

RESOLUTION NO. 2014-228

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECTION 190 - GRADE
SEPARATION FUND AGREEMENT FOR THE GRANT LINE ROAD GRADE
SEPARATION PROJECT AND AMENDS THE FISCAL YEAR 2014-15 BUDGET AND
FISCAL YEAR 2014-19 CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, the Legislature and Governor of the State of California have provided funds for grants from Section 190 Grade Separation Funds and Proposition 1B Grade Separation Funds; and

WHEREAS, the California Public Utilities Commission has jurisdiction over the safety of roadway-rail crossings and develops a funding priority list of grade separation projects, and the Grant Line Road Grade Separation Structure is on the current list; and

WHEREAS, the Grant Line Road Widening Project (Project #s PT0034, WTR006, and PT034A) has been on the CPUC Grade Separation Priority List since July 1, 2010 and has recently been awarded \$5,000,000 from the Section 190 Program; and

WHEREAS, the funds are administered by Caltrans and a fund agreement must be executed between the City and Caltrans to receive the 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; and

WHEREAS, on December 14, 2005, the City Council adopted a Final Mitigated Negative Declaration (MND) for the Grant Line Road Widening Project (SCH No. 2005102056); and

WHEREAS, on October 26, 2011, the City Council adopted Resolution No. 2011-206, approving Addenda 1, 2, and 3 and the design for Phase 1 of the project to the MND; and

WHEREAS, on March 13, 2013, the City Council adopted Resolution No. 2013-42, approving Addendum 4 and the Grant Line Road Widening Project as modified by the addendum; and

WHEREAS, these funds are not included in the Fiscal Year 2014-15 Budget and Fiscal Year 2014-19 Capital Improvement Program (CIP); and

WHEREAS, the agreement is dated effective August 4, 2014 and shall be made effective as of that date.

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 Grant Line Road Widening Project based upon the following finding:

Finding: The proposed action is consistent with the MND and subsequent addenda, and no further environmental review is required.

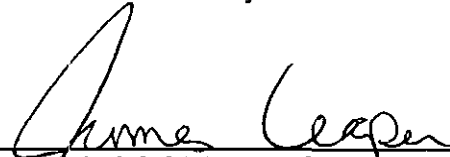
Evidence: The proposed action is activity contemplated and included in the Grant Line Road Widening Project MND and subsequent addenda. The Project will be subject to the mitigation measures contained within the adopted Mitigation Monitoring and Reporting Program. The potential environmental impacts were adequately analyzed as part of the MND and subsequent addendum. No new information or special circumstances exist that would require additional analysis of the action. Therefore, no further environmental review is required.

AND, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Certifies, if applicable, that the Project will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction all applicable permits will have been obtained; and
- 2) Certifies that the City of Elk Grove will have sufficient funds to complete the Project, or will secure the resources to do so; and
- 3) Amends the Fiscal Year 2014-15 Budget to include \$5,000,000 in State Grant funds; and
- 4) Amends the Fiscal Year 2014-19 Capital Improvement Program to add State Grant funds and remove equal amounts of Roadway Fee funds equaling the amounts accepted by Caltrans for payment for Project #s PT0034, WTR006, and PT034A.

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City of Elk Grove City Manager, or designee, as agent to execute the Section 190 - Grade Separation Fund Agreement for the Grant Line Road Grade Separation Project and submit all documents including, but not limited to, payment requests, which may be necessary for execution of the aforementioned Agreement.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 8th day of October 2014.



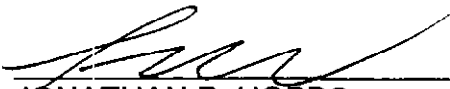
JAMES COOPER, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-228

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

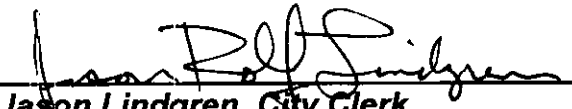
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 8, 2014 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Davis*



Jason Lindgren, City Clerk
City of Elk Grove, California