

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES ADOPTING A MITIGATION MONITORING PROGRAM, APPROVING THE ACQUISITION OF 7630-7650 LAKEVILLE HWY FOR BIOSOLID LAND APPLICATION

WHEREAS, April 7, 2016, in closed session, the Board of Public Utilities (BPU) gave staff direction on price and terms for the purchase of property located at 7630-7650 Lakeville Hwy. (the "Property"), for biosolids land application; subject to City Council approval of a Santa Rosa Water internal fund-to-fund loan; and

WHEREAS, staff has negotiated a purchase agreement with the owner of the Property within the approved price and terms provided by the BPU and seeks BPU approvals necessary for the acquisition of the Property; and

WHEREAS, the Sonoma Board of Supervisors adopted a Mitigated Negative Declaration and approved a Conditional Use Permit (file number PLP 97-0002) on December 9, 1997, for biosolid application on 3,042 acres of land along Lakeville Highway, Petaluma; which included property at 7630 and 7650 Lakeville Highway; and

WHEREAS, the biosolid application pursuant to the County Conditional Use Permit has continued to this day, and the Conditional Use permit has no sunset date and is still in effect;

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

1. Has considered the environmental effects of the project as shown in the Mitigated Negative Declaration (attached hereto as Exhibit A).
2. Based on the foregoing Mitigated Negative Declaration, adopts the Mitigation Monitoring Program dated July 1, 2016, with the addition of certain mitigations consistent with the City's biosolid application on other sites in southern Sonoma County (attached hereto as Exhibit B).
3. Specifies that the City of Santa Rosa Water Department located at 35 Stony Point Road, 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 project and which record will be kept at the Water Department Office.
4. Hereby approves the acquisition of the Property for biosolid land application, subject to resolution of any remaining due diligence items as approved by the Director of Water and the Santa Rosa City Attorney's Office, and authorizes the Chair of the Board of Public Utilities and the Director of Santa Rosa Water to execute all documents necessary to complete the acquisition of the Property and close escrow.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this
17th day of November, 2016.

AYES: (6) Galvin, Kaun, Arnone, Dowd, Holt, and Tibbetts

NOES: (0)


ABSENT: (1) Watts

ABSTAIN: (0)

APPROVED: _____


Chairman Daniel J. Galvin, III

ATTEST: _____


Sara Roberts
Recording Secretary

APPROVED AS TO FORM:



City Attorney

Attachments:

Exhibit A: Mitigated Negative Declaration

Exhibit B: Mitigation Monitoring Program