor to such a district and as an individual resource. The assessment considers the historic significance of the subject property in terms of eligibility for inclusion in the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register). The report concludes that the Malibu Civic Center does not meet any of the National Register of Historic Places or California Register of Historical Resources criteria of significance as a historic district. The Sheriff's Station, which has no importance architecturally outside of the context of the Civic Center, also has no known individual historic significance or associations and therefore does not individually satisfy any of the criteria of significance.

Construction of the Malibu Civic Center was completed in 1970. The Malibu Civic Center is a modest example of the New Formalist style of architecture, popular for County buildings during the 1960s. Unlike better examples of this style—for example Compton City Hall (Harold L. Williams, architect) or Pomona City Hall (Welton Becket, architect)—the Malibu Civic Center contains a minimum of the character-defining features that are necessary to link it to this idiom. The architect on record, Maurice Fleishman, was a capable architect but apparently was not the recipient of awards and accolades during his lifetime. Only a few of his many buildings have been recently identified by historic resources surveys as worthy of attention. The National Register defines a "master architect" as a figure of recognized greatness in a field. Maurice Fleishman does not rise to this level. The extant buildings do not have the potential to yield important information in history or pre-history, which is generally applied to archaeological resources. No resources of an archaeological nature were observed during site inspection. The subject property is paved and landscaped and has been highly disturbed by building construction. Based on these findings, the Malibu Civic Center and the Sheriff's Station therefore do not satisfy the definition of a historical resource under CEQA.

Building Height and Communications Tower Height

As disclosed in the Draft EIR, the proposed structure will include a 2-story building with a maximum height of approximately 35 feet - ten inches (35' – 10") above grade. The Proposed Project will require a variance to exceed the 28-foot base height limit and to replace the existing 70-foot high communications tower with a new monopole structure approximately 75 feet in height. With approval of the requested variances, the Project will be consistent with the policies and procedures of the Local Coastal Plan (LCP).

The architectural design of the Proposed Project and resulting building height are necessary to accommodate the passive heating and cooling ventilation system that is proposed for high occupancy areas typically associated with educational lecture rooms and assembly areas in an effort to reduce energy demands of a traditional HVAC system. For this reason, Santa Monica College is seeking a height variance from Section 3.9 of the Institutional Development Standards as part of the Coastal Development Permit process.

Recognizing the Institutional zoning designation, and the types of iconic and/or unique architectural styles that are commonly used to distinguish civic, institutional or cultural-oriented structures from traditional commercial buildings, Section 3.9 (b) of the LCP permits architectural features such as flagpoles, satellite dishes, safety railings, elevator shafts, stairwells, church spires, and belfries to a maximum height of 35 feet through a site plan review. The items contained on this listing of permitted architectural projections were not "adopted for the purpose of avoiding or mitigating an environmental effect." The architectural design of the Proposed Project appears to be consistent with the intent of this code provision. Although the proposed structure does not include the specific exclusionary architectural elements that would qualify for a 35-foot height limit, the roof is characterized with a unique waveform roofline that slopes upward to a height of 35' – 10" at its highest point. The majority of the building mass is below the 28-foot base height limit. The sloped roofline is designed to add architectural interest and an iconic mark to the proposed community college facility, but is also required as part of a passive ventilation system in an effort to meet SMC's stringent energy conservation standards.

SMC's sustainability specifications encourage its projects to be designed to maximize LEED points to the extent feasible. Because of the Proposed Project's location in the Coastal Zone, the Project Site affords the unique benefit of utilizing a passive ventilation system to cool interior spaces and circulate airflow in rooms designed for high occupancy loads. An illustration of the proposed natural convection ventilation system is provided in Figure 2.24, Sustainability Features, in Section 2, Project Description. Adhering to the 28-foot height limit would preclude the use of a natural ventilation system and would increase the building's operational energy demands. With approval of the requested variance, the Proposed Project would be in compliance with the policies and procedures of the Malibu Municipal Code. Moreover, the specification of permitted architectural projections was not "adopted for the purpose of avoiding or mitigating an environmental effect." Thus, the land use impacts of the Project's sloping roof would be less than significant.

