

RESOLUTION NO. 834

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA DETERMINING THAT THE DELTA POND DISCHARGE IMPROVEMENT PROJECT IS WITHIN THE SCOPE OF THE INCREMENTAL RECYCLED WATER PROGRAM (IRWP) EIR, ADOPTING A MITIGATION MONITORING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, MAKING CEQA FINDINGS OF FACT, APPROVING THE PROJECT, AND AWARDED CONTRACT NO. 05-864 TO GRANITE CONSTRUCTION COMPANY OF WATSONVILLE, CA, FOR DELTA POND DISCHARGE IMPROVEMENTS

WHEREAS, the Board of Public Utilities of the City of Santa Rosa (“Board of Public Utilities” or “BPU”) proposes to approve the Delta Pond Discharge Improvement Project (“Project”) to improve the Santa Rosa Subregional Water Reclamation System’s ability to measure and control direct discharges from the Delta Pond facility; and

WHEREAS, the Project was included as part of the larger Incremental Recycled Water Program (“IRWP”); and

WHEREAS, on November 6, 2003, the BPU, by Resolution No. 771, certified the Program Environmental Impact Report (“EIR”) for the IRWP; and

WHEREAS, on March 4, 2004, the BPU certified an Addendum to the Program EIR for the IRWP evaluating the IRWP Master Plan and that subsequent references to the Program EIR are intended to refer to the Program EIR and Addendum together; and

WHEREAS, on March 4, 2004, the BPU, by Resolution No. 791, approved and adopted the IRWP Master Plan; and

WHEREAS, on April 20, 2005, the Delta Pond Discharge Improvement Project CEQA Checklist was prepared to evaluate whether the Project is within the scope of the Program EIR for the IRWP; and

WHEREAS, the Program EIR, Delta Pond Discharge Improvement Project California Environmental Quality Act (“CEQA”) Checklist, and supporting documentation can be reviewed at the Santa Rosa Subregional Water Reclamation Plant; and

WHEREAS, bids have been invited for the performance of work by the City of Santa Rosa, generally described as Delta Pond Discharge Improvements, Contract No. 05-864; and

WHEREAS, the BPU has considered the report of the City Engineer and as a result has concluded that the bid of Granite Construction Company of Watsonville, CA, was the lowest responsive bid received.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Public Utilities of the City of Santa Rosa hereby resolves, finds and certifies as follows:

1. The Board of Public Utilities hereby certifies that the Delta Pond Discharge Improvement Project CEQA Checklist attached hereto as Exhibit A and incorporated by reference as though fully set forth herein, together with the Program EIR, has been completed in compliance with CEQA and the CEQA Guidelines; and
2. The Board of Public Utilities hereby determines that the Delta Pond Discharge Improvement Project is within the scope of the Program EIR for the IRWP Master Plan and that the Program EIR adequately describes the activity for the purposes of CEQA; and
3. The Board of Public Utilities hereby approves the Delta Pond Discharge Improvement Project; and
4. In accordance with Public Resources Code § 21081(a) the Board of Public Utilities hereby makes the CEQA Findings of Fact attached hereto as Exhibit B and incorporated by reference as though fully set forth herein; and
5. In accordance with Public Resources Code § 21081(b) the Board of Public Utilities hereby adopts the Statement of Overriding Considerations attached hereto as Exhibit C and incorporated by reference as though fully set forth herein; and
6. In accordance with Public Resources Code § 21081.6(a)(1) the Board of Public Utilities hereby adopts the Mitigation Monitoring Program included as Chapter 3 of the CEQA Checklist attached as Exhibit A hereto; and
7. The custodian of the documents or other material which constitutes the record of proceedings upon which this Resolution is based is:

Glen Wright, Capital Projects Manager
City of Santa Rosa - Utilities Department
69 Stony Circle
Santa Rosa, CA 95401; and

8. The Board of Public Utilities directs staff to file a Notice of Determination.

BE IT FURTHER RESOLVED that the Board of Public Utilities accepts the bid of Granite Construction Company of Watsonville, CA, in the amount of \$525,700.00 and awards Contract No. 05-864 to Granite Construction Company of Watsonville, CA, in the amount of \$525,700.00 for performance in accordance with plans and specifications on file in the Office of the City Engineer.

BE IT FURTHER RESOLVED that the Board of Public Utilities authorizes and directs the Chair to execute the Contract and the Director of Administrative Services to pay all proper claims for performance of the contract out of Account No. 8693, "Interim Reclamation Storage," (\$525,700.00).

BE IT FURTHER RESOLVED that in accordance with City Council Policy No. 100-07, "Authorization of Contract Change Orders on Public Works Contracts," the Board of Public Utilities approves a total authorized contract amount of \$578,270.00 (the original contract amount plus a 10% contingency).

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 19th day of May, 2005.

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

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____
Recording Secretary
Gina Perez

APPROVED: _____
Chairman Richard Dowd

APPROVED AS TO FORM:

City Attorney

EXHIBIT A - Delta Pond Discharge Improvement Project CEQA Checklist

EXHIBIT B - CEQA Findings of Fact

EXHIBIT C - Statement of Overriding Considerations