

## RESOLUTION NO. 2020-269

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE THREE RIGHT-OF-ENTRY AGREEMENTS FOR TEMPORARY RIGHTS TO ENTER AND CONSTRUCT ON PROPERTIES LOCATED AT 10045 GRANT LINE ROAD [A PORTION OF APN 134- 0190-001]; AT 9957 GRANT LINE ROAD [A PORTION OF APN 134-0120-014]; AND AT 9876 GRANT LINE ROAD [A PORTION OF APN 134-0110-146] AS A PART OF THE GRANT LINE ROAD WIDENING PHASE 2 (WATERMAN TO BRADSHAW) PROJECT (WTR002) (NO FURTHER CEQA REVIEW REQUIRED)**

**WHEREAS**, the Grant Line Road Widening Phase 2 (Waterman to Bradshaw) Project (WTR002) (Project) will result in the widening of Grant Line Road from two lanes to four lanes between Waterman and Bradshaw Roads and will include construction of a Class 1 multi-use trail, installation of traffic signals at Mosher and Bradshaw Roads, and installation of storm water treatment basins; and

**WHEREAS**, access modifications are recommended to limit left-turn ingress/egress for two agricultural properties on the south side of the road, and to remove ingress/egress to Grant Line Road from one residential property on the north side of the road near Bradshaw Road; and

**WHEREAS**, left-turn ingress and egress modifications to existing access is desired at 10045 Grant Line Road, also identified as Assessor Parcel Number 134-0190-001 (“Daehling Property”), and property owner is agreeable to such modifications and is willing to grant a Right-of-Entry; and

**WHEREAS**, left-turn ingress and egress modifications to existing access is desired at 9957 Grant Line Road, also identified as Assessor Parcel Number 134-0120-014 (“Mahon Property”), and property owner is agreeable to such modifications and is willing to grant a Right-of-Entry; and

**WHEREAS**, existing access to Grant Line Road is to be eliminated and construction of new access on Tangelo Circle is desired at 9876 Grant Line Road, also identified as Assessor Parcel Number 134-0110-146 (“Polhemus Property”), and property owner is agreeable to such modifications and is willing to grant a Right-of-Entry; 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**, the Grant Line Road Widening Phase 2 Project (WTR002) environmental impacts were previously analyzed in two CEQA environmental documents. The first, was an Initial Study (State Clearinghouse #2005102056) completed by the City of Elk Grove, as the lead CEQA agency. The City approved the Project, certified the Initial Study, and adopted the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program (MMRP) in December 2005. To account for changes to the Project, the City adopted four CEQA Addendums to the Initial Study in July 2006, July 2009, February 2011 and February 2013. The second environmental document which analyzed potential environmental impacts for the Grant Line Road Widening Phase 2 Project (WTR002) occurred in the CEQA Tiered Initial Study for the Capital SouthEast Connector B2 Project (State Clearinghouse

#2017032030) by the SouthEast Connector Joint Powers Authority (Connector JPA), who was the CEQA lead agency. In May 2017, the Connector JPA approved the B2 Project, certified the Tiered Initial Study, and adopted a Mitigated Negative Declaration and the Project's MMRP. No further CEQA review is required and all mitigation measures detailed in the MMRPs will apply to the Project; and

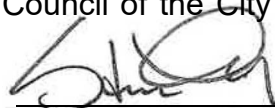
**WHEREAS**, the Capital SouthEast Connector B2 Project, which includes the Grant Line Road Widening Phase 2 Project (WTR002), is receiving federal funding and qualifies for review under the National Environmental Policy Act (NEPA), with the California Department of Transportation (Caltrans) as the NEPA lead agency. Caltrans completed their review of the Project and determined it to be categorically excluded from NEPA review under 23 USC 327 on August 28, 2017. After approval of the categorical exclusion, the Capital SouthEast Connector B2 Project was expanded to include modification to the Grant Line Road and Bradshaw Road intersection, which was captured in the CEQA documents. On October 23, 2019 Caltrans again reviewed the Capital SouthEast Connector B2 Project due to the change in project features and confirmed that the previous categorical exclusion determination remained valid. No further NEPA review is required and all mitigation measures detailed in the NEPA Categorical Exclusion Forms will apply to the Project; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2020-25 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2020-21 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute Right-of-Entry Agreements, in substantially the form presented, with the following property owners for the temporary right to enter and construct modifications to property access to Grant Line Road:


- a. Daehling Property - 10045 Grant Line Road, identified as Assessor Parcel Number 134-0190-001, vested in Daehling Ranch, LLC, a California limited liability company;
- b. Mahon Property - 9957 Grant Line Road, identified as Assessor Parcel Number 134-0120-014, vested in Dale W. Mahon and Patricia Le Mahon, as Co-Trustees of the Mahon Family Trust, dated August 21, 2002; and
- c. Polhemus Property - 9876 Grant Line Road, identified as Assessor Parcel Number 134-0110-146, vested in Mary J. Polhemus as Trustee, for the benefit of Mary J. Polhemus, a widow, as life tenant for her natural life, and Maryann Polhemus, and Charles Polhemus, (the children of James E. and Mary J. Polhemus), as remaindermen.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 18<sup>th</sup> day of November 2020



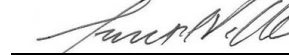
STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-269**

**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 special meeting of said Council held on November 18, 2020 by the following vote:***

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

**NOES:           COUNCILMEMBERS:     *None***

**ABSTAIN:       COUNCILMEMBERS:     *None***

**ABSENT:        COUNCILMEMBERS:     *None***

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