

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SOLE SOURCE PURCHASE FROM SWIFT FUELS, LLC., A LIMITED LIABILITY COMPANY, FOR THE PURCHASE OF UNLEADED AVIATION FUEL, IN AN AMOUNT NOT TO EXCEED \$250,000 FOR FISCAL YEAR 2024-2025 (FUNDED FROM THE AIRPORT ENTERPRISE FUND)**

**WHEREAS**, bidding requirements for the purchase of supplies, equipment and non-personal contractual services and the sale of personal property are set forth in Chapter 5 of Title 3 of the Municipal Code; and

**WHEREAS**, subdivision (c) of § 3-5.210 exempts supplies that is unique, available only from one (1) source, or sought to match existing equipment or supplies already in use (also known as a sole source purchase); and

**WHEREAS**, Swift Fuels, LLC., is the sole provider of unleaded aviation fuel in the United States, there are no other sources for unleaded aviation fuel.

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

1. Adopting a Resolution approving sole source purchase of aviation fuel 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.

2. The Council finds that the purchase of unleaded aviation fuel is available from one source and is approved by the Federal Aviation Administration (FAA) as an authorized fuel for certain models of piston powered aircraft (also known as a sole source purchase).

3. This purchase is exempt from the purchasing procedures of Chapter 5 of

Title 3 of the Municipal Code as a sole source purchase under subdivision (c) of § 3-5.210 of the Municipal Code.

4. That this purchase from Swift Fuels, LLC., a limited liability company, in an amount not to exceed \$250,000 for Fiscal Year 2024-2025, is hereby authorized.

5. The Sales Agreement between the City of Watsonville and Swift Fuels, LLC., a limited liability company, a copy of which is on file with the City Clerk, is hereby approved.

6. The City Manager is hereby authorized and directed to execute said 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.

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