

**RESOLUTION NO. 2017-234**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
DISPENSING WITH COMPETITIVE BIDDING PURSUANT TO ELK GROVE  
MUNICIPAL CODE CHAPTER 3.42, AND AUTHORIZING THE CITY MANAGER  
TO EXECUTE CONTRACTS WITH WESTERVELT ECOLOGICAL SERVICES FOR  
MITIGATION FOR THE NEW GROWTH AREA PROJECT  
IN THE TOTAL AMOUNT OF \$620,050**

**WHEREAS**, the City is pursuing construction of the New Growth Area Projects, which include the construction of Bilby Road and Big Horn Boulevard; and

**WHEREAS**, the City, pursuant to Department of the Army Special Permits SPK-2016-00877 and SPK-2016-00878, shall mitigate for 0.38 acres of direct fill of seasonal wetland, vernal pools, and ditches in order to construct the Project; and

**WHEREAS**, the City, pursuant to the Biological Opinion of the US Fish and Wildlife Service (File Number 08ESMF00-2017-F-1864-2), shall mitigate for 1.55 acres of special species impact to seasonal wetlands, vernal pools, and wetland swale in order to construct the Project; and

**WHEREAS**, Elk Grove Municipal Code Section 3.42.180 identifies the procedures for purchasing commodities and equipment of a value equal to or greater than Fifty Thousand and 01/100ths (\$50,000.01) Dollars; and

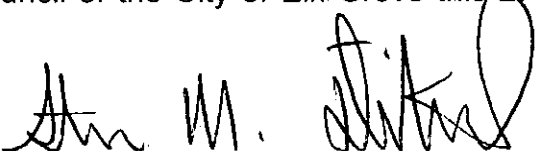
**WHEREAS**, EGMC Section 3.42.180.B identifies that the City Council may dispense with the formal bidding procedures, in whole or in part, under specific circumstances, including but not limited to when the purchase can be obtained from only one (1) source; and

**WHEREAS**, Army Corps and US Fish and Wildlife standards specify the type of mitigation bank that can be utilized for mitigation credits, based upon type of habitat, distance from the area of impact, and other relevant factors as determined by the agencies.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that it is in the best interest of the City to dispense with the formal bidding procedures required under EGMC 3.42.180 for the purchase of these mitigation credits from Westervelt's Cosumnes Floodplain Mitigation Bank and Van Vleck Mitigation Bank, based upon the characteristics of the banks, their location relative to the Project site, and their status as approved banks by the respective agencies.

**AND, BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute agreements, in substantially the form presented, with Westervelt Ecological Services for the New Growth Area Project in the total amount of \$620,050.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of September 2017

  
\_\_\_\_\_  
STEVEN M. DETRICK, VICE 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. 2017-234**

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

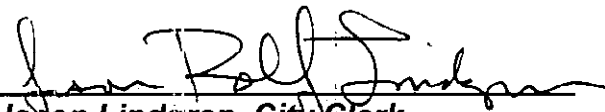
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 27, 2017 by the following vote:***

**AYES:           COUNCILMEMBERS:       *Detrick, Hume, Nguyen, Suen***

**NOES:           COUNCILMEMBERS:       *None***

**ABSTAIN:       COUNCILMEMBERS:       *None***

**ABSENT:        COUNCILMEMBERS:       *Ly***

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