

**HERCULES CITY COUNCIL
RESOLUTION
NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CITY'S OCTOBER 22, 2024 PROFESSIONAL SERVICES AGREEMENT WITH LSA (RESOLUTION NO. 24-069) TO INCREASE THE TOTAL COST BY \$11,800 FOR ADDITIONAL TESTING

WHEREAS, On October 22, 2024, the city entered into an agreement in the amount of \$132,101 for professional services with LSA (Resolution No. 24-069) to conduct a bathymetric survey, complete soils sampling/analysis, prepare sediment dredging plans, and prepare permit applications for the Refugio Valley Park Pond Dredging Project; and

WHEREAS, LSA's subconsultant, Terraphase, performed the sampling and analysis of the pond sediments for reuse or disposal; and

WHEREAS, Terraphase's investigative sampling indicates that a subset of samples exhibits concentrations of cadmium, copper, and vanadium above the Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESLs) for terrestrial habitat; and

WHEREAS, Terraphase and SNG & Associates, Interim City Engineer, recommended that the City perform further testing to determine whether City-owned open space is appropriate for sediment disposal; and

WHEREAS, Terraphase has agreed to perform a Limited Ecological Risk Evaluation on the sediment on a time-and materials basis for an estimated cost of \$11,800.

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

1. It can be seen with certainty that the preliminary testing of the lake soils/spoils will not have an impact on the environment and thus approval of this contract amendment to include those activities is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3). Further, following results of the testing, the City will ultimately make a determination as to how to proceed with full implementation of the dredging project at which time additional CEQA review may be performed.
2. The City Council hereby authorizes the City Manager to authorize LSA to provide Additional Services to the City's October 22, 2024 Professional

Services Agreement with LSA (Resolution No. 24-069) to increase the total cost by \$11,800.

3. The City Council authorizes the appropriation and/or expenditure of an amount not to exceed \$11,800 from the General Fund Capital Reserve (300-6432-642.05-00) to fully fund these Additional Services.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the _____ day of _____, 2025 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dion Bailey, Mayor

ATTEST:

Eibleis Melendez, City Clerk