

RESOLUTION NO. 2012-231

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH R.A. NEMETZ CONSTRUCTION COMPANY INCORPORATED THE EAST STOCKTON BOULEVARD SOUND WALL RENOVATION PROJECT ("PROJECT") IN THE AMOUNT OF \$1,088,247; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$186,753; FINDING THE PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND AMENDING THE FY2012-13 BUDGET AND 2012-17 CIP BY \$155,000

WHEREAS, the existing wall along East Stockton Boulevard between Elk Grove Regional Park and Valley Oak Lane was constructed decades ago and is dilapidated, unsightly, frequently vandalized with graffiti and has at times become a safety hazard in high winds; and

WHEREAS, the East Stockton Boulevard Sound Wall Renovation Project (Project) will construct a new 10' 8" high wall of masonry concrete on City owned property in front of the existing wall, replace the existing sidewalk, rehabilitate the failing roadway pavement adjacent to the wall, relocate the street lights, replace the light fixtures with more energy efficient heads, and restripe the roadway for bicycle lanes; and

WHEREAS, an invitation to bid was duly advertised on October 31, 2012, bids were opened on November 20, 2012, and R.A. Nemetz Construction Company Incorporated was determined to be the responsible bidder submitting the lowest responsive bid submitting a base bid of \$1,088,247; and

WHEREAS, the Project is included in the approved 2012-17 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2012-13 Budget. but requires an amendment increasing funding from the Roadway Fee Program by \$155,000; and

WHEREAS, the City desires to exchange Old Measure A funds currently designated for a variety of other projects with Gas Tax funds from the Project in order to expeditiously expend the Old Measure A funds; 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.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the East Stockton Boulevard Sound Wall Renovation Project is exempt from environmental review pursuant to Sections 15302 and 15303 of Chapter 3 of Division 6 of Title 14 of the California Code of Regulations (State CEQA Guidelines) pursuant to the following finding:

Finding: The proposed project is exempt from CEQA under State CEQA Guidelines Sections 15302 (Replacement or Reconstruction) and 15303 (New Construction or Conversion of Small Structures).

Evidence: The 15302 exemption applies to projects involving the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure being replaced. The 15303 exemption applies to the construction of new small facilities or structures of limited size and number. The proposed project involves the construction of a new masonry concrete wall measuring 10' 8" in height, as well as reconstruction of the existing sidewalk. These activities will result in a new wall that satisfies the noise attenuation objectives of the old sheet metal wall and a sidewalk that is in conformance with the Americans with Disabilities Act. This work does not increase the density or intensity of development or result in increased habitable square footage. Therefore, this project qualifies for the identified exemptions and no further environmental review is required.

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 R.A. Nemetz Construction Company Incorporated for the East Stockton Boulevard Sound Wall Renovation Project in the amount of \$1,088,247, upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and the Risk Manager; and authorizes the City Engineer to approve change orders not to exceed \$186,753; and
- 2) Amends the FY2012-13 Budget and 2012-17 Capital Improvement Program to permit the exchange, on a dollar for dollar basis, of Old Measure A funds from all projects with Gas Tax funds from the East Stockton Boulevard Sound Wall Renovation Project; and
- 3) Amends the FY2012-13 Budget and 2012-17 Capital Improvement Program for the East Stockton Boulevard Sound Wall Renovation Project as follows:

Approved Capital Improvement Program

Expenditures			
Capital Costs	FY2012	FY2013	Total
Preliminary Eng.	\$160,000		\$160,000
Environmental	\$20,000		\$20,000
ROW Acquisition			\$0
Construction Eng.		\$170,000	\$170,000
Constr. Contract		\$1,100,000	\$1,100,000
Total Capital Costs	\$180,000	\$1,270,000	\$1,450,000

Revenues

Funding Source	FY2012	FY2013	Total
221 Gas Tax	\$180,000	\$810,000	\$990,000
328 Roadway Fee		\$460,000	\$460,000
Total Financing	\$180,000	\$1,270,000	\$1,450,000

Amended Capital Improvement Program

Expenditures

Capital Costs	FY2012	FY2013	Total
Preliminary Eng.	\$160,000		\$160,000
Environmental	\$20,000		\$20,000
ROW Acquisition			\$0
Construction Eng.		\$150,000	\$150,000
Constr. Contract		\$1,275,000	\$1,275,000
Total Capital Costs	\$180,000	\$1,425,000	\$1,605,000

Revenues

Funding Source	FY2012	FY2013	Total
304 Old Measure A / 221 Gas Tax	\$180,000	\$810,000	\$990,000
328 Roadway Fee		\$615,000	\$615,000
Total Financing	\$180,000	\$1,425,000	\$1,605,000

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of December 2012.




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. 2012-231**

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 December 12, 2012 by the following vote:

AYES : COUNCILMEMBERS: Davis, Cooper, Hume

NOES: COUNCILMEMBERS: Detrick

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


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