

RESOLUTION R2019-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, DETERMINING THERE IS A NEED TO CONTINUE THE EMERGENCY ACTION TO EXECUTE AND IMPLEMENT CONTRACTS FOR THE DESIGN, PERMITTING AND CONSTRUCTION OF THE CREEK BANK AND SIDEWALK REPAIRS ADJACENT TO BROWNS VALLEY CREEK AT BROWNS VALLEY ROAD AND VALLEY GLEN LANE; AUTHORIZING A BUDGET APPROPRIATION IN THE AMOUNT OF \$1,129,500 FOR THE CONSTRUCTION PHASE OF THE EMERGENCY REPAIR OF BROWNS VALLEY CREEK DAMAGE TO BROWNS VALLEY ROAD AT VALLEY GLEN LANE; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, on the morning of February 14, 2019, following heavy rains, Public Works staff was notified of a sudden and unexpected erosion of the northerly bank of the Browns Valley Creek that caused an undermining and failure of a portion of the public sidewalk located south of Browns Valley Road near Valley Glen Lane; and

WHEREAS, based on the initial evaluation by Public Works Engineering staff of the impact of the bank erosion on the adjacent sidewalk, and the potential future impact on Browns Valley Road, on February 20, 2019, the City Manager declared an emergency need to take immediate action to fund the design, permitting and construction of the repair; and

WHEREAS, the City executed contracts with Prunuske Chatham, Inc. and ZFA Structural Engineers to provide engineering, landscape architecture, regulatory compliance, and structural engineering necessary to mitigate and/or repair storm damage to Browns Valley Road sidewalk and creek bank; and

WHEREAS, the City's consultant design team have substantially completed the design for the repair and acquired regulatory approval to execute the repair; and

WHEREAS, based on that design, City staff have negotiated a draft contract with Granite Construction, including a scope of work and cost estimate to perform the repairs; and

WHEREAS, this appropriation is for the Construction Phase of the project; 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 execute and implement contracts for the design, permitting and construction of the creek bank and sidewalk repairs adjacent to Browns Valley Creek at Browns Valley Road and Valley Glen Lane as initially authorized by the City Manager on February 20, 2019.

4. The City Council hereby authorizes an appropriation of \$1,129,500 from the Nonrecurring General Fund Contingency as follows:

SOURCES:

\$ 1,129,500 Nonrecurring General Fund Unassigned Fund Balance (10101-25399)

\$ 1,129,500 TOTAL

USES:

\$ 1,129,500 Emergency Repair of Browns Valley Creek to Browns Valley Road at Valley Glen Project (30101-57601-ST19PW09-57601)

\$ 1,129,500 TOTAL

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 16th day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney