

RESOLUTION NO. 2012-187

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ROOFTOP WATER HEATER REPLACEMENT PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING THE FILING OF A NOTICE OF EXEMPTION, AUTHORIZING THE CITY MANAGER TO DETERMINE THE RESPONSIBLE BIDDER SUBMITTING THE LOWEST RESPONSIBLE BID AND EXECUTE A CONSTRUCTION CONTRACT WITH AN APPROPRIATE CONTINGENCY IN A TOTAL AMOUNT NOT-TO-EXCEED \$50,000

WHEREAS, the City of Elk Grove established the Rooftop Water Heater Replacement Project (WFAC01) (Project) to provide capital repairs to the Fleet – Police Building; and

WHEREAS, the design and bidding documents have been completed; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, herein after 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, there is sufficient funding for construction within the Facility Maintenance Fund; and

WHEREAS, on October 10, 2012, the City advertised for bids for construction of the Project; and

WHEREAS, on October 22, 2012, the City received bids and due to the need to complete the water heater replacement, the City Manager proposes to determine the responsible bidder submitting the lowest responsive bid as a participant in a public competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that the Project exempt from CEQA pursuant to State CEQA Guidelines Section 15301 based upon the following finding:

Finding: The Rooftop Water Heater Replacement Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301.


Evidence: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15301. This exemption applies to project involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Subsection (a) specifically describes "interior or exterior alterations"

involving such work as plumbing and electrical work. The proposed project involves repairs to the building water heating system by the replacement of an existing non-functioning industrial quality rooftop water heater. This work is minor in nature in that it does not expand the use beyond its current condition and focuses on repairs and improvement to the structure. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Authorizes the City Manager to determine the responsible bidder submitting the lowest responsive bid for the Project; and
- 2) Authorizes the City Manger to execute a construction contract for the Project with an appropriate contingency in a total amount not-to-exceed \$50,000.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of October 2012.



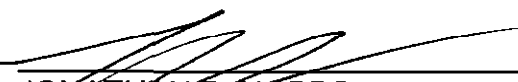
JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-187**

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

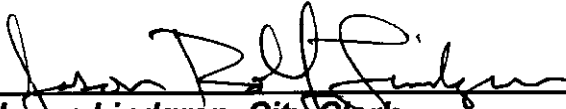
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 24, 2012 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Hume, Davis, Detrick

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Scherman



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