

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A USE AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND THE JEAN AND ED KELLY FOUNDATION, A CORPORATION, REGARDING DEVELOPING, MAINTAINING & SCHEDULING USES IN A PORTION OF MARTIN JOHN FRANICH PARK, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. Adopting a Resolution approving the Facility Use Agreement attached hereto does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and if a "project," is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. That the ten-year Facility Use Agreement between the City of Watsonville and the Jean and Ed Kelly Foundation, for development, maintenance and scheduling use of City owned property located at 795 Vista Montaña Drive, Watsonville, (Martin John Franich Park), commencing on December 14, 2022, and ending December 14, 2032, a copy of which is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby approved.

3. The City Manager is hereby authorized and directed to execute said Facility Use Agreement for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.
