

**RESOLUTION NO. 2019-127**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE 2019-2020 CITYWIDE CURB RAMP IMPROVEMENTS PROJECT [PHASE 1] (WAC014) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH FBD VANGUARD CONSTRUCTION, INC. FOR THE PROJECT IN THE AMOUNT OF \$1,036,401; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$103,640; AND AMENDING THE FISCAL YEAR 2018-19 BUDGET AND 2018-2023 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**WHEREAS**, the 2019-2020 Citywide Curb Ramp Improvements Project [Phase 1] (WAC014) (Project) includes removing barriers to accessibility for persons using wheelchairs or other personal assistance devices and improving pedestrian accessibility and safety by reconstructing curb ramps on various locations throughout the City; and

**WHEREAS**, these Americans with Disabilities Act (ADA) curb ramp replacements are triggered by the 2019 Pavement Slurry Seal and Resurfacing Project (WPR019); and

**WHEREAS**, an invitation to bid was duly advertised on May 8, 2019 and May 15, 2019, and bids were opened on May 30, 2019; and

**WHEREAS**, FBD Vanguard Construction, Inc. was determined to be the responsible bidder submitting the lowest responsive bid; and

**WHEREAS**, Sierra National Construction, Inc. was determined to be the responsible bidder submitting the second lowest responsive bid; and

**WHEREAS**, the Project is a project under California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as CEQA) which requires that cities consider the environmental consequences of their actions before approving a project; and

**WHEREAS**, Section 15301(c) (Existing Facilities) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations) applies to projects involving the minor alteration of existing public or private facilities, involving negligible or no expansion of use. The Project involves alterations to existing sidewalk curb ramps to remove accessibility barriers to pedestrians and to persons using wheelchairs/personal assistance devices and includes pavement restriping and installation of traffic signs/posts to ensure safety of pedestrians' crossings. As these proposed alterations and modifications would occur within existing City-owned facilities, would negligibly expand the existing use of these facilities, and would not have a significant effect on the environment, the Project qualifies for the identified exemption. No further environmental review under CEQA is required; and

**WHEREAS**, due to the use of federal funds for this Project, the Project qualifies for review under the National Environmental Policy Act (42 U.S.C. 4321 et seq., herein after NEPA); and

**WHEREAS**, the Project qualifies as a Categorical Exclusion and the Categorical Exclusion Checklist was approved by the City Manager on April 24, 2019. No further environmental review under NEPA is required; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2018-23 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2018-19 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby:

- 1) Finds the Project exempt from CEQA pursuant to pursuant to section 15301(c) of the State CEQA Guidelines and approves the Project; and
- 2) Authorizes the City Manager to execute a construction contract with FBD Vanguard Construction, Inc. for the 2019-2020 Citywide Curb Ramp Improvements Project [Phase 1] (WAC014) in the amount of \$1,036,401 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and,
- 3) Authorizes the City Engineer to approve change orders not-to-exceed \$103,640; and,
- 4) Amends the FY 2018-2023 Capital Improvement Program and Fiscal Year 2018-19 Budget for the 2019-2020 Citywide Curb Ramp Improvements Project (WAC014) by adding \$441,831 in Community Development Block Grant (Fund 241) funds and adding \$669,900 in Measure A Maintenance (Fund 294) funds.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 26<sup>th</sup> day of June 2019




PATRICK HUME, 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. 2019-127**

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 June 26, 2019 by the following vote:*

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

**NOES:**       **COUNCILMEMBERS:**    *None*

**ABSTAIN:**   **COUNCILMEMBERS:**    *None*

**ABSENT:**    **COUNCILMEMBERS:**    *Ly*

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