

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A FIRST AMENDMENT TO THE MASTER FUNDING AGREEMENT BETWEEN THE CITY AND THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR RECEIPT OF MEASURE D TRANSPORTATION FUNDS, AND DIRECTING THE CITY MANAGER PRO TEMPORE TO EXECUTE SAME

WHEREAS, in November 2016, Santa Cruz County voters approved Measure D, a one-half cent sales tax that funds transportation projects for 30 years; and

WHEREAS, On June 13, 2017, Council approved Resolution No. 76-17 (CM), approving a master funding agreement with the Santa Cruz County Regional Transportation Commission for disbursement of Measure D funding to the City for transportation projects; and

WHEREAS, the term of the master agreement was five years; and

WHEREAS, § 3-5.170 of the Municipal Code provides that amendments to contracts that reasonably relate to the scope of the original contract, are based on post-award information that requires modification of the contract based on unforeseen conditions and were originally approved by Council shall be approved by Council; and

WHEREAS, this proposed First Amendment will extend the term of the agreement an additional 25 years.

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) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution amending a contract 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. This First Amendment to Contract between the City of Watsonville and the Santa Cruz County Regional Transportation Commission, a public agency, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

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