The existing 70-foot high communications tower was built prior to the incorporation of the City of Malibu and is considered a legal non-conforming structure. The communication tower is a key safety requirement associated with the City of Malibu and Los Angeles County's Sheriff Substation and emergency operations. The applicable development standards for communication towers provide that flagpoles and satellite dishes up to a maximum height of 35 feet are permitted in the Institutional Zone through the Site Plan Review process. Per the County's needs, the proposed communications tower is 75 feet high above grade, five feet higher than the existing tower. SMCCD is seeking a Variance from Section 3.14, Wireless Telecommunications Antennae and Facilities, of the City of Malibu's Local Implementation Plan as part of the Coastal Development Permit process. As described in EIR Section 2.0, Project Description, the requested variance is sought as a matter of public safety as the proposed tower is replacing an existing communications facility that is vital to the emergency support and operations of the County's emergency response system. The additional five feet in height is also necessary to provide additional capacity to support new equipment to the tower, extending its lifetime and preventing overcrowding. With approval of the requested variance, the project would be in compliance with the policies and procedures of the Malibu Municipal Code. The height of the monopole

communications tower does not create any environmental effects. Thus, the land use impacts of the communications tower would be less than significant.

Malibu Labor Exchange and Other Non-Governmental Land Uses

The Draft EIR discloses that portions of the Project Site are currently licensed to non-governmental land uses, including the Malibu Tow Yard, the Malibu Community Labor Exchange, and the Malibu Farmer's Market. These license agreements are between the County of Los Angeles and the respective license holders and do not fall under the purview of SMC's lease agreement with the County of Los Angeles. The Malibu Tow Yard is a commercial enterprise and has been informed that its license will terminate in the near future and it will no longer be able to operate on site. The potential relocation of this use to another site within the City limits is speculative to address within the scope of the EIR. In the event this existing land use is relocated to another property within the City limits, it will be subject to the coastal development process and a separate CEQA environmental review process.

With regard to the Farmer's Market, it is anticipated that the Farmer's Market will continue to operate within the Civic Center property, though the exact location has not been determined.

With regard to the Malibu Labor Exchange, the County of Los Angeles and the City of Malibu are actively seeking a solution to relocate this use within the Civic Center area.

PROJECT ALTERNATIVES

According to CEQA guidelines, an EIR must include the analysis of a reasonable range of alternatives to the proposed project. The Final EIR includes an analysis of a "No Project Alternative" and a "Zoning Compliant Alternative." CEQA mandates that the Lead Agency identify the environmentally superior alternative (the alternative that reduces the significant impacts of the project to the greatest extent; if the No Project Alternative is the environmentally significant alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives). However, the Lead Agency may consider the project objectives in part or in total in approving the project, and may adopt a statement of overriding consideration in doing so.

In this case, the No Project Alternative and the Zoning Compliance Alternative are deemed to be environmentally superior to the Proposed Project. However, neither the Zoning Compliant Alternative nor the No Project Alternative is feasible because they do not satisfy the Project Objectives to provide sufficient community college classrooms and educational support facilities to meet the existing and projected needs of the Malibu community for the next 95 years, to update the County's existing antiquated emergency tower with a modern monopole support tower, and to incorporate a police substation into the ground floor for use by the Los Angeles County Sheriff's Department.

OTHER DISCRETIONARY PERMITS AND APPROVALS

The plans for the Santa Monica College Malibu Campus Project were reviewed and approved for safety of design and construction by the California Geological Survey and Division of the State Architect on August 12, 2014 and November 24, 2015 respectively. Furthermore, various County of Los Angeles departments such as Fire and Public Works and their respective divisions reviewed and approved the Project in 2014. Prior to construction, the proposed Project must also be heard and approved by the City of Malibu Planning Commission as part of the City of Malibu and California Coastal Development permitting processes. To this end, and in preparation for the Planning Commission hearing, various City departments reviewed and approved the Project in 2014. Additionally, the proposed Project must be approved by the Los Angeles County Board of Supervisors following the completion of the CEQA process and after the City of Malibu and the Santa Monica Community College District have approved the project.

