

RESOLUTION NO. 2013-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH NEW IMAGE LANDSCAPE COMPANY FOR THE TREE REMOVAL AT ELK GROVE BOULEVARD / STATE ROUTE 99 PROJECT (WRT005) IN THE AMOUNT OF \$64,148; AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$9,622; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF NEW IMAGE LANDSCAPE COMPANY DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Tree Removal at Elk Grove Boulevard / State Route 99 Project (WTR005) (Project) will remove all existing trees and install temporary fencing around wetland within City, State and privately owned property; and

WHEREAS, the Tree Removal at Elk Grove Boulevard / State Route 99 Project is included in the approved 2012-17 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2012-13 Budget; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, herein after CEQA) requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, an invitation to bid was duly advertised on January 4, 2013 and bids were opened on January 22, 2013; and

WHEREAS, New Image Landscape Company, was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, the Project is a project under CEQA; and

WHEREAS, on December 9, 2009, the City Council certified an Environmental Impact Report (EIR) and adopted a Mitigation Monitoring and Reporting Program for the Elk Grove Boulevard / State Route 99 Project (SCH #2007042101); and

WHEREAS, on December 14, 2011, the City Council adopted two addenda to the EIR, addressing landscaping, deceleration lane length, and walkway improvements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that no further environmental review is required for the Tree Removal at Elk Grove Boulevard / State Route 99 Project based upon the following finding:

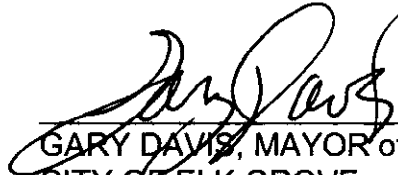
Finding: The proposed action is consistent with the previous EIR and subsequent addenda and no further environmental review is required.

Evidence: The proposed action is activity contemplated and included in the Elk Grove Boulevard / State Route 99 Project EIR and subsequent addenda. The Project will be subject to the mitigation measures regarding tree preservation, protection, and mitigation contained within the adopted Mitigation Monitoring and Reporting Program. No new information or special circumstances exist that would require additional analysis of the action. Therefore, 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 New Image Landscape Company for the Tree Removal at Elk Grove Boulevard / State Route 99 Project (WTR005) in the amount of \$64,148, 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 \$9,622;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if New Image Landscape Company does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of February 2013.



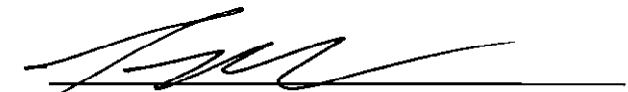
GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-24

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

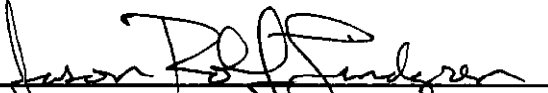
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 13, 2013 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California