

**RESOLUTION NO. 2015-053**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ELK GROVE BOULEVARD, NORTH SIDE, SIDEWALK INFILL (WAC003) PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ALL-AMERICAN CONSTRUCTION, INC. FOR THE ELK GROVE BOULEVARD, NORTH SIDE, SIDEWALK INFILL (WAC003) PROJECT IN THE AMOUNT OF \$166,035.07 AND AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$41,509.00; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER IF ALL-AMERICAN CONSTRUCTION, INC. DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Elk Grove Boulevard, North Side, Sidewalk Infill (WAC003) will construct new sidewalk and road widening along the north side of Elk Grove Boulevard, from west of Waterman Road to existing sidewalk west of Porto Rosa Drive; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2014-19 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2014-15 Budget; and

**WHEREAS**, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as 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**, Section 15301 (Existing Facilities) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations) provides an exemption from CEQA for projects involving the minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use; and

**WHEREAS**, the Project has received allocation of Federal Grant Funds; and

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

**WHEREAS**, the NEPA review was completed through the preparation of an Environmental Assessment (EA) that determined that any potential adverse impacts of the project will be mitigated by the measures required by the EA and therefore, the project will have no permanent or significant adverse impacts to the environment. No further review pursuant to NEPA is required; and

**WHEREAS**, an invitation to bid was duly advertised on January 21, 2015, and bids were opened on March 3, 2015; and

**WHEREAS**, All-American Construction, 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 this project exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

**Finding:** The proposed Project is exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines.

**Evidence:** The proposed Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to the minor alteration of existing public or private facilities when the alteration involves negligible or no expansion of an existing use. The proposed Project consists of construction of a new sidewalk and road widening along the north side of Elk Grove Boulevard between Waterman Road to existing sidewalk west of Porto Rosa Drive. The project will obtain roadway right-of-way that is intended to be occupied by transportation and public use facilities in the Elk Grove General Plan. The Project is located along a major roadway in a highly urbanized area and will result in a negligible expansion of use as it is a sidewalk infill project. No trees will be removed. No special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore, the Project qualifies for the identified exemption and is exempt under CEQA.

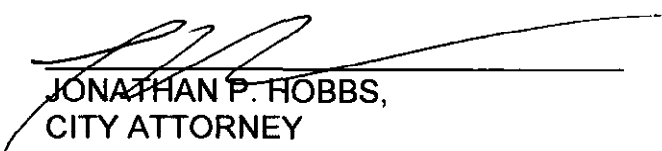
**AND BE IT ALSO RESOLVED** that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to execute a construction contract with All-American Construction, Inc. for the Elk Grove Boulevard, North Side, Sidewalk Infill (WAC003), in the amount of \$166,035.07 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$41,509;
- 3) Authorizes the City Manager to execute a construction contract with the second lowest bidder if All-American Construction, Inc. does not meet filing obligations.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25<sup>th</sup> day of March 2015.

  
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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. 2015-053**

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

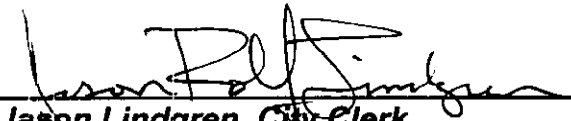
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 25, 2015 by the following vote:***

**AYES :        COUNCILMEMBERS:        Davis, Hume, Detrick, Ly, Suen**

**NOES:        COUNCILMEMBERS:        None**

**ABSTAIN :   COUNCILMEMBERS:        None**

**ABSENT:     COUNCILMEMBERS:        None**

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