

ATTACHMENT A

RESOLUTION NO. 2025- 56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AUTHORIZING AND APPROVING SUBMITTAL OF A REVISED FUNDING APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM

WHEREAS, the Orange County Transportation Authority's ("OCTA") Community-Based Transit/Circulators Program (Project V under Measure M2) establishes a competitive funding program to enable local jurisdictions to develop, test, and provide community-based local transit services that complement regional transit services and meet needs in areas not adequately serviced by regional transit;

WHEREAS, the OCTA intends to allocate Project V funds to the incorporated cities and the County of Orange, as applicable;

WHEREAS, the OCTA has established the procedures and criteria for selecting projects for funding through a competitive process as identified in the Comprehensive Transportation Funding Program ("CTFP") Project V Guidelines;

WHEREAS, the City of Newport Beach ("City") desires to provide local community-based transit services;

WHEREAS, the City authorizes the nomination of the revised Balboa Island/Corona del Mar Local Area Transit Service application ("Project"), including all understanding and assurances contained therein;

WHEREAS, OCTA has declared that the City meets the eligibility requirements to receive Measure M2 funds, including Project V funds;

WHEREAS, the City must include all projects funded by M2 Net Revenues in its seven-year Capital Improvement Program ("CIP") in accordance with Measure M2 Ordinance eligibility requirements;

WHEREAS, the City Council of the City of Newport Beach authorizes amendment of its CIP to add projects approved for Project V funding by OCTA's Board of Directors;

WHEREAS, the City's Circulation Element is consistent with the County of Orange Master Plan of Arterial Highways;

WHEREAS, the City will comply where applicable with provisions of the Americans with Disabilities Act ("ADA"), and any other federal, state, and/or local laws, rules and/or regulations;

WHEREAS, the City will consult with OCTA regarding the need for ADA/paratransit services and/or plans prior to starting operations of the Project;

WHEREAS, the City will provide a minimum 10% in matching funds for the Balboa Island/Corona del Mar Local Area Transit Service program (traditional service), excluding non-Project V subsidies or net fares collected, as required by the CTFP Project V Guidelines and shall fund its share of the Project costs and any additional costs over the identified programmed amount;

WHEREAS, the City will not use Measure M2 funds to supplant development impact fees or other commitments; and

WHEREAS, the City will give OCTA's representatives access to and the right to examine all data, records, books, papers or documents related to the Project.

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

Section 1: The City Council does hereby request that the Orange County Transportation Authority allocate Project V funds in the amount specified in the City's revised application for the Project to the City from the Project V Community-Based Transit/Circulators program through the Comprehensive Transportation Funding Program. Said funds shall be matched by funds from the City as required and shall be used as supplemental funding to aid the City in the implementation of the proposed transit service.

Section 2: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 4: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 5: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

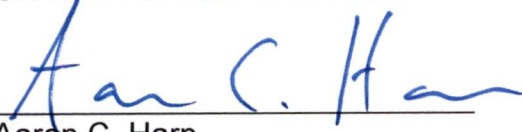
ADOPTED this 9th day of September, 2025.

Joe Stapleton
Mayor

ATTEST:

Molly Perry
Interim City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney