

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
RECINDING RESOLUTION NO. 20-033 AND ADOPTING AN RESOLUTION
UPDATING A LIST OF PROJECTS TO BE FUNDED BY FISCAL YEAR 2020-21 SB 1
FUNDS: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of Cupertino (City) are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$1,029,119.00 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, this is the third year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, on April 7, 2020, the City adopted Resolution No. 20-033, which adopted a list of Pavement Maintenance Projects to receive FY 20/21 SB 1 funds; and

WHEREAS, due to financial uncertainties caused by COVID-19 and the very good pavement condition index of the City's streets, the Pavement Maintenance Phase 1 project is no longer the best use of SB 1 funds in FY 20/21; and

WHEREAS, the City has adopted a Bicycle Transportation Plan, which identifies and prioritizes bicycle safety improvement projects; and

WHEREAS, the funding from SB 1 will allow the City to construct Class IV separated bike lanes on McClellan Road between Stelling Road and Torre Avenue, improving safety along the corridor; and

WHEREAS, the 2016 Bicycle Transportation Plan identified bicycle/pedestrian safety improvements along McClellan Road as one of the City's top priorities; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on safety and investing in complete streets infrastructure will have significant positive benefits by encouraging alternative modes of travel and reducing vehicular travel.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Cupertino, State of California, as follows:

1. The foregoing recitals are true and correct.
2. Resolution Number 20-033 is rescinded.
3. The following proposed project will be funded in-part or solely with Fiscal Year 2020-21 Road Maintenance and Rehabilitation Account revenues:

Project Title: McClellan Road Separated Bikeways - Phase 2

Project Description: Install Class IV separated bike lanes

Project Location: McClellan Road between Stelling Road and Torre Avenue

Estimated Project Schedule: July – October 2020

Estimated Project Useful Life: 25 Years

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment. CEQA applies only to actions which have the potential of causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the adoption of the FY20/21 SB1 project list would have no or only a de minimis impact on the environment. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED by the City Council of the County/City, State of California this 2nd day of June, 2020, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<p>SIGNED:</p> <p>_____</p> <p>Steven Scharf, Mayor City of Cupertino</p>	<p>_____</p> <p>Date</p>
<p>ATTEST:</p> <p>_____</p> <p>Kirsten Squarcia, City Clerk</p>	<p>_____</p> <p>Date</p>