

**RESOLUTION R2021-\_\_**

**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 CONSTRUCTION TO REPLACE THE OAK STREET STORM DRAIN FROM FRANKLIN STREET TO BROWN STREET, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA**

WHEREAS, the City operates and maintains an underground storm drain system throughout the City, including an 18-inch storm drain pipe below Oak Street between Brown Street and Franklin Street (the "Oak Street Storm Drain"); and

WHEREAS, damage to the Oak Street Storm Drain was first identified through the development of a sink hole within the City street at the intersection of Oak Street and Franklin Street earlier this year; and

WHEREAS, steel plates were installed by Public Works crews to support vehicle traffic at this location; and

WHEREAS, the storm drain line was inspected through video technology and the inspection showed evidence of severe damage with full to partial pipe collapse for segments of the Oak Street Storm Drain between Brown Street and Franklin Street; and

WHEREAS, upon determining the severity of the damage, the City's engineering team expedited the evaluation, survey, design, and preparation of the bid package for replacement of the Oak Street Storm Drain; and

WHEREAS, the storm drain replacement includes the installation of approximately 1,100 lineal feet of new 18-inch reinforced concrete pipe for the main line and 180 lineal feet of new 15-inch reinforced concrete pipe for the associated laterals; and

WHEREAS, contracting and construction for the repairs must be fast-tracked to reduce the risk of further infrastructure damage that would be caused by erosion of the subgrade from heavy rains; and

WHEREAS, contracting and construction for the repairs must be fast-tracked to reduce the risk of further infrastructure damage that would be caused by erosion of the subgrade from heavy rains; and

WHEREAS, damage to the Oak Street Storm Drain was identified prior to the adoption of the current CIP budget and funding for the replacement was included as the Road Maintenance Project FY 21/22-Oak Street Emergency Repair (ST22PW01); and

## ATTACHMENT 1

WHEREAS, on August 25, 2021, based on a recommendation from the Public Works Director, the City Manager made a written determination that the impact of the sudden and unexpected discovery of the failed Oak Street Storm Drain, and the potential future risk of further damage to the street infrastructure and adjacent utilities, poses a clear and imminent danger requiring immediate action for replacement of the Oak Street Storm Drain to prevent or mitigate further loss or damage; 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.

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 described in this resolution, including the action to execute and implement contracts for the construction to replace the Oak Street Storm Drain from Franklin Street to Brown Street, as initially authorized by the City Manager on August 25, 2021.

4. 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 7<sup>th</sup> day of September, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Approved as to form:

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