

RESOLUTION R2021-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, 1) DETERMINING THERE IS A NEED TO CONTINUE THE EMERGENCY ACTION TO EXECUTE AND IMPLEMENT CONTRACTS FOR THE 36-INCH WATER TRANSMISSION MAIN LEAK REPAIR; 2) APPROVING A TRANSFER OF \$250,000 FROM WATER FUND EMERGENCY RESERVES TO WATER TRANSMISSION EXPENDITURE BUDGET AS DOCUMENTED IN BUDGET ADJUSTMENT NO. BE2102504; AND 3) DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, the City of Napa Utilities Department Water Division operates and maintains the water system that serves more than 80,000 persons in the City of Napa and unincorporated Napa County; and

WHEREAS, the water system consists of three water treatment plants and over 350 miles of pipe; and

WHEREAS, a leak on the 36-inch critical transmission main in the southern portion of the system near Napa Sanitation District facilities is in need of repair; and

WHEREAS, due to soft saturated soils the location requires specialized shoring, excavating equipment and services to safely keep the trench area open to access and repair the pipe; and

WHEREAS, emergency contracts made pursuant to 2.91.040 may be made provided the City documents the terms of the contract in a document approved as to form by the City Attorney and obtains the endorsement of the City Auditor that the contract is covered by sufficient unencumbered funds in the adopted budget; and

WHEREAS, sufficient funds are available in the Water Fund Emergency Reserves to address emergency situations as described above; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

## ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA pursuant to: CEQA Guidelines Section 15269 (Statutory exemption for emergency repairs, in accordance with California Public Resources Code Section 21080(b)(2)); CEQA Guidelines Section 15301 (Categorical exemption Class 1 Existing Facilities), which exempts repair, maintenance, or minor alteration of existing facilities involving negligible or no expansion of use; and CEQA Guidelines Section 15302 (Categorical Exemption Class 2 Replacement or Reconstruction), which exempts replacement or reconstruction of existing facilities on the same site and with the same purpose.

3. The City Council hereby determines there is a need to continue the emergency action to procure contracts for assistance to install shoring, perform excavation, and related services to provide safe access to the 36-inch water transmission main and complete repairs, as initially authorized by the City Manager on January 27, 2021.

4. The City Council hereby approves a budget transfer from Water Fund Emergency Reserves in the amount of \$250,000 to water transmission expenditure budget as documented in Budget Adjustment No. BE2102504 attached hereto as Exhibit "A" and incorporated herein by reference.

5. This Resolution shall take effect immediately upon its adoption.

**ATTACHMENT 1**

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 2<sup>nd</sup> day of February, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney