

RESOLUTION NO. 2012-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING THE FISCAL YEAR 2011-12 BUDGET AND FISCAL YEAR 2011-12 THROUGH FISCAL YEAR 2015-16 CAPITAL IMPROVEMENT PROGRAM FOR THE ANNUAL PAVEMENT RESURFACING PROGRAM

WHEREAS, the Annual Pavement Resurfacing Program (Program) is an approved Capital Improvement Program (CIP) project ; and

WHEREAS, Section 15061(b)(3) of the State California Environmental Quality Act (CEQA) Guidelines (Division 6 of Chapter 3 of Title 14 of the California Code of Regulations) exempts from review under the CEQA (section 21000, et seq., of the California Public Resources Code) exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, Traffic Congestion Relief funding is available for this Program; and

WHEREAS, Traffic Congestion Relief funding must be returned to the State of California if it is not fully expended by June 30, 2012; and

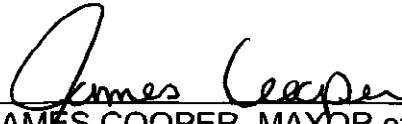
WHEREAS, an amendment to the Fiscal Year 2011-12 Budget and 2011-16 CIP is necessary to allocate the available funds.

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

- 1) Determines that the proposed reallocation of funds within the Capital Improvement Program and Annual Budget is exempt from review under CEQA pursuant to section 15061(b)(3) of the State CEQA Guidelines. This section exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed action only reallocates funds within the CIP and does not commit the City to the expenditure of the funds. Therefore, there is no possibility for this action to have an effect on the environment, the activity is exempt, and no further environmental review is required at this time. Subsequent review under CEQA will be completed prior to project initiation.
- 2) Amends the Fiscal Year 2011-12 through Fiscal Year 2015-16 Capital Improvement Program for the Annual Pavement Resurfacing Program to allocate all available Traffic Congestion Relief funds to this Program and;

3) Amends the Fiscal Year 2011-12 Budget to include all available Traffic Congestion Relief funds.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of February 2012.



JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-30

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

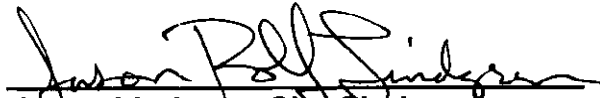
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 22, 2012 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Davis*



Jason Lindgren, City Clerk
City of Elk Grove, California