

**RESOLUTION NO. 2014-165**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT THE WATERMAN ROAD PAVEMENT REHABILITATION, SOUTH OF MOSHER TO OLD WATERMAN ROAD PROJECT (WPR006) IS 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 SIERRA NEVADA CONSTRUCTION FOR THE WATERMAN ROAD PAVEMENT REHABILITATION, SOUTH OF MOSHER TO OLD WATERMAN ROAD PROJECT (WPR006) IN THE AMOUNT OF \$343,007 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$51,451; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF SIERRA NEVADA CONSTRUCTION DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Waterman Road Pavement Rehabilitation, South of Mosher to Old Waterman Road Project, (WPR006) (Project) will reconstruct the deteriorating roadway pavement on Waterman Road, south of Mosher to Old Waterman Road, and construct a new roadside ditch with driveway culverts to alleviate localized street flooding; and

**WHEREAS**, the Waterman Road Pavement Rehabilitation, South of Mosher to Old Waterman Road Project, is included in the approved 2014-19 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2014-15 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**, the Project is 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.

**WHEREAS**, an invitation to bid was duly advertised on June 11, 2014, and bids were opened on July 3, 2014; and

**WHEREAS**, Sierra Nevada Construction 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 this project exempt from CEQA pursuant to State CEQA Guidelines Section 15301(b).

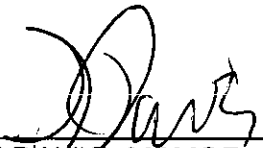
Finding: The proposed project is exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines.

Evidence: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15301. This exemption applies to projects involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project consists of reconstruction of deteriorating roadway pavement on Waterman Road from south of Mosher Road to Old Waterman Road and construction of a new roadside ditch with driveway culverts within existing right-of-way along Waterman Road to alleviate localized street flooding. The proposed improvements would include minor alteration of existing facilities within City right-of-way, involving negligible expansion of existing uses. No trees will be removed. No special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore the project is exempt.

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

- 1) Authorizes the City Manager to execute a construction contract with Sierra Nevada Construction for the Waterman Road Pavement Rehabilitation, South of Mosher to Old Waterman Road Project (WPR006) in the amount of \$343,007, 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 \$51,451;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if Sierra Nevada Construction does not meet filing obligations.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 23<sup>rd</sup> day of July 2014

  
\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY *for*

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-165**

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 July 23, 2014 by the following vote:***

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

**NOES:        COUNCILMEMBERS:        *None***

**ABSTAIN :   COUNCILMEMBERS:        *None***

**ABSENT:     COUNCILMEMBERS:        *None***

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