

ATTACHMENT A

RESOLUTION NO. 2021-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, CERTIFYING THAT THE CITY OF NEWPORT BEACH HAS AUTHORIZED THE PROJECT LIST SUBMITTAL FOR CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 FUNDING THROUGH THE ORANGE COUNTY TRANSPORTATION AUTHORITY 2021 PAVEMENT MANAGEMENT RELIEF FUNDING PROGRAM

WHEREAS, the City of Newport Beach ("City") is being provided \$252,095 in federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021 ("CRRSAA") funding through the 2021 Pavement Management Relief Funding ("PMRF") Program;

WHEREAS, the City is eligible to receive federal funding through the California Department of Transportation;

WHEREAS, the Orange County Transportation Authority ("OCTA") is responsible for the distribution of the CRRSAA funding;

WHEREAS, OCTA has developed guidelines for administering and distributing CRRSAA funds to eligible local agencies through the 2021 PMRF Program; and

WHEREAS, the City is the lead agency for the project identified below, and will comply with all applicable local, state, and federal provisions including, but not limited to, the Federal Transportation Improvement Program, California Environmental Quality Act, National Environmental Policy Act, Americans with Disabilities Act, and Buy America.

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

Section 1: The City Council does hereby authorize the submittal of the following project nomination to OCTA for CRRSAA funding:

Von Karman Avenue Pavement Rehabilitation project for \$252,095 in CRRSAA funding.

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 30th day of November, 2021.

Brad Avery
Mayor

ATTEST:

Leilani I. Brown
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney