

RESOLUTION NO 1123

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION, APPROVING THE PROJECT, AND ADOPTING A MITIGATION MONITORING PROGRAM FOR THE ADVANCED METERING INFRASTRUCTURE PROJECT

WHEREAS, December 9, 2013 the Board of Public Utilities accepted the Advanced Metering Infrastructure (AMI) Feasibility Analysis and Business Case which determined advanced metering infrastructure would benefit the City; and

WHEREAS, AMI benefits include increasing water use efficiency, decreasing greenhouse gas emissions, increasing leak detection capabilities, allowing for accurate and efficient water tracking during water shortage events, enhancing capital improvement project priority setting and design, providing consistent billing periods for customers and increasing customer service; and

WHEREAS, the Board of Public Utilities directed staff to proceed to request for proposal, vendor selection and contract negotiations for the AMI project (the "AMI Project"); and

WHEREAS, an Initial Study/Proposed Mitigated Negative Declaration for the AMI Project was prepared and circulated for public comment for 20 days starting on May 4, 2016 and closing on May 24, 2016; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was published in the Press Democrat and posted in accordance with the California Environmental Quality Act (CEQA) on May 4, 2016; and

WHEREAS, comments on the Initial Study/Proposed Mitigated Negative Declaration were received and written responses to comments have been provided; and

WHEREAS, a final Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program was published on July 11, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities:

1. Determines, based upon the record as a whole that the proposed AMI Project will not have a significant effect upon the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration are implemented, and hereby adopts the Mitigated Negative Declaration for the Advanced Metering Infrastructure Project.
2. Approves the Meter Upgrade - Advanced Metering Infrastructure Project.

3. Specifies that the City of Santa Rosa Water Department located at 69 Stony Circle, Santa Rosa, CA, will be the custodian of the documents and other materials which constitute the record of the Board of Public Utilities proceedings regarding the Advanced Metering Infrastructure Project, including but not limited to the Mitigated Negative Declaration and the Mitigation Monitoring Program, and which record will be kept at the Water Department office.

BE IT FURTHER RESOLVED that the Board hereby approves and adopts the mitigation measures set forth in the Mitigation Monitoring and Reporting Program, attached to and made part of this resolution as Exhibit A, and directs staff to implement and complete the Mitigation Monitoring and Reporting Program as part of the approved AMI Project.

BE IT FURTHER RESOLVED that the Board directs staff to file a Notice of Determination for the AMI Project consistent with the CEQA Guidelines.

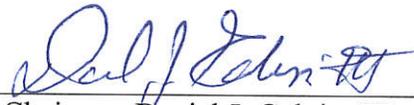
DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 21st day of July, 2016.

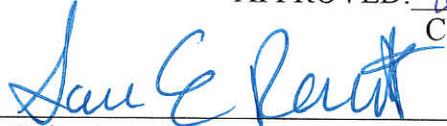
AYES: (7) Galvin, Kaun, Arnone, Dowd, Holt, Tibbetts, and Watts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED: 
Chairman Daniel J. Galvin, III

ATTEST: 
Sara Roberts
Recording Secretary

APPROVED AS TO FORM:


City Attorney

ATTACHMENTS:

Exhibit A - Mitigation Monitoring and Reporting Program – Santa Rosa AMI Project

**MITIGATION MONITORING AND REPORTING PROGRAM
Santa Rosa AMI Project**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/ Activity	Monitoring Compliance Record (Name/Date)
<p>Environmental Protection Action 1 – BAAQMD Basic Construction Measures</p> <p>To limit dust, criteria pollutants, and precursor emissions associated with the construction activity, the City will include the following Bay Area Air Quality Management District (BAAQMD) recommended Basic Construction Measures in all construction contract specifications for the project:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas and unpaved access roads) shall be watered two times per day; • All haul trucks transporting soil, sand, or other loose material off-site shall be covered; • All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited; • All vehicle speeds on unpaved areas shall be limited to 15 mph; • All paving shall be completed as soon as possible after trenching work is finished; • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points; • All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; • A publicly visible sign shall be posted with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. 	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set and monitor once per week during construction at each site.</p>	<p>Construction cannot begin unless incorporated into specs. Construction shall not continue until jobsite is in compliance.</p>	

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Santa Rosa AMI Project**

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<p>Environmental Protection Action 2 – Geotechnical Design As part of the project design process, the City will engage a California-registered Geotechnical Engineer to conduct a design-level geotechnical study for the project prior to construction. The City will design the project to comply with the site-specific recommendations made in the project's geotechnical report. This will include design in accordance with the seismic and foundation design criteria, as well as site preparation and grading recommendations included in the report. The geotechnical recommendations will be incorporated into the final plans and specifications for the project, and will be implemented during construction.</p>	Incorporate into specifications	City of Santa Rosa	Verify in 90% plan set	Construction cannot begin	
<p>Environmental Protection Action 3 – Bird and Bat Surveys To avoid "take" and/or further evaluate presence or absence of birds, the following measures will be required:</p> <ul style="list-style-type: none"> • Grading or removal of any vegetation shall be conducted outside the nesting season, which occurs between approximately February 1 and August 31. (No survey is required during this period). • If grading or vegetation removal between August 31 and February 1 is infeasible and work must occur within the breeding season, a pre-construction nesting bird (both passerine and raptor) survey of the landscaped areas and trees shall be performed by a qualified biologist within 7 days of ground breaking. If no nesting birds are observed, no further action is required and work shall occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey. • If bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist. • The radius of the required buffer zone can vary depending on the species, (i.e., 75 to 100 feet for passerines and 200 to 300 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with California Department of Fish and Wildlife (CDFW). • To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude. • After the fencing is in place there will be no restrictions on grading or construction activities outside the prescribed buffer zones. 	Incorporate into specifications	City of Santa Rosa	Verify in 90% plan set and conduct surveys as noted.	Construction cannot begin unless incorporated into specs. Construction shall not continue until jobsite is in compliance.	

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<p>The following mitigation measures will be required to avoid impacts to roosting bats.</p> <p>(a) Preconstruction Surveys:</p> <ul style="list-style-type: none"> All trees and structures suitable for use by bats would be surveyed for signs of bats prior to project activities. <p>(b) Avoidance Measures:</p> <ul style="list-style-type: none"> If bats are discovered during the surveys, then a buffer of 100 to 150 feet would be maintained. The optimal time to remove trees is September 15 through October 15, when young would be capable of flying, and between February 15 to April 1 to avoid hibernating bats and prior to formation of maternity sites. If flushing of bats is necessary, it will be done by a biologist during the non-breeding season from October 1 to March 31. When flushing bats, structures and/or trees will be removed carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away. During the maternity season from April 1 to September 30, prior to construction, a qualified biologist will determine if a bat nursery is present at any sites identified as potentially housing bats. If an active nursery is present, disturbance of bats will be avoided until the biologist determines that breeding is complete and young are reared. 					

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<p>Environmental Protection Action 4 – Best Management Practices (BMPs) for Reduction of Construction Noise</p> <p>The following best management practices will be incorporated into the project’s construction plan to reduce noise from construction activities to nearby sensitive land uses:</p> <ul style="list-style-type: none"> • Construction equipment should be well-maintained and used judiciously to be as quiet as possible (e.g., no prolonged throttling when not necessary). • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Prohibit unnecessary idling of internal combustion engines. • Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. • Utilize “quiet” air compressors and other stationary noise sources where technology exists. • Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site. • Notify adjacent residences of the construction schedule in writing and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences. • Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule. 	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set and monitor at beginning of construction at each site.</p>	<p>Construction cannot begin unless incorporated into specs. Construction shall not continue until jobsite is in compliance.</p>	

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<p>Mitigation Measure CR-1: Protect Archaeological Resources during Construction Activities</p> <p>In the event that any subsurface archaeological features or deposits, including locally darkened soil (midden), that could conceal cultural deposits, are discovered during construction-related earth-moving activities, all ground-disturbing activity in the vicinity of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall develop appropriate mitigation to protect the integrity of the resource and ensure that no additional resources are affected. Mitigation could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.</p>	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set.</p>	<p>Construction cannot begin unless incorporated into specs.</p>	
<p>Mitigation Measure CR-2: Protect Paleontological Resources during Construction Activities</p> <p>The City shall stop all ground disturbing activities should any vertebrate fossils be encountered during construction. All ground disturbing activities within 50 feet of the find shall be temporarily halted, and a qualified paleontologist shall be notified to document the discovery as needed, to evaluate the potential resource, and to assess the nature and significance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the material, if it is determined that the find cannot be avoided. The paleontologist shall make recommendations for any necessary treatment that is consistent with currently accepted scientific practices. Any fossils collected from the area shall then be deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.</p>	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set.</p>	<p>Construction cannot begin unless incorporated into specs.</p>	

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<p>Mitigation Measure CR-3: Protect Human Remains if Encountered during Construction</p> <p>The City shall immediately notify the Sonoma County Coroner should human remains, associated grave goods, or items of cultural patrimony be encountered during construction, and the following procedures shall be followed as required by Public Resources Code § 5097.9 and Health and Safety Code § 7050.5. In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission, which would appoint a Most Likely Descendant (MLD). A qualified archaeologist, the City and the MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects. The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set.</p>	<p>Construction cannot begin unless incorporated into specs.</p>	

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<p>Mitigation Measure HWQ-1: Manage Construction Dewatering If construction dewatering is required, the City shall evaluate reasonable options for dewatering management that would avoid discharging to a local surface water or storm drain. The following management options shall be considered:</p> <ul style="list-style-type: none"> • Reuse the water on-site for dust control, compaction, or irrigation. • Retain the water on-site in a grassy or porous area to allow infiltration/evaporation. • Discharge (by permit) to a sanitary sewer. <p>If discharging to the sanitary sewer, the City shall comply with a one-time discharge permit or other type of approval requiring, as necessary, measures for characterizing the discharge and ensuring filtering methods and monitoring to verify that the discharge is compliant with the City's local wastewater discharge requirements.</p> <p>If discharging to a local surface water or storm drain, the City shall obtain coverage under NCRWQCB Order No. R1-2009-0045, Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region. The City shall submit permit registration documents to the NCRWQCB, including development of a Best Management Practices/Pollution Prevention Plan to characterize the discharge and to identify specific measures to control the discharge, such as sediment controls to ensure that excessive sediment is not discharged, and flow controls to prevent erosion and flooding downstream of the discharge. The City shall ensure that the Contractor oversees implementation of the Best Management Practices/Pollution Prevention Plan during construction dewatering activities, including visual inspections and ensuring overall compliance.</p>	<p>Incorporate into specifications</p>	<p>City of Santa Rosa</p>	<p>Verify in 90% plan set and monitor once per week during dewatering at each site that requires a WDR.</p>	<p>Construction cannot begin unless incorporated into specs. Construction shall not continue until jobsite is in compliance.</p>	