

**ORCUTT UNION SCHOOL DISTRICT**

Special Meeting

of the Board of Trustees

Wednesday, April 6, 2022

District Office Board Room

500 Dyer St., Orcutt, CA 93455

**Open Session at 6:00 p.m.**

**I. OPEN SESSION 6:00 PM**

A. Call Meeting to Order

B. Pledge of Allegiance

C. Adoption of the April 6, 2022 Agenda

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**II. PUBLIC COMMENT PERIOD**

The Board of Trustees welcomes comments about items appearing or not appearing on tonight’s agenda. The audience members wishing to address the Board during the Public Comment segment of the agenda are reminded to fill out a *Public Comment Form*, which can be obtained from Julie Payne and submitted prior to the time the presiding officer calls for Public Comment. Requests to speak can also be emailed to Julie Payne at [jpayne@orcutt-schools.net](mailto:jpayne@orcutt-schools.net) and state that you want to make a public comment and indicate what agenda item you would like to speak about. An item not on the agenda must be addressed during the Public Comment segment of the agenda.

A maximum of thirty (30) minutes is set aside for Public Comment; speakers are allowed a maximum of three (3) minutes to address the Board on any item within the Board’s jurisdiction in accordance with the Brown Act. The Board will limit any response to public comment to brief statements, referral to staff, or referral to a future board meeting.

**III. ITEMS SCHEDULED FOR ACTION**

**A. GENERAL**

1. Resolution No. 12 Determining that the Joe Nightingale Full Day Kindergarten Project is Exempt from the California Environmental Quality Act

It is recommend that the Board of Trustees adopt Resolution No. 12 Determining that the Joe Nightingale Full Day Kindergarten Project is Exempt from the California Environmental Quality Act, as submitted

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**IV. SPECIAL FACILITIES UPDATE**

**V. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS**

General public comment on any closed session item will be heard. Speakers are allowed a maximum of three (3) minutes to address the Board on any items within the Board’s jurisdiction in accordance with the Brown Act. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting. The Board may limit comments to no more than 30 minutes pursuant to Board Policy.

- A. Motion to Adjourn to Closed Session  
Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**VI. ADJOURN TO CLOSED SESSION**

- A. Conference with Legal Counsel Regarding Existing Litigation pursuant to California Government Code section 54956.9(d)(1):
- B. Conference with Legal Counsel Regarding Anticipated Litigation.
  - 1. Significant exposure to litigation pursuant to California Government Code, section 54956.9(2) or (3): 1 case
- C. Conference with Labor Negotiator. Agency representative, Susan Salucci, Assistant Superintendent of Human Resources. Employee Organization: Orcutt Educators Association; California School Employees Association.
- D. Conference with Labor Negotiator. Agency representative: Dr. Holly Edds, Superintendent. Employee Organization: Unrepresented employees
- E. Public Employee Discipline/Dismissal/Release/Complaint.
- F. Public Employee Evaluation of Performance.
- G. Student Discipline or Other Confidential Student Matters.

**VII. RECONVENE TO OPEN SESSION**

- A. Motion to Reconvene to Open Session  
Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_
- B. Report of Action Taken in Closed Session

**VIII. GENERAL ANNOUNCEMENTS**

- A. Unless otherwise noticed, the next regular Board meeting is scheduled for Wednesday, April 13, 2022, beginning with Closed session at 6:05 p.m., Open Session at 6:30 p.m. in the District Office Board Room, 500 Dyer St., Orcutt, CA 93455

**IX. ADJOURN**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent’s Office at (805) 938-8907. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting. All documents related to the open session agenda are available for review 72 hours prior to the meeting at the Orcutt Union School District Office, 500 Dyer Street, Orcutt, CA



## SUPERINTENDENT'S MEMORANDUM

TO: Board of Trustees

FROM: Holly Edds, Ed.D.  
Superintendent

BOARD MEETING DATE: April 6, 2022

BOARD AGENDA ITEM: Resolution No. 12 Determining that the Joe Nightingale Full Day Kindergarten Project is Exempt from the California Environmental Quality Act and Approve the Project

**BACKGROUND:** The Orcutt Union School District (“District”) developed the Joe Nightingale ES All Day Kindergarten Project (“Project”) to replace aging portable classrooms, add new playground and outdoor space, and allow for the expansion of the District’s full day transitional kindergarten and kindergarten programs at the Joe Nightingale Elementary School Campus. The Project specifically consists of demolition of six (6) portable classroom buildings; installation of seven (7) new modern, earthquake-resistant modular classroom buildings with interior restrooms, a new outdoor student space, a new playground area, path of travel upgrades and additional security fencing.

As a requirement for the Project, the District must complete environmental review under the California Environmental Quality Act (“CEQA”), which exempts certain defined projects from completing a negative declaration or an environmental impact report and are called categorical exemptions. District staff have determined that the Project meets the definitions of the Class 2 and Class 14 Categorical Exemptions (CEQA Guidelines, §§ 15302 and 15314).

Per the Replacement or Reconstruction Class 2 Categorical Exemption in CEQA Guidelines section 15302, replacement or reconstruction of existing schools to provide earthquake-resistant structures, which do not increase capacity by more than 50 percent, are exempt from CEQA. Here, the Campus has 32 existing classrooms. The Project will increase classrooms by a net of 1 classroom (= 32 total existing classrooms – 6 demolished classrooms + 7 new classrooms). Thus, the Project meets the definition of a Class 2 Categorical Exemption.

