

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING LICENSE AND MAINTENANCE AGREEMENT WITH SAN JOAQUIN VALLEY COMMUNITY SHARED MOBILITY, INC. DBA “MIOCAR”, FOR THE PROVISION OF AN ELECTRIC VEHICLE CAR SHARING SERVICE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AND MAINTENANCE AGREEMENT.**

**WHEREAS**, competitive 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 and materials which are unique, available only from one source, or sought to match existing equipment or supplies already in use (also known as a sole source procurement); and

**WHEREAS**, San Joaquin Valley Community Shared Mobility, Inc., doing business as “Miocar” is the sole electric vehicle carsharing service named for funding by the California Air Resources Board (CARB) Sustainable Transportation Equity Program (STEP) grant; and

**WHEREAS**, the CARB STEP grant has allocated \$7.2 million to Ecology Action and its ¡Adelante Watsonville! Project partners to increase access to active and zero-emission transport in the City of Watsonville, specifying a portion of the grant for an electric vehicle carshare program.

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

1. Authorization of the license and maintenance agreement 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 reasonable foreseeable indirect

physical change in the environment. Furthermore, if approval of the license and maintenance agreement were to be considered a project under CEQA, it would be exempt pursuant to CEQA Guidelines Section 15061(b)(3) as an administrative action involving no physical change in the environment and does not enable or otherwise affect development.

2. The Council finds that the provision of an electric vehicle car sharing service funded by the CARB STEP grant is available from one source that meets the needs of the City (also known as a sole source procurement).

3. This agreement 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 the Council hereby approves the License and Maintenance License and Maintenance Agreement between the City of Watsonville and San Joaquin Valley Community Shared Mobility, Inc. DBA “Miocar” for the provision of an electric vehicle car sharing program.

5. That the City Manager is hereby authorized and directed to execute said Agreement for and on behalf of the City of Watsonville in the form attached hereto and incorporated herein by this reference, with minor revisions that may be approved by the City Manager and the City Attorney.

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