STATEMENT OF OVERRIDING CONSIDERATIONS

As fully described in Section 4.9, the Final EIR found that the Project would result in significant and

unavoidable adverse impacts due only to construction noise on a short term and intermittent basis during the construction period. Consistent with 1405(n) of the Santa Monica College CEQA Guidelines and Section 15093 of the State CEQA Guidelines, the Board of Trustees may make a Statement of Overriding Considerations and find that the educational, social, cultural and economic benefits of the Santa Monica College Malibu Campus Project outweigh the unavoidable environmental impacts based on the reasons stated below and more particularly in Section 5 of the resolution before the Board. The benefits identified are each one, in and of themselves, sufficient to make a determination that the adverse environmental effects are acceptable.

The Santa Monica College Malibu Campus Project will address important deficiencies in the College's facilities to support delivery of "the best possible educational environment" and to "promote the use of sustainable resources," as reflected in the College's mission statement.

The Proposed Project will ensure that the District can provide a satellite campus centrally located in the City of Malibu on a long-term basis to serve the local community's needs for the types of educational programming offered by the College and will restore the College's presence in Malibu by faithfully expending Measure S general obligation bond proceeds for the purpose of establishing a permanent satellite campus in the City of Malibu as approved by the voters of the cities of Malibu and Santa Monica.

The District will be able to meet the educational needs for emeritus and community college classes in the Malibu community consistent with the Santa Monica College Facilities Master Plan for Education (2004 Update) goals and policies with respect to acquiring, planning, developing, and maintaining facilities and equipment to provide the best possible educational environment and promote the use of sustainable resources.

The District will be able to construct a new, modern, attractive, safe, energy efficient, low-scale, useful educational facility to be used by Santa Monica College as a satellite campus, to house sufficient community college classrooms and educational support facilities to meet the existing and projected needs of the Malibu community for the next 95 years.

The District will be able to incorporate and achieve the successful sustainable building standards of Santa Monica College within a new building that will be LEED® certified and will, among other things, promote efficiencies in water and energy use, feature a green roof, reduce stormwater runoff, treat stormwater runoff from the reconstructed surface parking lot, control night-sky light pollution from the Project Site, incorporate native plants in project landscaping, and maximize the building's operational efficiency by providing a passive air ventilation and circulation system.

The Proposed Project will establish a satellite campus in Malibu that will accommodate all of its parking needs and the Sheriff's parking needs on-site.

The Proposed Project will benefit the Malibu community by facilitating the County's desire to better serve the residents of Malibu by: (a) updating the County's existing antiquated emergency communications tower with a modern monopole support tower, (b) incorporating a police substation into the ground floor of the new educational building for use by the Los Angeles County Sheriff's Department, and (c) designing and constructing a classroom or multi-purpose room in a way that facilitates its occasional temporary conversion into an emergency operations center.

The Proposed Project will redevelop and reactivate an underutilized portion of the Civic Center owned by the County of Los Angeles, and establish (in place of a long-abandoned Sheriff's Station) an institutional land use that would complement and expand upon the existing public services that are currently provided within other portions of the Civic Center.

The Proposed Project will provide opportunities for an interpretive center that would support Legacy Park and/or other programs to highlight Malibu's unique coastal environment and cultural history.

The District will be able to augment funding for a new water quality treatment facility in the Malibu Civic Center for effluent and stormwater consistent with the requirements of the Regional Water Quality Control Board.

In contrast to these extensive educational, cultural, social and economic benefits, the Project's one single area of adverse environmental effect, which cannot be mitigated below a level of significance, is comparatively minor in nature. Specifically:

- The finding of significant adverse noise impacts during construction is a short-term impact that will cease upon completion of construction.
- The Project's construction noise impacts would exceed the maximum allowable exterior noise levels for non-transportation sources at the County Public Works building, the Malibu Public Library, and Legacy Park, although the construction noise levels would be below the threshold for the residential land uses to the north.
- The Final EIR identifies five mitigation measures to reduce construction noise. All five of those mitigation measures will be required to be implemented during construction. However, these mitigation measures will not reduce construction noise below a level of significance, and construction noise will remain a significant and unavoidable impact that will cease upon completion of construction.