The Class 14 Categorical Exemption in CEQA Guidelines section 153014 applies to minor additions to existing schools that do not increase student capacity by more the 25 percent or 10 classrooms, whichever is less. As stated above, the Project increases the total number of classrooms by 1 to a new total of 33 classrooms. Thus, the Project would not increase school capacity by 25 percent or 10 classrooms. Relative to the overall Campus, the new full day kindergarten classrooms are only a minor addition to the existing Joe Nightingale Elementary School. Thus, the Proposed Project is categorically exempt under Class 14.

CEQA Guidelines section 15300.2(c) provides that if unusual circumstances exist, an otherwise categorically exempt project would be disqualified from being exempt. There are no known unusual circumstances that would except the Project from the Class 2 or Class 14 Categorical Exemptions.

Once a project is determined to be categorically exempt, the project is no longer subject to either the procedural or substantive requirements of CEQA and the project may proceed immediately. Thus, CEQA review would be complete should the Board of Trustees (“Board”) determine that the Project is categorically exempt and approve the Project.

Should the Board adopt the Resolution, the Project will be finally approved and District staff will file a Notice of Exemption with the Santa Barbara County Clerk and the State Clearinghouse.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt Resolution No. 12 Determining that the Joe Nightingale Full Day Kindergarten Project is categorically exempt from CEQA under Class 2 and Class 14 Categorical Exemptions and approve the project, as submitted.

FUNDING: N/A

**GOVERNING BOARD OF THE  
ORCUTT UNION HIGH SCHOOL DISTRICT**

**RESOLUTION NO. 12**

**DETERMINING THAT THE JOE NIGHTINGALE ES ALL DAY KINDERGARTEN  
PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND  
APPROVING THE PROJECT**

**WHEREAS**, the Orcutt Union School District (“District”) has developed the Joe Nightingale ES All Day Kindergarten Project (“Project”) for demolition of six (6) portable classroom buildings; installation of seven (7) new modern, earthquake-resistant modular classroom buildings with interior restrooms, a new outdoor student space, a new playground area, path of travel upgrades and additional security fencing; and

**WHEREAS**, the Project will be located on school grounds at 255 Winter Rd, Santa Maria, CA 93455; and

**WHEREAS**, the District must comply with the California Environmental Quality Act (“CEQA”) for the Project; and

**WHEREAS**, the categorical exemptions to CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations (“CEQA Guidelines”); and

**WHEREAS**, the Class 2 Categorical Exemption, set forth in CEQA Guidelines section 15302, exempts a project that consists of the replacement or reconstruction of an existing school to provide earthquake-resistant structures which do not increase capacity by more than 50 percent; and

**WHEREAS**, the Project consists of demolishing a total of 6 classroom facilities and replacing them with 7 new modern, earthquake-resistant modular buildings; and

**WHEREAS**, the campus has a total of 32 existing classrooms, and the Project increases the school capacity by 1 classroom; and

**WHEREAS**, the Class 14 Categorical Exemption, set forth in CEQA Guidelines section 15314, exempts a project that consists of minor additions to existing school sites that do not increase the original student capacity by more than 25 percent or ten classrooms, whichever is less; and

**WHEREAS**, the Project consists of relatively minor additions to the Joe Nightingale Elementary School Campus of replacement of existing portables for a net addition of one classroom but not an increase of the student capacity by more than 25 percent or the number of classrooms; and

**WHEREAS**, CEQA Guidelines section 15300.2(c) provides that if unusual circumstances exist, an otherwise categorically exempt project would be disqualified from being exempt; and

**WHEREAS**, the District is unaware of any unusual circumstances that would negate the Class 2 or Class 14 Categorical Exemptions.

**NOW, THEREFORE,** the Governing Board of the Orcutt Union School District's Board of Education finds, determines, declares, orders, and resolves (through its own independent review and analysis and based upon the Board Agenda Analysis, and the whole of the Project's record of proceedings) that:

**Section 1.** The above recitals are true and correct.

**Section 2.** The Project meets the definition of the Class 2 Categorical Exemption (CEQA Guidelines, § 15302) because the Project's increase of classrooms will not increase campus capacity.

**Section 3.** The Project meets the definition of the Class 14 Categorical Exemption (CEQA Guidelines, § 15314) because the Project's minor additions will not increase classrooms or campus capacity.

**Section 4.** There are no unusual circumstances that this Project would cause a potentially significant environmental impact.

**Section 5.** The applicable requirements of CEQA have been fulfilled for the Project.

**Section 6.** The Board hereby determines that the Project is categorically exempt from CEQA.

**Section 7.** The Board hereby finally approves the Project.

**Section 8.** The Superintendent or her designee is authorized to file a Notice of Exemption for the Project with the Santa Barbara County Clerk and the State Clearinghouse.

**PASSED AND ADOPTED** by the Governing Board of the Orcutt Union School District on this \_\_\_\_ day of April, 2022, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Mark Steller, President

\_\_\_\_\_  
Shaun Henderson, Board Clerk