

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AWARDED CONTRACT TO KOALA TREE CARE, INC., DBA CLEAN TEAM ASSOCIATES FOR ON-CALL NUISANCE ABATEMENT CLEANUP AND SUPPORT SERVICES, TO ABATE A NUISANCE AT APN: 014-021-01, IN THE AMOUNT OF \$144,827; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME AND AUTHORIZING BUDGET APPROPRIATION OF \$124,827 FROM THE GENERAL FUND [0150]

WHEREAS, on March 26, 2024, the City Council adopted Resolution No. 44-24 (CM) declaring the condition of the vacant lot located on Airport Blvd (APN: 014-021-01), Watsonville, California, is injurious to health, indecent, offensive to the senses, negative impacts to the environment and a public nuisance and should be abated or removed in order to protect the public health, safety and welfare; and

WHEREAS, on April 9, 2024, the City Council adopted Resolution No. 59-24 (CM), directing staff to abate the nuisance at APN 014-021-01; and

WHEREAS, § 3-5.500 of the Watsonville Municipal code provides that an RFP or RFQ process is found to be an effective and efficient way to procure professional services and procurement of professional services shall be based on proposals solicited from capable professionals and be evaluated based on a combination of factors including education, training, experience and demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required; and

WHEREAS, the City issued an RFP for consultant services to provide homeless encampment cleanup services and received two bids in the amounts of \$125,000 and \$160,000, which require allocation of funds from the General Fund Reserve account to execute; and

WHEREAS, the City has identified Koala Tree Care, Inc. dba Clean Team

Associates as the lowest bidder with experience providing nuisance abatement in sensitive habitat areas, with a total cost of \$144,827 (including a 15% contingency) to complete the work at APN 014-021-01.

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

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) because adopting a Resolution approving a consultant contract for On-Call Nuisance Abatement and Support Services and allocating funding for same does not meet CEQA's definition of a "project" since 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 (14 Cal. Code Regs. 15378(a)) and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. (14 Cal. Code Regs. Section 15378(b)(5).) Even if this action were a "project," it would be exempt from CEQA as the "enforcement of a law, general rule, standard, or objective, administered or adopted by [a] regulatory agency," because the action is the enforcement of Watsonville Municipal Code Section 1-2.01 regarding violations of the Municipal Code through public nuisances (14 Cal. Code Regs. Section 15321); as a "minor alteration to land" (14 Cal. Code Regs. Section 15304); and under the "common sense" exception, because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment. (14 Cal. Code Regs. Section 15061(b)(3).)

2. That the City Council hereby awards a contract to Koala Tree Care, Inc.,

dba Clean Care Associates, for On-Call Nuisance Abatement and Support Services, in an amount not to exceed \$144,827.

3. That the Contract between the City of Watsonville and Koala Tree Care, Inc., dba Clean Care Associates, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

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

5. That the City Council hereby authorizes the appropriation of \$124,827 from the General Fund [0150} to pay the cost to abate the nuisance at APN 014-021-01.
