

RESOLUTION NO. 2014-185

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT THE 9750 WATERMAN ROAD DRAINAGE AND ACCESSIBILITY IMPROVEMENTS PROJECT (PT0139) 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 MARTIN GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$85,926 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$12,889

WHEREAS, the 9750 Waterman Road Drainage and Accessibility Improvements Project (PT0139) (Project) will construct a new walkway to close a gap of discontinuous sidewalk along Waterman Road, installation of vertical curbs and curb ramps, drain inlets and pipes, ditch grading, tree removals, traffic sign relocation, and other improvements; and

WHEREAS, the 9750 Waterman Road Drainage and Accessibility Improvements 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; and.

WHEREAS, Section 15332 (In-Fill Development Projects) 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 characterized as in-fill development that are consistent with general plan designations, within city limits, within an area that has no value as habitat for endangered species, does not result in significant effects, and can be served by all required utilities and public services; and

WHEREAS, an invitation to bid was duly advertised on July 9, 2014 and bids were opened on July 31, 2014; and

WHEREAS, Martin General Engineering, Inc. 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) and Section 15332.

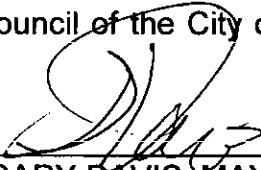
Finding: The proposed project is exempt from CEQA pursuant to sections 15301 and 15332 of the State CEQA Guidelines.

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 proposed project is also exempt from CEQA under State CEQA Guidelines Section 15332. This exemption applies to projects characterized as in-fill development that are consistent with general plan designations, within city limits, within an area that has no value for endangered species, does not result in significant effects, and can be served by all required utilities and public services. The Project consists of constructing a sidewalk infill segment and storm drain improvements along an existing roadway for the purpose of improving safety and accessibility, as well as to provide for a continuous path of pedestrian travel and to alleviate localized street flooding. The proposed improvements would include minor alteration of existing facilities, involving negligible expansion of existing uses. 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 Martin General Engineering, Inc. for the 9750 Waterman Road Drainage and Accessibility Improvements Project (PT0139) in the amount of \$85,926, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$12,889.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of August 2014.




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. 2014-185**

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

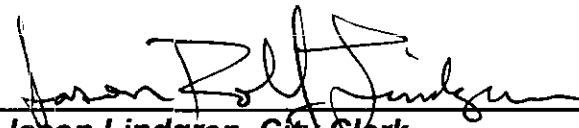
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 27, 2014 by the following vote:

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**