RECOMMENDATION

For the above reasons, it is respectfully recommended that the Board of Trustees:

1. Adopt the resolution entitled "A Resolution of the Board of Trustees of the Santa Monica Community College District Certifying the Final Environmental Impact Report Prepared for the Santa Monica College Malibu Campus Project."
2. Adopt the resolution entitled "A Resolution of the Board of Trustees of the Santa Monica Community College District Making Findings Necessary To Approve the Santa Monica College Malibu Campus Project, Adopting Statement of Overriding Considerations, Adopting a Mitigation Monitoring Plan, and Approving the Santa Monica College Malibu Campus Project."
3. Authorize the Superintendent/President to negotiate and execute the ground lease agreement and other ancillary agreements with the County of Los Angeles related to the Santa Monica College Malibu Campus project at 23555 Civic Center Drive, Malibu, California.

BOARD OF TRUSTEES	Special Meeting
Santa Monica Community College District	January 13, 2016

APPENDIX B

SUBJECT: EXHIBIT A – MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines require adoption of a Mitigation Monitoring and Reporting Program (MMRP) for all projects for which an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) has been prepared. This requirement was originally mandated by Assembly Bill (AB) 3180 which was enacted on January 1, 1989 to ensure the implementation of all mitigation measures adopted through the CEQA process. Specifically, Section 21081.6 of the Public Resources Code states that "...the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment...[and that the program]...shall be designed to ensure compliance during project implementation."

AB 3180 provided general guidelines for implementing monitoring and reporting programs, which are enumerated in more detail in Section 15097 of the CEQA Guidelines. However, specific reporting and/or monitoring requirements to be enforced during project implementation shall be defined prior to final approval of the proposed project by the decision-maker. In response to established CEQA requirements, the proposed MMRP shall be submitted to the Santa Monica College (the designated Lead Agency) for consideration prior to completion of the environmental review process to enable the decision-makers appropriate response to the proposed project. Although the Lead Agency may delegate reporting or monitoring responsibilities to other agencies or entities, it "...remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program."

The MMRP describes the procedures for the implementation of the mitigation measures to be adopted for the proposed project as identified in the Environmental Impact Report (EIR). The MMRP for the proposed project will be in place through all phases of the proposed project, including design (pre-construction), construction, and operation (post-construction both prior to and post-occupancy). SMC shall be responsible for administering the MMRP activities or delegating them to staff, other responsible agencies, consultants, or contractors. SMC will also ensure that monitoring is documented through reports (as required) and that deficiencies are promptly corrected. The designated environmental monitor (e.g. project contractor, certified professionals, etc.) will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems.

Each mitigation measure is categorized by environmental topic area and corresponding number, with identification of:

- The enforcement agency
- The monitoring agency
- The monitoring phase (i.e., the phase of the Project during which the measure should be monitored)
- The monitoring frequency
- The action indicating compliance with the mitigation measure

