

RESOLUTION NO. 2016-003

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ELK GROVE AND WHITEHOUSE CREEK TRAIL REHABILITATION PROJECT (WTL035) EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GLISSMAN EXCAVATING, INC. FOR THE ELK GROVE AND WHITEHOUSE CREEK TRAIL REHABILITATION PROJECT (WTL035) IN THE AMOUNT OF \$488,166.60; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$73,225; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE SECOND LOWEST BIDDER, SIERRA NATIONAL CONSTRUCTION, INC., IF GLISSMAN EXCAVATING, INC. DOES NOT MEET FILING OBLIGATIONS**

**WHEREAS**, the Elk Grove and Whitehouse Creek Trail Rehabilitation Project (WTL035) (the "Project") will rehabilitate pavement and shoulders on both Elk Grove Creek Trail from Laguna Springs Drive to Laguna Boulevard, and Whitehouse Creek Trail from MacDonald Park to Springhurst Drive; and

**WHEREAS**, the Project is included in the approved Fiscal Year 2015-20 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2015-16 Budget; and

**WHEREAS**, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as 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 December 16, 2015 and December 30, 2015, and bids were opened on January 5, 2016; and

**WHEREAS**, Glissman Excavating, Inc. 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 this Project exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

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 pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). This exemption applies to the minor alteration of existing public or private facilities when the alteration involves negligible or

no expansion of an existing use. The proposed project involves rehabilitation of pavement and shoulders on both Elk Grove Creek Trail from Laguna Springs Drive to Laguna Boulevard, and Whitehouse Creek Trail from MacDonald Park to Springhurst Drive. No special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, this project qualifies for the identified exemption and no further environmental review is required.

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

- 1) Authorizes the City Manager to execute a construction contract with Glissman Excavating, Inc. for the Elk Grove and Whitehouse Creek Trail Rehabilitation Project (WTL035), in the amount of \$488,166.60 upon receipt of all required bonds and insurance and the approval of such bonds and insurance by the City Attorney;
- 2) Authorizes the City Engineer to approve change orders not-to-exceed \$73,225; and
- 3) Authorizes the City Manager to execute a construction contract with the second lowest responsive bidder, Sierra National Construction, Inc., in the amount of \$495,069.05 upon receipt of all required bonds and insurance and that approval of such bonds and insurance by the City Attorney if, Glissman Excavating, Inc., does not meet filing obligations.

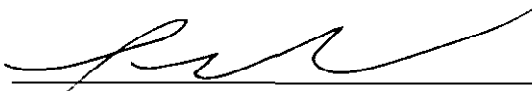
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of January 2016.

  
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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. 2016-003**

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

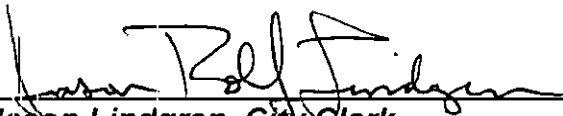
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 13, 2016 by the following vote:*

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

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

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

**ABSENT:**     **COUNCILMEMBERS:**     *None*

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