

RESOLUTION NO. 2015-117

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A RIGHT OF ENTRY AGREEMENT
WITH THE ELK GROVE UNIFIED SCHOOL DISTRICT TO RECEIVE REIMBURSEMENT
FROM THE DISTRICT TO FUND A PORTION OF THE CONSTRUCTION COSTS FOR
THE SOUTHSIDE AVENUE SIDEWALK IMPROVEMENT PROJECT (WAC008) AND
FIND THE RIGHT OF ENTRY AGREEMENT NOT A PROJECT SUBJECT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, the Southside Avenue Sidewalk Improvement Project (WAC008) ("Project") is identified as a project in the Capital Improvement Program; and

WHEREAS, the Project includes construction of new curb, gutter and sidewalk improvements along the west side of Southside Avenue from Elk Grove Florin Road to Jessie Baker Elementary School; and

WHEREAS, the scope of the Project includes construction of improvements on Elk Grove Unified School District (District) property and on existing City right of way; and

WHEREAS, the CIP Manager approached District staff requesting the District participate in funding a portion of improvements on their property in order to provide ADA access to the school; and

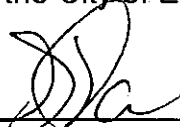
WHEREAS, City staff and District staff are in agreement that District shall reimburse the City for its construction costs based upon the linear feet of improvements along District's property adjacent to Jessie Baker Elementary School, as outlined in the construction bid, not to exceed \$52,445.75; and District shall grant the City, its permittees, contractors, agents or assigns a right to enter upon District's property to construct the proposed Improvements subject to District Board approval, which final action is anticipated to occur on June 9, 2015; and

WHEREAS, execution of the Right of Entry Agreement does not constitute a "project" subject to environmental review (CEQA Guidelines Section 15378(b)(5)); and

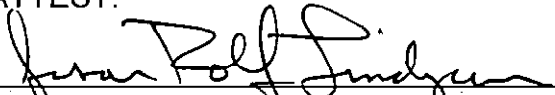
WHEREAS, the City will receive reimbursement from the District for the construction cost of the linear feet of the improvements along District's property adjacent to Jessie Baker Elementary School, not to exceed \$52,445.75.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove authorizes the City Manager to execute the Right of Entry Agreement and receive reimbursement for construction costs from Elk Grove Unified School District in accordance with the terms of the Agreement.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of June 2015.



GARY DAVIS, 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. 2015-117**

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

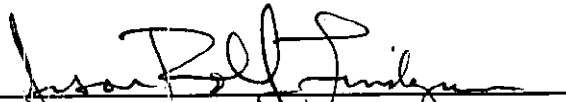
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 10, 2015 by the following vote:

AYES : **COUNCILMEMBERS:** Davis, Hume, Detrick, Ly

NOES: **COUNCILMEMBERS:** None

ABSTAIN : **COUNCILMEMBERS:** None

ABSENT: **COUNCILMEMBERS:** Suen



Jason Lindgren, City Clerk
City of Elk Grove, California