

RESOLUTION NO. 2012-202

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE LAGUNA CREEK TRAIL CONNECTION AT CAMADA COURT IMPROVEMENTS PROJECT (WTL002) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING THE FILING OF A NOTICE OF EXEMPTION, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH F. LODUCA COMPANY IN THE AMOUNT OF \$33,103; AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$5,397; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF F. LODUCA COMPANY DOES NOT MEET FILING OBLIGATIONS

WHEREAS, plans and specifications have been prepared for a construction contract for the Laguna Creek Trail Connection at Camada Court; and

WHEREAS, the Project has received allocation of Federal Grant Funds; and

WHEREAS, due to the use of federal funds for this project in the form of Community Development Block Grants funds, the project qualifies for review under the National Environmental Policy Act (42 U.S.C. 4321 et seq., herein after NEPA); and

WHEREAS, the NEPA review was completed through the preparation of an Environmental Assessment and a Finding of No Significant Impact (FONSI); and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq of the California Public Resources Code, hereinafter CEQA) requires the analysis of agency approvals of discretionary "projects" and this Project qualifies as a project under CEQA; and

WHEREAS, Section 15301 (Existing Facilities) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations) provides an exemption from CEQA for projects involving the minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use; and

WHEREAS, an invitation to bid was duly advertised on October 3, 2012 and bids were opened on November 5, 2012; and

WHEREAS, F. Loduca Company, was determined to be the responsible bidder submitting the lowest responsive bid.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove hereby finds the project exempt from CEQA pursuant to State CEQA Guidelines Section 15301 based upon the following finding:


Finding: The project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

Evidence: The proposed project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The proposed improvements will pave an existing 100-foot long dirt path that connects Camada Court to the existing Laguna Creek Trail, increasing footprint of the trail slightly. This action will not increase the capacity or intent of the trail beyond the existing conditions. No special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the Project qualifies for this exemption and no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to execute a construction contract with F. Loduca Company for the Laguna Creek Trail Connection at Camada Court (WTL002) in the amount of \$33,103, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$5,397;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if F. Loduca Company, does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of November 2012.




JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-202**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

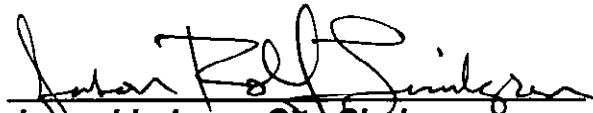
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 14, 2012 by the following vote:

AYES : COUNCILMEMBERS: *Cooper, Hume, Davis, Detrick, Scherman*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


**Jason Lindgren, City Clerk
City of Elk Grove, California**