

**RESOLUTION NO. 2019-003**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
ACCEPTING THE EMERALD VISTA STORM DRAIN IMPROVEMENTS PROJECT  
(WDR024) AS COMPLETE; AUTHORIZING THE CITY ENGINEER TO PREPARE  
AND THE CITY CLERK TO FILE THE NOTICE OF COMPLETION WITH THE  
SACRAMENTO COUNTY RECORDER; AND AUTHORIZING STAFF TO AMEND  
THE ANNUAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM**

**WHEREAS**, on June 13, 2018, the City Council authorized the award of a construction contract to Mozingo Construction, Inc. for the Emerald Vista Drive Storm Drain Improvements Project (WDR024) (Project); and

**WHEREAS**, the Project replaced approximately 1,060 feet of storm drain pipe and manholes along Emerald Vista Drive, from Tipton Court/Grimsby Court south to the outfall at Elk Grove Creek; and also replaced the existing outfall and installed a trash rack; and

**WHEREAS**, Mozingo Construction, Inc. has completed the work in accordance with the terms and conditions of the contract documents for the Project; and

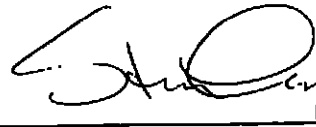
**WHEREAS**, if no liens or claims have been filed within thirty-five (35) days of filing the Notice of Completion, the retained payment funds and any remaining amount due will be released to Mozingo Construction, Inc.; and

**WHEREAS**, post construction work is typically completed within one hundred twenty (120) days of the City Clerk filing the Notice of Completion with the Sacramento County Recorder and then all invoices can be paid, and any remaining project budget authority would be transferred.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby:

- 1) Accepts the Emerald Vista Drive Storm Drain Improvements (WDR024) Project as complete;
- 2) Authorizes the City Engineer to prepare a Notice of Completion and the City Clerk to file the Notice of Completion for the Project with the Sacramento County Recorder; and
- 3) Authorizes staff to amend the Annual Budget and Capital Improvement Program by reducing the remaining project budget authority to zero and returning any remaining funds back to their respective fund.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of January 2019




\_\_\_\_\_  
STEVE LY, 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. 2019-003**

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

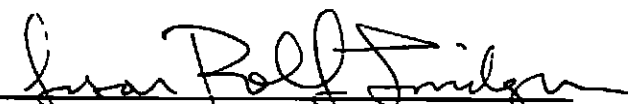
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 9, 2019 by the following vote:***

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

**NOES:           COUNCILMEMBERS:       None**

**ABSTAIN:       COUNCILMEMBERS:       None**

**ABSENT:        COUNCILMEMBERS:       Nguyen**

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