

RESOLUTION 2019-060

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING THE AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT (JEPA) BETWEEN THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT AND THE PARTICIPATING ENTITIES (INCLUDING SAN PABLO) REGARDING BUS SHELTER MAINTENANCE AND AUTHORIZING THE CITY MANAGER TO ENTER INTO FUTURE AGREEMENTS TO EFFECTUATE THE PURPOSES OF THE JEPA

WHEREAS, in 1998, the Alameda-Contra Costa Transit District (District) and eight municipalities (Participating Entities) entered into a Joint Exercise of Powers Agreement (JEPA) for the purpose of obtaining a contractor to maintain the existing bus shelters, to locate new bus shelters, and to participate in a Transit Shelter Advertising Program;

WHEREAS, in 1999, a contract was executed with Lamar Outdoor Corporation, the District served as the administrator of the contract, and the ongoing administrative costs, as well as the cost for the maintenance of the bus shelters is covered by the advertising revenue from the bus shelters;

WHEREAS, the City of San Pablo (City) separately contracted with various companies to maintain the City's bus shelters;

WHEREAS in 2003, the JEPA was amended to include San Pablo, Alameda, and Richmond, and to remove Emeryville;

WHEREAS, in 2008, the District executed a consent to assignment from Lamar to Clear Channel Outdoor, Inc. and the contract with Clear Channel is expiring at the end of 2019;

WHEREAS, the District intends on releasing a Request for Proposals and awarding a new contract; and

WHEREAS, the contract expiration and member changes prompted the District to amend the JEPA in order to:

- Add the City of Oakland;
- Remove the City of Alameda;
- Have a three-member contractor selection committee with one member from the District and two members from the other Participating Entities; and
- Increase from 500-600 bus shelters.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby:

- 1) Finds amending the JEPA for bus shelters and any resulting amendment or new bus shelter maintenance agreement are categorically exempt from CEQA under Sections 15301 - Existing Facilities, 15302 – Replacement or Reconstruction, and 15303 – New Construction or Replacement of Small Structures of the CEQA

Guidelines on the basis that the JEPA stipulates maintenance of the City's existing bus shelters, and potential future replacement or construction of new bus shelters.

- 2) Directs the City Clerk file a Notice of Exemption with the County Clerk.
- 3) Approves the second amendment to the JEPA between the District and the Participating Entities, which is attached and incorporated as Exhibit 1.
- 4) Authorizes the City Manager to enter into future agreements to effectuate the purposes of the JEPA.
- 5) Declares that the recitations herein are true and correct, and are included herein by reference as findings.

ADOPTED this 6th day of May, 2019, by the following votes:

AYES:	COUNCILMEMBERS:	Pineda, Xavier, Cruz and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Pabon-Alvarado
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor