

RESOLUTION NO. 830

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED NORTH TRUNK SEWER REPLACEMENT PROJECT, APPROVING THE PROJECT, AND AUTHORIZING THE UTILITIES DEPARTMENT TO COMPLETE DESIGN AND BIDDING OF THE PROJECT

WHEREAS, staff recommends the replacement of the North Trunk Sewer; and

WHEREAS, the construction costs for the North Trunk Sewer Replacement Project (“Project”) are included in the Capital Improvement Program; and

WHEREAS, the Environmental Coordinator has conducted an Initial Study on the possible environmental consequences of the proposed Project which was completed on November 12, 2004; and

WHEREAS, the Environmental Coordinator, based on the Initial Study, determined that any potential environmental effects of the proposed Project have been clearly mitigated by the identified mitigation measures to the point where no significant environmental effects would occur and the Environmental Coordinator, based on this determination, prepared a Negative Declaration, subject to mitigating requirements, with respect to the environmental consequences of the proposed Project; and

WHEREAS, a notice of Mitigated Negative Declaration was duly noticed and an opportunity for comments from agencies, the public, and interested persons was given; and

WHEREAS, comments were received and the mitigation measures were revised to address comments received (Responses to Comments document dated January 2005); and

WHEREAS, the Board has reviewed and considered the Initial Study, the findings, and the determination of the Environmental Coordinator, the proposed Mitigated Negative Declaration dated November 2004, the agency and public comments previously received, the Responses to Comments document dated January 2005, the staff report, written and oral communications, and the testimony and other evidence presented by all persons, including any members of the public who appeared and addressed the Board at the public hearing held on February 3, 2005; and all comments and materials submitted prior thereto; and

WHEREAS, the Board finds that the Mitigated Negative Declaration as revised by the Responses to Comments reflects the independent judgment and analysis of the Board.

NOW THEREFORE BE IT RESOLVED that based upon the findings, records and files, and the findings above made, the Board of Public Utilities determines that the construction of the proposed Project will not have a significant effect on the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration and as revised in the Responses to Comments are enacted.

BE IT FURTHER RESOLVED that the Board of Public Utilities adopts the Mitigated Negative Declaration for the North Trunk Sewer Replacement dated November 2004 and as revised by Responses to Comments dated January 2005.

BE IT FURTHER RESOLVED that the Board of Public Utilities approves the North Trunk Sewer Replacement Project, Alternative 4.1 and authorizes the Utilities Department to complete the design and bidding of the Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities specifies that the Deputy Director of Engineering of the City of Santa Rosa Utilities Department will be the custodian of the documents and other materials which constitute the record of the Board of Public Utilities proceedings regarding the North Trunk Sewer Replacement Project and which record will be kept at the Utilities Department offices; Municipal Services Center South - 69 Stony Circle, Santa Rosa, CA 95401.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 3rd day of February, 2005.

AYES: (7) Dowd, Downey, Bolten, Dean, Galvin, Lindsay and Lowe

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)