

## **RESOLUTION NO. 20-21-07**

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF SAN MATEO UNION HIGH SCHOOL DISTRICT, ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION, APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE CAPUCHINO HIGH SCHOOL ATHLETICS COMPLEX PROJECT**

WHEREAS, San Mateo Union High School District (“District”) is duly authorized and existing under the laws of the State of California; and

WHEREAS, Capuchino High School is located at 1501 Magnolia Avenue in San Bruno, California; and

WHEREAS, the District proposes to relocate and improve a number of athletics facilities at the Capuchino High School campus (“Capuchino High School Athletics Complex Project” or “Project”); and

WHEREAS, the Project would include improving and relocating the baseball field, softball field, practice field, tennis courts, and swimming pool; and

WHEREAS, the Project would include adding artificial turf to all of the new fields; and

WHEREAS, the Project would include adding public address systems to the softball field and baseball field; and

WHEREAS, the Project would include adding lighting to the existing swimming pools, the baseball field, softball field, practice field, and some of the new tennis courts; and

WHEREAS, the District is the lead agency for purposes of environmental review of the Project under the California Environmental Quality Act (“CEQA”), pursuant to Public Resources Code § 21000 *et seq.*, and the State “Guidelines for Implementation of the California Environmental Quality Act”; and

WHEREAS, the District prepared the Initial Study/Mitigated Negative Declaration for the Project (“Draft MND”); and

WHEREAS, the public review period for the Draft MND was August 4, 2020 to September 3, 2020; and

WHEREAS, on August 4, 2020, the Amended Notice of Availability of a Draft Mitigated Negative Declaration and Notice of Intent to Adopt a Mitigated Negative Declaration was published in the San Mateo Daily Journal; and

WHEREAS, the District posted the Draft MND and the Amended Notice of Availability of a Draft Mitigated Negative Declaration and Notice of Intent to Adopt a Mitigated Negative Declaration on the District website at <https://www.smuhdsd.org/Domain/2992>; and

WHEREAS, on August 11, 2020, the San Mateo County Clerk posted the District's Amended Notice of Availability of a Draft Mitigated Negative Declaration and Notice of Intent to Adopt a Mitigated Negative Declaration; and

WHEREAS, on August 11, 2020, the State Clearinghouse published the District's Amended Notice of Availability of a Draft Mitigated Negative Declaration and Notice of Intent to Adopt a Mitigated Negative Declaration; and

WHEREAS, the state agencies' review period for the Draft MND was August 11, 2020 to September 9, 2020; and

WHEREAS, the District received no comments during the review period; and

WHEREAS, the following environmental factors could be potentially affected by this Project: biological resources, cultural resources, geology/soils, hydrology and water quality, and tribal cultural resources; and

WHEREAS, with implementation of the mitigation measures identified in the Draft MND, potential significant impacts would be avoided, minimized, reduced, or rectified to a level that is less than significant; and

WHEREAS, the District finds that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the District, as described in the Draft MND; and

WHEREAS, the Draft MND includes mitigation measures to address and mitigate all potential environmental impacts to a "less than significant" level, which were reviewed and considered by the Board of Trustees ("Board"); and

WHEREAS, the Mitigation Monitoring and Reporting Program ("MMRP") incorporates the mitigation measures and documents who is responsible for mitigation measure implementation and monitoring, and how and when mitigations will be implemented and monitored; and

WHEREAS, with the exception of the potential impacts stated above, there are no other potentially significant environmental impacts resulting from the Project; and

WHEREAS, the Board has received and reviewed the Final Initial Study/Mitigated Negative Declaration contains the MMRP ("Final MND") which is attached hereto as Exhibit A and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED BY THE BOARD AS FOLLOWS:**

**SECTION 1.** The Board adopts the foregoing recitals as true and correct.

**SECTION 2.** The Board finds that the Final MND reflects the independent judgment and analysis of the District as the lead agency for the Project.

**SECTION 3.** The Board finds that it has independently reviewed and considered the Final MND including the MMRP prior to adopting those documents as the Final MND.

**SECTION 4.** The Board finds that the Project site is outside of the outer boundary of the airport safety zone and Airport Land Use Plan area, but within the FAA 14 CFR Part 77 Conical Surface (which applies limits to heights of structures within that zone), and that the Project would not change the land use or increase the height of any buildings, and therefore, would not present a hazard to air safety, and would not present a noise problem for persons working the Project area.

**SECTION 5.** On the basis of the Final MND including the MMRP, the Board finds, in its independent judgment and analysis, that there is no substantial evidence that the Project will have a significant effect on the environment.

**SECTION 6.** The Board finds that the MMRP implements mitigation measures as to the following potentially significant impacts: mitigation measures BIO-1 and BIO-2 mitigate the potential impact to migratory and nesting protected bird species, as well as roosting or nesting special-status bat species; mitigation measures CULT-1 and CULT-2 mitigate the potential impact to cultural and archaeological resources; mitigation measures GEO-1 and GEO-2 mitigate the potential impact to geology/soils, drainage, erosion and sedimentation; and mitigation measures HYD-1 and HYD-2 mitigate the potential impacts to water quality.

**SECTION 7.** The Board adopts the Final MND and approves the Project.

**SECTION 8.** District staff is authorized and directed to cause a Notice of Determination concerning the adoption of the Final MND for the Project to be filed in the office of the San Mateo County Clerk and with the State Clearinghouse, in accordance with CEQA Guidelines Section 15075.

**SECTION 9.** This Project is approved and shall be subject to all applicable laws. District staff is authorized and directed to take all steps necessary or convenient to proceed with the Project in accordance with the Final MND, and all other approvals, as required by law, and the terms of this Resolution. The Superintendent or his representative is directed to ensure the MMRP is implemented prior to the first day of occupancy of the Project by the District and shall notify the Board when the MMRP has been implemented.

**SECTION 9.** This Resolution shall become immediately effective upon adoption by the Board.

PASSED AND ADOPTED this 22<sup>nd</sup> day of October 2020 by the Board of Trustees of the San Mateo Union High School District at a regular meeting held via Zoom, due to COVID-19.

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

SAN MATEO UNION HIGH SCHOOL DISTRICT

By: \_\_\_\_\_  
President, Board of Trustees

By: \_\_\_\_\_  
Superintendent

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Board of Trustees of the San Mateo Union High School Trustee at a regular meeting held on October 22, 2020.

\_\_\_\_\_  
Clerk  
Board of Trustees

EXHIBIT A

[Insert Final IS/MND]