

RESOLUTION NO. 2020-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE CONTRACT WITH HARLAN SERVICES, INC. DBA VALLEY GREEN PEST CONTROL FOR THE WEED ABATEMENT PROJECT (OM2008) BASED ON THE RATES AND SCOPE OF SERVICES IN THE BID, AUTHORIZING THE CITY ENGINEER OR AUTHORIZED DESIGNEE TO ISSUE WORK ORDERS UNDER THIS CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,617,851.50, AND AUTHORIZING THE CITY MANAGER TO TAKE ALTERNATIVE ACTION AS DEEMED APPROPRIATE IF THE FIRST LOWEST RESPONSIVE BIDDER DOES NOT MEET FILING OBLIGATIONS

WHEREAS, the Weed Abatement Project (OM2008) (Project) includes annual and monthly weed abatement at various locations throughout the City; and

WHEREAS, an Invitation to Bid was duly advertised on November 27, 2019, and December 4, 2019, and bids were opened on December 17, 2019; and

WHEREAS, Valley Green Pest Control was determined to be the responsible bidder submitting the lowest responsive bid; and

WHEREAS, the Project is a project under California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as CEQA), which requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, Section 15304(i) (Class 4 Minor Alterations to Land) and Section 15308 (Class 8 Actions by Regulatory Agencies for Protection of the Environment) 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 land for fuel management activities. Weed abatement serves two primary purposes, to reduce fuel sources and to assure the maintenance, restoration, enhancement, and protection of the environment. Per Elk Grove Municipal Code Section 17.12.010, uncontrolled growth and/or accumulation of weeds is dangerous or injurious to neighboring property and the health or welfare of residents. Removal of weeds from City infrastructure, such as sidewalks, roads, and medians, reduces the risk of fire sparked by motorists and pedestrians which then spreads to neighboring structures. For this reason, both mechanical and chemical weed abatement activities are exempt under Categorical Exemption 15304(i), Minor Alterations to Land; and

WHEREAS, Section 15308 (Class 8 Actions by Regulatory Agencies for Protection of the Environment) 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 project involving actions by regulatory agencies for protection of the environment. Weeds prevent California native species from thriving, are harmful to sensitive groups, in terms of air quality, and create a harbor for rodents and insects. Removal of weeds reduces these potential harmful conditions caused by uncontrolled weed growth. The proposed use of chemical weed abatement will follow the City's Weed Abatement Program, which stipulates that chemical weed abatement is weather sensitive and shall occur during optimal conditions free of excessive winds, heat, and rain and will be applied by a licensed, certified applicator. Further, the Chemical Weed Abatement Program prohibits use of chemicals along waterways or slopes adjacent to waterways. In these areas,

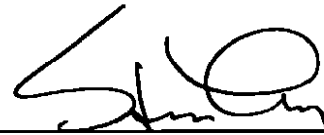
mechanical abatement will be enforced. These restrictions are safeguards against exposing people, waters, and native species to chemicals. For these reasons, the Project also qualifies under Categorical Exemption 15308, Actions by Regulatory Agencies for Protection of the Environment; and

WHEREAS, the quantities listed for each work task are approximate and not guaranteed; therefore, the Public Works Director or authorized designee shall have the authority to amend quantities or tasks for the duration of the contract.

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

- 1) Authorizes the City Manager to execute a maintenance contract with Valley Green Pest Control in an amount not to exceed the amount budgeted for this work through the Fiscal Year Annual Budget process upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney; and
- 2) Authorizes the City Engineer to make amendments related to staffing and equipment as detailed in the bid sheet including Consumer Price Index increases as stated under the terms of the Weed Abatement Project (OM2008) Contract, so long as such authority has been previously budgeted by the Council.
- 3) Authorizes the City Manager to reject all bids and rebid the Project if Valley Green Pest Control does not meet filing obligations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of January 2020




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. 2020-016**

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

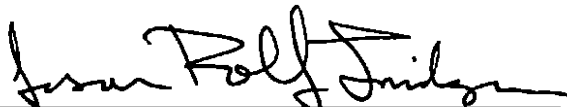
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 22, 2020 by the following vote:

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

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



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