Table 5-1 Mitigation Monitoring and Reporting Program

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
Aesthetics						
AES-1	Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in appearance throughout the construction period. Graffiti shall be removed immediately upon discovery.	Review plan(s) at plan check and during construction.	SMC			
AES-2	Prior to the issuance of a grading permit, SMC shall submit a landscape plan that incorporates native plant species to the satisfaction of the City of Malibu Planning Department and Los Angeles County Department of Regional Planning. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained during the life of the Project.	Review plan(s) at plan check.	SMC, City of Malibu, LA County Dept. of Regional Planning			
AES-3	The exterior of the proposed building shall be constructed of glare-reducing materials that minimizes glare impacts on motorists and other persons on and off-site.	Review plan(s) at plan check.	SMC			
AES-4	Outdoor lighting shall incorporate low-level lighting fixtures and shall be designed and installed with directional shields so that the light source cannot be seen from adjacent land uses, consistent with the Rural Outdoor Lighting District Ordinance.	Review plan(s) at plan check.	SMC, LA County Dept. of Public Works			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
Air Quality						
AQ-1	<p>The Project Applicant shall include in construction contracts the control measures required and/or recommended by the SCAQMD at the time of development, including but not limited to the following:</p> <p><i>Rule 403 - Fugitive Dust</i></p> <ul style="list-style-type: none"> • Use watering to control dust generation during demolition of structures or break-up of pavement; • Water active grading/excavation sites and unpaved surfaces at least three times daily; • Cover stockpiles with tarps or apply non-toxic chemical soil binders; • Limit vehicle speed on unpaved roads to 15 miles per hour; • Sweep daily (with water sweepers) all paved construction parking areas and staging areas; • Provide daily clean-up of mud and dirt carried onto paved streets from the Site; • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more; and, • An information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt if feasible. 	<p>During clearing, grading, earth moving, or excavation operations.</p>	SMC, AQMD			
AQ-2	<p>The Applicant shall comply with SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines to limit potential objectionable odor impacts during the Project's long-term operations phase.</p>	<p>Project Operation</p>	SMC, AQMD			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion	
				Initials	Date
AQ-3	The Applicant shall ensure all construction contractors comply with SCAQMD Rules 1108 and 1113, which include control measures to limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents.	Construction	SMC, AQMD		
Cultural Resources					
CR-1	In the event that archaeological resources are encountered during the course of grading or construction, all development must temporarily cease in the area of discovery until the resources are properly assessed and subsequent recommendations are determined by a qualified consultant.	During clearing, grading, earth moving, or excavation operations.	SMC, OHR		
CR-2	In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains or cultural resources. If evidence of prehistoric artifacts is discovered, construction activities in the affected areas shall not proceed until written authorization is granted by the City of Malibu Planning Director.	During clearing, grading, earth moving, or excavation operations.	SMC, OHR, County Coroner		
Geology and Soils					
GEO-1	The Proposed Project shall be designed and constructed in accordance with the City and State Building Codes and shall adhere to all modern earthquake standards, including the recommendations provided in the Project's Final Geotechnical Report, which shall be reviewed by the division of the State Architect prior to construction.	Prior to the issuance of grading and/or building permits	SMC, DSA		

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion	
				Initials	Date
Greenhouse Gas Emissions					
	No mitigation measures are required.				
Hazards and Hazardous Materials					
HAZ-1	The Project Developer shall obtain all necessary permits from the RWQCB prior to the installation of any temporary and/or permanent dewatering systems. Procurement of all applicable RWQCB permits will ensure the water quality of groundwater discharge into the storm drain infrastructure.	Pre-Construction	SMC, RWQCB		
HAZ-2	A demolition-level asbestos survey by a licensed contractor shall be conducted for the existing on-site structures. If the survey reveals that these structures contain ACMs, the structures shall be stabilized, removed, and disposed of in accordance with applicable regulations, including but not limited to, SCAQMD Rule 1403 and Cal/OSHA requirements.	Pre-Construction, Construction	SMC, AQMD		
HAZ-3	During the demolition of existing structures, building materials shall be handled and disposed of in accordance with applicable federal, State, and local regulations regarding lead-containing materials.	During the demolition process	SMC		
HAZ-4	Fluorescent light ballasts not specifically labeled as not to contain PCBs shall be presumed to contain them and shall be disposed of in accordance with applicable regulations, including but not limited to, Cal/OSHA requirements.	During the demolition process	SMC		
HAZ-5	If any operation within the Project Site includes construction, installation, modification, or removal of underground storage tanks (Los Angeles County Code Title 11, Division 4), the County of Los Angeles must be contacted for required approvals and operation permits.	During the demolition and construction process	SMC, LA Co. Fire Dept.		
Hydrology and Water Quality					
WQ-1	The Project shall comply with all applicable City and County Low/Impact Development water quality requirements. The Proposed Project shall be designed and constructed in accordance with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ. The Applicant shall submit a Stormwater Pollution and Prevention Plan (SWPPP) to	Verify compliance prior to issuance of grading or building permits.	SMC, RWQCB		

