

RESOLUTION NO. R-11-03

**A RESOLUTION OF THE SAN MARINO CITY COUNCIL
APPROVING THE INSTALLATION OF TENNIS COURT LIGHTS
AT LACY PARK**

THE SAN MARINO CITY COUNCIL DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

SECTION 1. The San Marino Tennis Foundation seeks approval from the City of San Marino to install tennis court lights on the three easterly courts at Lacy Park (the "Project"). The Project includes the installation of a total of 24 light fixtures. Eight posts will be equipped with double light fixtures and eight posts will have single light fixtures in order to illuminate the three (3) regulation size tennis courts. The Project also includes four (4) parking lot lights and five (5) low intensity path lighting that will illuminate the path that leads from a parking lot to the tennis courts.

SECTION 2. The City Council conducted a duly noticed public hearing to consider the Project on December 8, 2010 and January 12, 2011. Both oral and written testimony was presented to the City Council at both public hearings.

SECTION 3. The following facts were presented to the City Council:

- A. In November 2009, staff prepared an environmental study for the Project, which determined that the Project had the potential to cause environmental impacts for noise and lighting. Staff subsequently sent out requests-for-proposals (RFP's) to two (2) noise consultants and two (2) lighting consultants to analyze the potential impacts of the Project.
- B. Thereafter, the City retained the services of Peak Lighting and Energy to study the potential lighting impacts, and PCR Service Corporation to study the potential noise impacts.
- C. The lighting study concluded that while the Project would result in a new source of light, the amount of light generated by the tennis court lights would compare to twilight hours. It further found that the dense landscaping surrounding the tennis court area and the box design of the lighting fixtures, which directs lighting downward to minimize light overspill, will control any light and glare in a horizontal direction from the tennis courts.
- D. The noise study concluded that the noise generated by the activity from the lighted tennis courts during the extended period enabled by the lighting will not exceed the maximum limits set forth by the City's noise ordinance during operations after construction is completed. Further,

activities during the construction phase would be less than significant with mitigation, in light of the site characteristics and the very limited nature of the construction activity.

- E. The studies found that, with the implementation of the mitigation measures, the project will not cause any significant adverse aesthetic, lighting or noise impacts.

SECTION 4. The City Council, exercising its independent judgment and analysis, based on the entire administrative record before it, adopted Resolution Number R-11-02 thereby adopting a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) based on the conclusion that the Project would not result in any significant adverse environmental impacts with the incorporation of certain mitigation measures.

SECTION 5. The City Council hereby approves the Project, subject to the following conditions:

- A. The tennis court lighting shall be turned off no later than 8:30 p.m., and all tennis activities shall cease no later than 8:45 p.m.
- B. Pedestrian path lighting shall be turned off no later than 8:45 pm.
- C. The tennis court lighting shall include no more than twenty-four lighting fixtures that are pulse start metal halide fixtures (8 per court) at 1,000 watts each. The fixtures shall be box style with a back shield and the specifications of the light fixtures shall be the same as those of the tennis court lights installed at Huntington Middle School. The fixtures shall not exceed twenty-two (22) feet in height, as measured from the tennis court surface.
- D. The parking lot lighting may include a maximum of four (4) 150-watt high pressure sodium light fixtures. The fixtures shall be box style with a back shield and shall not exceed twelve (12) feet in height as measured from the parking lot surface. The Foundation shall obtain written approval of the parking lot owner prior to installation of lights.
- E. The pedestrian path lighting shall include five (5) 100-watt high pressure sodium light fixtures. The fixtures shall be installed on three-foot high bollards along the pedestrian path.
- F. In the event of any court action or proceeding challenging the validity of this approval, the Foundation shall defend, at its own expense, the action or proceeding. In addition, the Foundation shall reimburse City for City's costs in defending any court action or proceeding challenging the validity of this approval and the Foundation shall also pay any award of costs,

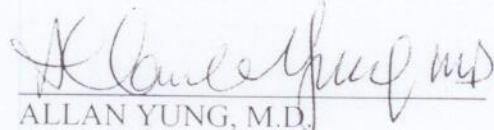
expenses and fees that the court having jurisdiction over such challenge makes in favor of any challenger and against the City. In the event, the costs of defending the City reasonably exceed the Foundations resources, the City and the Foundation shall enter into an agreement by which the Foundation shall reimburse the City for its costs, expenses , and fees over a reasonable term. The Foundation shall cooperate with City in any such defense as City may reasonably request and may not resolve such challenge without the agreement of City. In all events, City shall have the right to resolve any challenge in any manner, in its sole discretion, provided, however, the Foundation's consent shall be required if the resolution of the challenge shall require a payment by the Foundation.

- G. Within 30 days of the approval of this resolution, the applicant shall acknowledge in writing the acceptance of these conditions of approval. Failure to comply with this condition shall render the approval null and void.

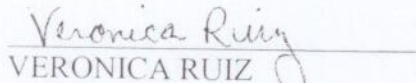
SECTION 6. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A and incorporated herein by this reference, and imposes each mitigation measure as a condition of the Project's approval. City staff shall be responsible for implementation and monitoring the mitigation measures as described in Exhibit A.

SECTION 7. The City Council hereby instructs the Planning and Building Director to file a notice of determination with the County of Los Angeles and authorizes staff to proceed with all steps necessary to implement the Project.

PASSED, APPROVED AND ADOPTED on this 13th day of April, 2011.


ALLAN YUNG, M.D.
MAYOR

ATTEST:


VERONICA RUIZ
CITY CLERK

