

RESOLUTION NO. 28895

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING APPROPRIATION OF \$1.3 MILLION FROM THE UNASSIGNED GENERAL FUND BALANCE FOR CONSTRUCTION OF THE COURTHOUSE SQUARE REUNIFICATION PROJECT

WHEREAS, on October 9, 2007, the Council adopted Resolution 26949 certifying the Final Environmental Impact Report for the Downtown Station Area Specific Plan and General Plan Amendment (State Clearinghouse Number 2006072104); and

WHEREAS, on October 9, 2007, the Council approved the Downtown Station Area Specific Plan General Plan Amendments and adopted a Statement of Overriding Considerations for significant, unavoidable air quality and transportation and circulation impacts that could not be mitigated to reduce the environmental effects to less than significant, finding that the benefits which would be realized and achieved from the implementation of the Downtown Station Area Specific Plan outweigh the environmental risks of the unavoidable significant environmental effects of such implementation and that such significant effects are acceptable; and

WHEREAS, on February 25, 2014, the City Council by Resolution No. 28437 certified the Final Tiered Environmental Impact Report (FTEIR) for the Courthouse Square Reunification Project (Project), finding that the FTEIR adequately identifies and analyzes the environmental effects of the Project and the alternatives, that the FTEIR was completed in compliance with the requirements of CEQA, State CEQA Guidelines and the Santa Rosa City Code, and that the FTEIR represents the independent judgment and analysis of the Council; and

WHEREAS, on October 14, 2014, the Council by Resolution 28568 approved the preferred alternative which includes two peripheral streets and which may include other architectural features and found that the potential significant effects of the Project identified in the FTEIR can be mitigated to less than significant with implementation of the mitigation measures identified in the Mitigation Monitoring Program included within the EIR dated February 2014 and therefore, the project will not have a significant effect on the environment. The Council approved and adopted the mitigation measures set forth in the Mitigation Monitoring Program; and

WHEREAS, on September 22, 2015, the Council authorized staff to proceed with the Courthouse Square Reunification Project; and

WHEREAS, on November 3, 2015, the Council approved basic design guidelines for a revised Master Plan, directed staff to begin redesigning the Master Plan with community input, and initiated a concurrent public outreach process for the Courthouse Square Reunification Project; and

WHEREAS, consistent with the basic design guidelines and in response to community input, two master plan options were presented for Council consideration and approval; and

WHEREAS, an Addendum to the FTEIR was prepared for both master plan options pursuant to Section 15164 of CEQA. The Addendum documents that the changes to the Courthouse Square Master Plan are minor and that none of the conditions described in CEQA Section 15162 have occurred. The Council found it was appropriate to rely on the FTEIR in the adoption of the Master Plan for the Revised Project; and

WHEREAS, on January 26, 2016, the Council by Resolution No. 28736 approved a master plan for the reunification of Courthouse Square; and

WHEREAS, design of the interior improvements have proceeded since the master plan was approved by Council and minor revisions to the master plan have been identified; and

WHEREAS, on March 15, 2016, the Council by Resolution No. 28753 approved a mid-year budget adjustment which appropriated \$2,410,000 of general funds to the Courthouse Square Reunification project; and

WHEREAS, on April 19, 2016, the Council by motion awarded Contract No. C00702, Courthouse Square Reunification, and approved a 10% contingency in the amount of \$671,925; and

WHEREAS, on August 2, 2016, the Council by Resolution No. 28834 approved the forms of the Preliminary Official Statement which includes as an exhibit the Continuing Disclosure Certificate, Site and Facilities Lease, Lease Agreement, Trust Agreement, Escrow Deposit and Trust Agreement and Certificate Purchase Agreement in connection with the execution and delivery of 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing) (the “2016 COPs”) in order to (1) finance a portion of the costs of the Courthouse Square Reunification Project costs, (2) refinance the City’s outstanding Certificates of Participation (Building Acquisition Project) (the “2007 COPs”) for debt service savings, (3) approve the appointment of bond counsel/disclosure counsel and financial advisor for this financing, (4) rescind appropriation of \$4,533,752 from the General Fund unassigned fund balance as authorized in Resolution No. 27882, (5) appropriate \$4,200,000 from debt proceeds into the Courthouse Square Reunification Project, and (6) direct repayment of any funds already expended as authorized under Resolution No. 28790; and

WHEREAS, extra work for an independent Americans with Disabilities Act plan review and preservation of the Asawa art panels increased costs a total amount of approximately \$144,000; and

WHEREAS, significant upgrades to the electrical facilities for the Courthouse Square Reunification added to the construction contract scope and schedule and activation of public WiFi increased costs in a total amount of approximately \$600,000; and

WHEREAS, unusually wet weather during the month of October has caused an extended duration for construction of the project, resulting in an estimated \$275,000 of increased construction management and inspection costs; and

WHEREAS, there are sufficient funds available in the General Fund unassigned fund balance to provide the needed additional funding for the project and allow construction to proceed on an updated schedule to be completed in March 2017.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes the Chief Financial Officer to increase General Fund appropriations in Key 17390 by \$1,300,000.

IN COUNCIL DULY PASSED this 13th day of December, 2016.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Interim City Attorney