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion	
				Initials	Date
WQ-2	<p>the appropriate governing agency.</p> <p>Prior to the start of any construction activity, SMC or its contractor shall submit a Water Quality Management Plan (WQMP) to the satisfaction of the City of Malibu that incorporates appropriate site design and source control BMPs from Section 17.6 of the LIP and Appendix A to minimize or prevent post-construction polluted runoff.</p>	Verify compliance prior to issuance of grading or construction permits.	SMC		
Land Use and Planning					
	No mitigation measures are required.				
Noise					
N-1	<p>Consistent with the City of Malibu Noise Ordinance (Section 4204 G), construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays, and prohibited on Sundays and holidays. Special circumstances may arise where construction activities are permitted during prohibited hours by expressed written permission of the City Manager, or if construction is necessary to preserve life or property when such necessity arises (Section 4205 D).</p>	Throughout construction activities.	SMC, City of Malibu		
N-2	<p>Noise and groundborne vibration construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be situated away from the nearest noise- and vibration-sensitive land uses wherever feasible to do so.</p>	Throughout construction activities.	SMC		
N-3	<p>When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.</p>	Throughout construction activities.	SMC		
N-4	<p>Barriers such as plywood structures or flexible sound control curtains shall be erected around the perimeter of the Project Site to minimize the amount of construction noise impacting adjacent off-site land uses. Plywood barriers should have a minimum thickness of 3/4 inch (21 mm) and extend to a height of eight (8) feet above grade to effectively block the line of sight from the noise source to</p>	Throughout construction activities.	SMC		

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
	the noise receptor.					
N-5	The project construction contractors shall ensure that equipment is properly maintained per the manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc) or as required by the City's Department of Building and Safety, whichever is the more stringent.	Throughout construction activities.	SMC			
N-6	The project construction contractors shall shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.	Throughout construction activities.	SMC			
N-7	The project construction contractors shall ensure that construction equipment does not idle for extended periods of time.	Throughout construction activities.	SMC			
Public Services						
PS-1	The Project shall comply with all applicable code and ordinance requirements for construction, emergency access, water main fire flows and fire hydrants.	Verify compliance prior to issuance of grading permits.	SMC Departments/ Fire Department			
Transportation and Traffic						
T-1	T-1: Heavy-duty truck trips shall be scheduled outside of peak hours when possible during the construction process.	Throughout construction activities.	SMC, LA County Dept. of Public Works			
Utilities and Service Systems						
PU-1	Occupancy and operation of the Proposed Project shall be conditioned upon the successful operation of and connection to the City's proposed Civic Center Wastewater Treatment Facility, not on-site. The average wastewater generation rate for the project shall not exceed 11,102 gallons per day.	Verify compliance prior to issuance of building permits.	SMC, City of Malibu			
PU-2	Certificate(s) of Occupancy for this Project shall not be issued until the Civic Center Wastewater Treatment Facility (under separate permit CDP 13-057) is constructed and operational, and all on-site sewer connections to the new sewer laterals are completed.	Verify compliance prior to issuance of building permits.	SMC, City of Malibu			

Mitigation Measure		Monitoring Action/Timing	Responsible Division	Verification of Completion		
				Initials	Date	Remarks
PU-3	Conditions of approval by the City of Malibu Public Works Department for Sewer are incorporated by reference into the Environmental Health Conditions of approval.	Verify compliance prior to issuance of occupancy permit.	SMC, City of Malibu, LA County Dept. of Public Works			
PU-4	Prior to the issuance of a building permit, the Applicant shall pay any applicable and lawful fees adopted by the City and generally and uniformly imposed by the City's Environmental Sustainability Department and/or Public Works Department for construction of new water supply and distribution facilities.	Verify compliance prior to issuance of occupancy permit.	SMC, City of Malibu LA County Dept. of Public Works			
PU-5	Automatic sprinkler systems shall be set to irrigate landscaping during early morning hours or during the evening to reduce water loss from evaporation. Care must be taken to reset sprinklers to water less often in cooler months and during the rainfall season to avoid wasting water by excessive landscape irrigation.	Site Plan Review	SMC, City of Malibu			
PU-6	Selection of native, drought-tolerant, low water consuming plant varieties shall be used to reduce potable irrigation water consumption to the maximum extent feasible.	Site Plan Review	SMC, City of Malibu			
PU-7	Best Management Practices (BMP's) for water conservation shall be used within buildings to reduce wastewater generation/water use.	Site Plan Review	SMC, City of Malibu			
PU-8	The Applicant shall install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.	Site Plan Review	SMC, City of Malibu			
PU-9	The Applicant shall install restroom faucets with a maximum flow rate of 1.5 gallons per minute.	Site Plan Review	SMC, City of Malibu, LA County Dept. of Public Works			
PU-10	A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for the proposed new building to ensure a separate connection from the library building is maintained.	Site Plan Review	SMC, City of Malibu, LA County Dept. of Public Works			
END						