

RESOLUTION R2019-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING A BUDGET APPROPRIATION IN THE AMOUNT OF \$80,000 FOR THE MINAHEN STORM DRAIN REPAIR PROJECT; DETERMINING THAT THE EMERGENCY ACTIONS TAKEN FOR THE PROJECT ARE TERMINATED; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, on August 10, 2018, based on a recommendation from the Deputy Public Works Director, and in accordance with Napa Municipal Code Section 2.91.040, the City Manager determined that the storm drain failures at Minahen Street, Locust Street, and Solano Avenue required immediate action to resolve an emergency, including entering into contracts for the purchase of pipe materials and performance of repairs; and

WHEREAS, G. D. Nielson Construction, Inc., a local contractor with the necessary equipment, personnel and experience needed to perform the repairs, was hired via the emergency contract ordinance under a Time and Materials Contract for the pipe installation and grout repair at Minahen / Locust Streets estimated at \$290,000 and Solano Avenue estimated at \$70,000, and there was also an additional \$200,000 contingency to cover any unforeseen circumstances; and

WHEREAS, during construction, unforeseen conditions occurred including stronger bulkhead construction, roots and rocky debris, existing pipe alignments and offsets, and utility conflicts that exceeded the budget amount; and

WHEREAS, these unforeseen conditions required the use of the entire contingency and requires an additional appropriation of \$80,000; and

WHEREAS, following the determination of the emergency as described in this resolution, the City Manager reported to City Council the actions taken to resolve the emergency in accordance with Napa Municipal Code Section 2.91.040, and the City Council determined that there was a need to continue action to resolve the emergency at the Council meetings of August 21, 2018 (R2018-110), September 4, 2018, September 18, 2018, October 2, 2018, October 16, 2018, November 13, 2018, December 4, 2018, and December 18, 2018; and

WHEREAS, based on a recommendation from the Deputy Public Works Director, and in accordance with Napa Municipal Code Section 2.91.040, the City Manager has determined that there is no longer a need to take action to resolve an emergency for storm drain failures at Minahen Street, Locust Street, and Solano Avenue, since the previous emergency has been resolved; and

ATTACHMENT 1

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.

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 15302 which exempts the replacement and reconstruction of existing utility systems/facilities involving negligible or no expansion of capacity.

3. The City Council hereby authorizes an appropriation of \$80,000 from the General Fund Contingency Reserve (10000-25001) to the Minahen Storm Drain Repair Project as follows:

SOURCES:

\$ 80,000 General Fund Contingency Reserve (10000-25001)
 (Appropriation)

\$ 80,000 TOTAL

USES:

\$ 80,000 Minahen Storm Drain Repair (30101-57601-SD08PW01GF-57601)

\$ 80,000 TOTAL

4. The City Council hereby determines that there is no longer a need to take action to resolve an emergency for storm drain failures at Minahen Street, Locust Street, and Solano Avenue; since the previous emergency has been resolved through the completion of the Project described in this resolution. Therefore, the City Council hereby terminates the emergency action for storm drain failures at Minahen Street, Locust Street, and Solano Avenue.

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

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 15th day of January, 2019, by the following vote:

ATTACHMENT 1

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney