

RESOLUTION NO. 2011-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE OLD TOWN STUB (9070 ELK GROVE BOULEVARD) DRAINAGE IMPROVEMENTS PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ARROW CONSTRUCTION FOR THE OLD TOWN STUB (9070 ELK GROVE BOULEVARD) DRAINAGE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$19,450; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$3,000; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH BIONDI PAVING, INC., THE SECOND LOWEST BIDDER, IF ARROW CONSTRUCTION DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Old Town Stub (9070 Elk Grove Boulevard) Drainage Improvements Project (Capital Improvement Project ID WDR006) is budgeted within the approved Fiscal Year 2011-12 Budget; and

WHEREAS, an invitation to bid was duly advertised on August 31, 2011 and bids were opened on September 15, 2011; and

WHEREAS, Arrow Construction was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereafter CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, section 15000 et seq., requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the Old Town Stub (9070 Elk Grove Boulevard) Drainage Improvements 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 Old Town Stub (9070 Elk Grove Boulevard) Drainage Improvements Project (Project) is exempt from the California Environmental Quality Act (CEQA) pursuant to the following finding:

Finding: The proposed project qualifies for a Categorical Exemption pursuant to Section 15301(c) of the State CEQA Guidelines.

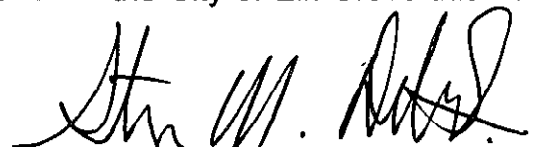
Evidence: The proposed project qualifies for a Categorical Exemption pursuant to Section 15301(c) of the State CEQA Guidelines. The Section 15301(c) exemption applies to the repair, maintenance, or minor alteration of existing public and private facilities, structures, and equipment involving negligible or no expansion of use beyond

that existing at the time of the determination. Specific examples cited in the exemption include, but are not limited to, exterior alterations involving plumbing and conveyances. The proposed Project involves the construction of additional stormwater conveyance facilities to move stormwater flows from the Project site into the City's stormwater system. The Project site is already developed with impervious surface (parking lot and drive aisle), currently resulting in the stormwater pooling on the site. Through the installation of these facilities (mainly drainage inlets and pipes), stormwater will be directed through the facility into the City stormwater system, improving operations at the Project site. There is sufficient capacity within the City's stormwater system to accommodate these flows and no expansion in operations is necessary to accommodate the Project. Therefore, the Project qualifies for this exemption 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 Arrow Construction for the Old Town Stub (9070 Elk Grove Boulevard) Drainage Improvements Project in the amount of \$19,450 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$3,000; and
- 2) Finds that should Arrow Construction fail to meet their obligations in executing the construction contract, the City Manager is thereby authorized to execute a construction contract with Biondi Paving, Inc. (second lowest responsible bidder) in the amount of \$20,550 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$3,100.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of September 2011.



STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-184**

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 28, 2011 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*


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