

RESOLUTION NO. 781

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED PROCTOR HEIGHTS WATER STORAGE TANKS PROJECT, APPROVING THE PROJECT, AND AUTHORIZING THE UTILITIES DEPARTMENT TO PROCEED WITH DESIGN AND BIDDING OF THE PROJECT

WHEREAS, the proposed Proctor Heights Water Storage Tanks will reduce the water storage deficit currently experienced by the Aqueduct Zone by approximately 5.2 million gallons; and

WHEREAS, the construction costs for the Proctor Heights Water Storage Tanks are included in the Capital Improvement Program; and

WHEREAS, the Environmental Coordinator has conducted an Initial Study on the possible environmental consequences of the Proctor Heights Water Storage Tanks which was completed on October 8, 2002; and

WHEREAS, the Environmental Coordinator, based on the Initial Study, determined that any potential environmental effects of the Proctor Heights Water Storage Tanks have been clearly mitigated to the point where no significant environmental effects would occur and the Environmental Coordinator, based on this determination, prepared a Mitigated Negative Declaration, subject to mitigating requirements with respect to the environmental consequences of the subject project; and

WHEREAS, a notice of Mitigated Negative Declaration was duly posted and given and comments from agencies, the public, and interested persons were invited; and

WHEREAS, comments were received and the mitigation measures were expanded to address comments received (Responses to Comments document dated November 2003); and

WHEREAS, the Board of Public Utilities held a public hearing on the proposed Mitigated Negative Declaration, at which time it considered the Initial Study, the findings, and the determination of the Environmental Coordinator, the proposed Mitigated Negative Declaration dated October 2002, the agency and public comments previously received, the Responses to Comments document dated November 2003, the staff report, written and oral communications, and the testimony and other evidence of all those wishing to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities of the City of Santa Rosa finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board.

BE IT FURTHER 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 Proctor

Heights Water Storage Tanks will not have a significant effect on the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration (as revised in the Responses to Comments document dated November 2003) are enacted.

BE IT FURTHER RESOLVED that the Board of Public Utilities adopts the Mitigated Negative Declaration for the Proctor Heights Water Storage Tanks dated October 2002, and the Mitigation Monitoring Program, as revised in the Responses to Comments document dated November 2003.

BE IT FURTHER RESOLVED that the Board of Public Utilities approves the Proctor Heights Water Storage Tanks Project (Alternative B) and authorizes the Utilities Department to proceed with the design and bidding of the Project (Alternative B).

BE IT FURTHER RESOLVED that the Board of Public Utilities specifies that 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 Proctor Heights Water Storage Tanks Project and which record will be kept at the Utilities Department offices.

IN BOARD OF PUBLIC UTILITIES DULY PASSED this 15th day of January, 2004.