

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL ADOPTING A LIST  
OF PROJECTS FOR FISCAL YEAR 2021-22 FUNDED BY SB 1: 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 the City 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 \$1,068,599 in RMRA funding in Fiscal Year (FY) 2021-22 from SB 1; and

WHEREAS, this is the fourth 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 funding; and

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

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

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WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate multiple streets/roads, and many more similar projects throughout the City in the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in "good" condition and this revenue will help us maintain the overall quality of our road system over the next decade; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure, with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

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. The following list of newly proposed projects will be funded in-part or solely with FY 2021-22 Road Maintenance and Rehabilitation Account revenues:

Project Title: 2021 Pavement Maintenance Phase 2

Project Description: 2021 Pavement Preservation including micro-surfacing and crack sealing

Project Location: Cupertino/Various Collector and Residential Streets

Estimated Project Schedule: Start (09/21) – Completion (11/21)

Estimated Project Useful Life: 10 Years

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. If 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 that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that

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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 proposed action to adopt the FY 2021-22 SB1 project list, would have no or only a de minimis effect on the environment, and the project will be approved through a separate action. Additionally, the 2021 Pavement Maintenance Phase 2 project will be subject to the CEQA exemption contained in section 15301(c) because it will maintain existing streets, sidewalks, gutters, bicycle and pedestrian facilities with negligible or no expansion of existing use. The foregoing determination is made by the City Council in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 6<sup>th</sup> day of April 2021, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

|   |                       |
|---|-----------------------|
| <p>SIGNED:</p><br><br>_____<br>Darcy Paul, Mayor<br>City of Cupertino | <br><br>_____<br>Date |
| <p>ATTEST:</p><br><br>_____<br>Kirsten Squarcia, City Clerk           | <br><br>_____<br>Date |