RESOLUTION NO

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM AND APPROVING THE ACQUISITION OF 1225 FULTON ROAD, SANTA ROSA FOR THE FULTON ROAD SEWER LIFT STATION

WHEREAS, the City of Santa Rosa proposes to replace the West College Sewer Lift Station, which is nearing the end of its useful service life in approximately the next ten years, with a New Sewer Lift Station at 1225 Fulton Road (the "Project"); and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), an Initial Study/Mitigated Negative Declaration ("IS/MND"), that included a "Mitigation and Monitoring Plan ("MMP") was prepared for the Project and circulated for 30 days starting on August 27, 2018; and

WHEREAS, the IS/MND examined the Project at the project level to allow commencement of real property acquisition and construction; and

WHEREAS, a Notice of Intent ("NOI") to adopt a Mitigated Negative Declaration ("MND") was posted at the County Clerk in accordance with the CEQA requirements on August 27, 2018; and

WHEREAS, a NOI to adopt a MND was mailed to surrounding properties in accordance with the CEQA requirements on August 28, 2018; and

WHEREAS, a NOI to adopt a MND was mailed to the State Clearinghouse in accordance with the CEQA requirements on August 27, 2018; and

WHEREAS, a NOI to adopt a MND was published in The Press Democrat in accordance with the CEQA requirements on August 30, 2018; and

WHEREAS, comments on the MND were received and written responses to comments have been provided in the Response to Comments document; and

WHEREAS, the Board of Public Utilities of the City of Santa Rosa has considered the IS/MND, together with the Response to Comments document which addresses all comments and responses received thereon, in compliance with CEQA and State CEQA Guidelines; and

WHEREAS, January 18, 2018 and August 16, 2018, in closed sessions, the Board of Public Utilities (BPU) gave staff direction on price and terms for the purchase of property located at 1225 Fulton Road, Santa Rosa, California, APN 034-460-032 (the "Property"), for the purpose of a lift station site; 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, subject to the completion of environmental review as required pursuant to CEQA; and

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

Santa Rosa determines, based upon the record, that the Project will not have a significant effect upon the environment if the mitigation measures listed in the MND and MMP are implemented, and hereby adopts the MND for the Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa approves the Project adopts the MMP for the Project to assure that any potentially significant impacts are mitigated to less than significant.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa directs staff to file a Notice of Determination for the Project consistent with the CEQA Guidelines.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa Approves the acquisition of the Property for the purpose of a lift station site, subject to the resolution of any remaining due diligence items as approved by the Director of the Water Department 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 1st day of November 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Chairman Daniel J. Galvin, III

ATTEST: _____
Gina Perez
Recording Secretary

APPROVED AS TO FORM:

_____
City Attorney