

RESOLUTION NO.768 RESOLUTION OF THE BOARD OF PUBLIC UTILITIES WAIVING THE REQUEST FOR PROPOSALS PROCEDURE AND APPROVING A PROFESSIONAL SERVICE AGREEMENT WITH LSA ASSOCIATES TO PROVIDE A CALIFORNIA TIGER SALAMANDER ASSESSMENT ON SUBREGIONAL RECLAMATION PROPERTIES AND APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MERRITT SMITH CONSULTING TO PROVIDE CONTINUED MANAGEMENT AND TECHNICAL ASSISTANCE IN SUPPORT OF THE CALIFORNIA TIGER SALAMANDER ASSESSMENT

WHEREAS, in December 2002, the Board directed staff and consultants to evaluate current recycled water irrigation management practices on City-owned land to protect the California Tiger Salamander and for continued City compliance with the Endangered Species Act; and

WHEREAS, on January 22, 2002, the City approved a Professional Services Agreement with Merritt Smith Consulting to provide a California Tiger Salamander evaluation; and

WHEREAS, in the course of evaluating current recycled water irrigation management practices on City-owned land a report was prepared which identifies modifications to recycled water irrigation management practices to protect the California Tiger Salamander in accordance with the Endangered Species Act; and

WHEREAS, the recommendations in the report have been and will continue to be implemented; and

WHEREAS, City desires to undertake additional investigation of City-owned recycled water irrigation lands to provide information for federal regularly authorities the Endangered Species Act; and

WHEREAS, LSA Associates and Merritt Smith Consulting are qualified to provide these services in a cost-effective and timely manner; and

WHEREAS, a Professional Services Agreement has been negotiated with LSA that provides for the California Tiger Salamander assessment on Subregional reclamation properties with a total fee of \$465,619 and is attached as Exhibit "A"; and

WHEREAS, a Professional Services Agreement Amendment has been negotiated with Merritt Smith Consulting to provide for continued management and technical expertise in association with the California Tiger Salamander Assessment in a total amount of \$93,160, and is attached as Exhibit "B;" and

WHEREAS, funding the program is available in Account No. 8537 "Incremental Recycled Water Program;" and

WHEREAS, the Board of Public Utilities Contract Review Subcommittee reviewed this item

on October 2, 2003 and recommends Board approval.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities approves the Professional Service Agreement with LSA Associates to perform the California Tiger Salamander Assessment on Subregional reclamation properties in a total amount of \$465,619 and authorizes the Chair to sign; and

IT IS FURTHER RESOLVED, that the Board of Public Utilities approves a Professional Services Agreement amendment with Merritt Smith Consulting to provide continued management and technical expertise and support of the California Tiger Salamander Assessment in a total amount of \$93,160; and authorizes to Chair to sign.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 16th day of October, 2003.