

**RESOLUTION NO. 2013-173**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE CAMPBELL ROAD DRAINAGE IMPROVEMENTS PROJECT (PD0010); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH SWAN ENGINEERING IN THE AMOUNT OF \$169,952.75, AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$25,497.25, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GRAND SIERRA CONSTRUCTION INC., THE SECOND LOWEST BIDDER, IF SWAN ENGINEERING DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Campbell Road Drainage Improvements Project (Capital Improvement Project ID PD0010) (Project) is included in the Drainage Capital Improvements Program and is budgeted within the approved Fiscal Year 2013-14 Budget; 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**, Section 15301 (Existing Facilities) 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 existing public or private facilities when the alteration involves negligible or no expansion of an existing use; and

**WHEREAS**, an invitation to bid was duly advertised on August 7, 2013, bids were opened on August 27, 2013, and Swan Engineering was determined to be the responsible bidder submitting the lowest responsive bid.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds that the storm drain improvements of the Campbell Road Drainage Improvements Project are adequately covered under the Storm Drain Master Plan Environmental Impact Report pursuant to the following finding:

Finding: The proposed project is exempt from CEQA pursuant to section 15301 of the State CEQA Guidelines.

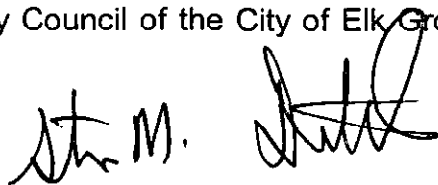
Evidence: The proposed project is exempt from CEQA under State CEQA Guidelines Section 15301. This exemption applies to the minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project consists of replacement of an undersized culvert

with a culvert of slightly increased capacity, and associated vertical and horizontal widening of the road base to accommodate the larger culvert to alleviate localized roadway flooding, as well as a new turnaround on Campbell Road. The proposed improvements would include minor alteration of an existing right-of-way involving no expansion of existing uses. In June 2010 the City performed a wetland delineation of the drainage ditch in the project area, and determined that it was not a Water of the U.S. The U.S. Army Corps of Engineers concurred with the City's determination in a verification letter to the City dated July 13, 2010. No trees will be removed. No special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore the project qualifies for the exemption and no further environmental review is required.

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

- 1) Authorizes the City Manager to execute a construction contract with Swan Engineering for the Campbell Road Drainage Improvements Project (PD0010) in the amount of \$169,952.75 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$25,497.25; and
- 2) Finds that should Swan Engineering fail to meet its obligations in executing the construction contract, the City Manager is authorized to execute a construction contract with Grand Sierra Construction Inc. (second lowest responsible bidder) in the amount of \$176,356 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney and authorizes the City Engineer to approve change orders not-to-exceed \$26,444.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of September 2013.



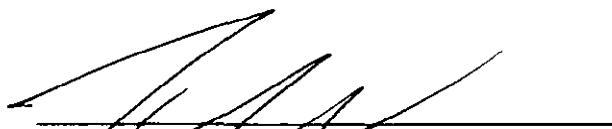
STEVEN M. DETRICK, VICE MAYOR  
of the CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-173**

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

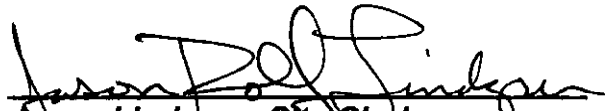
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 11, 2013 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**        *Detrick, Hume, Trigg*

**NOES:**        **COUNCILMEMBERS:**        *None*

**ABSTAIN :**    **COUNCILMEMBERS:**        *None*

**ABSENT:**     **COUNCILMEMBERS:**        *Davis, Cooper*

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