

**RESOLUTION NO. 2013-239**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE ISLAND PARK PROJECT (WCE002); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH MARINA LANDSCAPE INC. IN THE AMOUNT OF \$925,987; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$54,120, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF MARINA LANDSCAPE INC. DOES NOT MEET FILING OBLIGATIONS.**

**WHEREAS**, the City has instituted a park fee program for the development of parks within the Laguna Ridge Specific Plan; and

**WHEREAS**, plans and specifications have been prepared for a construction contract for the Island Park Project (Capital Improvement Project ID WCE002) (the "Project"); 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**, on June 16, 2004, the City Council adopted Resolution 2004-142, certifying an Environmental Impact Report and adopting a Mitigation Monitoring and Reporting Program for, and approving, the Laguna Ridge Specific Plan which includes the proposed Project (SCH No. 2000082139); and

**WHEREAS**, the Project is included in the approved 2013-18 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2013-14 Budget; and

**WHEREAS**, an invitation to bid was duly advertised on October 11, 2013 and bids were opened on November 19, 2013; and

**WHEREAS**, Marina Landscape, 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 that no further environmental review is required for the Island Park Project based upon the following finding:

Finding: Construction of the proposed park site is included in the Laguna Ridge Specific Plan, which was analyzed under a prior Environmental Impact Report and no further environmental review is required.

Evidence: On June 16, 2004, the City Council certified an Environmental Impact Report (EIR) and adopted a Mitigation Monitoring and Reporting Program for the City's Laguna Ridge Specific Plan (SCH No. 2000082139), which included the proposed project. The potential environmental impacts were adequately analyzed as part of the EIR. No substantial changes are proposed to the project and there are no substantial changes in circumstances or new information that would require major revisions to the EIR. Therefore, no further environmental review is required.

**AND, 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 Marina Landscape, Inc. for the Island Park Project in the amount of \$925,987; and
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$54,120; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder, Abide Builders, in the amount of \$937,727.16 if Marina Landscape, Inc. does not meet filing obligations, and authorize the City Engineer to approve change orders not-to-exceed \$42,379.84.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of December 2013.

  
\_\_\_\_\_  
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. 2013-239**

**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 11, 2013 by the following vote:***

**AYES :            COUNCILMEMBERS:     *Davis, Detrick, Hume, Trigg***

**NOES:            COUNCILMEMBERS:     *None***

**ABSTAIN :        COUNCILMEMBERS:     *None***

**ABSENT:         COUNCILMEMBERS:     *Cooper***

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