

## RESOLUTION NO. 04-40

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE LOS ALTOS COMMUNITY SWIM CENTER

**WHEREAS**, The City of Los Altos is proposing to develop a Community Swim Center on former Covington Elementary School property at Rosita Park. The facility would occupy approximately eight-tenths of an acre, and would include one competitive pool, one recreational pool, and a main office/locker room/mechanical building. The project may also include a wading pool/water play area.

**WHEREAS**, the Environmental Impact Report prepared for the project identified several areas of significant project impact. Pursuant to the California Environmental Quality Act, the City Council must therefore find that changes or alterations to the project have been required which avoid or substantially lessen the identified significant environmental effects. The following is a summary of those significant environmental impacts and their mitigation and avoidance measures:

▪ **Significant Biological Resources Impact**

The proposed project may result in the removal of up to 24 trees on and adjacent to the project site.

**Less Than Significant Impact with Mitigation Incorporated**

All healthy, mature trees will be incorporated into the proposed project to the greatest extent feasible. Each tree removed by the proposed project on or adjacent to the project site will be replaced by one 24-inch box specimen.

▪ **Significant Cultural Resources Impact**

Archaeological resources may be discovered during construction of the proposed project.

**Less Than Significant Impact with Mitigation Incorporated**

In the event of the discovery of unanticipated buried prehistoric or historic era cultural materials the Director of Public Works would be notified and the find would be evaluated by a professional archaeologist.

▪ **Significant Hydrology and Water Quality Impact**

Construction activities on the project site could contaminate runoff from the project site.

**Less Than Significant Impact with Mitigation Incorporated**

The project would implement Best Management Practices for reducing the volume of runoff and pollution in runoff to the maximum extent practicable.

▪ **Significant Air Quality Impact**

Air quality impacts resulting from construction, particularly generation of construction dust could affect nearby sensitive receptors.

**Less Than Significant Impact with Mitigation Incorporated**

The proposed project includes Bay Area Air Quality Management District dust control measures to reduce construction related impacts to a less than significant level.

▪ **Significant Noise Impact**

The proposed use of the community swim center would result in sound levels that substantially exceed the 40 dBA nighttime and 50 dBA daytime limits at the nearest residences intermittently each day.

**Less Than Significant Impact with Mitigation Incorporated**

The project design will include a noise barrier along the south property line of the community swim center. Youth swim practice will not occur before 7:00 AM unless noise levels can be controlled so as not to exceed an L50 of 40 dBA or the ambient noise level, whichever is greater.

▪ **Significant Noise Impact**

Construction activities would temporarily substantially increase noise levels in the project area.

**Less Than Significant Impact with Mitigation Incorporated**

The noise control program described in Environmental Impact Report and incorporated into the Mitigation Monitoring and Reporting Program will be included in the construction contract for the project.

**WHEREAS**, a Mitigation Monitoring and Reporting Program dated November 2004 has been prepared and adopted for the project to fully enforce through permit conditions, or other measures, the mitigation measures outlined herein and in the Environmental Impact Report.

**WHEREAS**, one area of project impact that could not be mitigated to a less than significant level was noise. It was determined by the acoustical engineering consultant that that there were no feasible means to mitigate or avoid the noise impacts resulting from project generated traffic along Rosita Avenue west of Campbell Avenue. The City Council is therefore adopting a separate Statement of Overriding Consideration Resolution citing the social benefits of the proposed project that outweigh the unavoidable adverse environmental effects, and acknowledges the adverse environmental effect identified in the Environmental Impact Report.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby certifies the Environmental Impact Report prepared for the Community Swim.

**I HEREBY CERTIFY** that the forgoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a special public meeting thereof held on the 14<sup>th</sup> day of December, 2004 by the following roll call vote:

**AYES:** COLE, MOSS, PACKARD, LEAR, CASAS

**NOES:** NONE

**ABSENT:** NONE

  
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David Casas, MAYOR

**ATTEST**

  
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Susan Kitchens, CITY CLERK