

Resolution No. _____

Resolution of the Council of the City of Palo Alto Adopting the Fiber to the Premises Project Mitigated Negative Declaration for which an Initial Study was Prepared, in accordance with the California Environmental Quality Act and Adopting a Related Mitigation, Monitoring and Reporting Program

R E C I T A L S

A. Prior to the adoption of this Resolution, the City of Palo Alto prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Fiber to the Premises Project, (the “Initial Study/Mitigated Negative Declaration”) all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”).

B. The Fiber to the Premises Project analyzed under the Initial Study/Mitigated Negative Declaration would involve the installation of approximately 194 miles of fiber optic cables, both below ground and aerial, installation of approximately 4200 underground utility vaults and 147 aboveground utility cabinets, and installation of approximately two local aggregation sties either inside modular communication shelters (“fiber huts”) or enclosed within existing commercial buildings. A more detailed description of the Project is set forth in the Initial Study/Mitigated Negative Declaration.

C. The draft Initial Study/Mitigated Negative Declaration was made available for public comment from May 1, 2024 through May 31, 2024.

D. The City of Palo Alto considered the comments received during the public review period and prepared a final Initial Study/Mitigated Negative Declaration, published June 6, 2024.

E. The Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level.

F. In connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level.

G. Whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires the lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and

reporting program has been prepared for the Project for consideration by the decision-making body of the City of Palo Alto as lead agency for the Project (the “Mitigation Monitoring and Reporting Program” or “MMRP”).

H. The City of Palo Alto is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval of the Project.

I. The City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project, together with comments received on the Initial Study/Mitigated Negative Declaration, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA.

J. The Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project are on file at the City of Palo Alto Development Center, 285 Hamilton Avenue -- Ground Floor Palo Alto, CA 94301, and are available for inspection by any interested person at that location, and are, by this reference, incorporated into this Resolution as if fully set forth herein.

The Council of the City of Palo Alto does hereby RESOLVE as follows:

SECTION 1. THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City of Palo Alto, as lead agency for the Project. The City Council designates the Director of Planning and Development Services, at 250 Hamilton Avenue, 5th Floor, Palo Alto, CA 94301, as the custodian of documents and records of proceedings on which this decision is based.

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SECTION 2. THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project. The Initial Study/Mitigated Negative Declaration is available for viewing at City of Palo Alto Development Center, 285 Hamilton Avenue -- Ground Floor, Palo Alto, CA 94301.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning and Development
Services

Director of Utilities