

Resolution No. 2024-XXX N.C.S.
of the City of Petaluma, California

**RESOLUTION AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR THE PUBLIC
WORKS & UTILITIES DEPARTMENT THROUGH SOURCEWELL COOPERATIVE
PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL
DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE.**

WHEREAS, the City of Petaluma seeks to purchase a new excavator for the operations division; and

WHEREAS, the City is a member of the Sourcewell Cooperative Purchasing Program (formerly National Joint Powers Alliance), which supports cooperative purchasing, allowing the City the opportunity to access competitively awarded and nationally leveraged cooperative purchasing contracts; and

WHEREAS, the Sourcewell cooperative price meeting specifications for the excavator was submitted by Garton Tractor Inc., an approved vendor for Kubota Tractor Corporation (Sourcewell Contract #040319-KBA) for \$59,267.58; and

WHEREAS, the excavator provided by Kubota Tractor Corporation is consistent with other (City-owned) equipment that uses hardware, training, and methods of operation. Additionally, the equipment utilizes renewable diesel fuel; and

WHEREAS, funds in the amount of \$85,000 were included and approved in the FY 24/25 budget for the purchase of an excavator; and

WHEREAS, the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that purchasing an excavator does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; and

WHEREAS, relatedly, if the proposed action did constitute a project under CEQA, the action is exempt under the common-sense exemption, CEQA Guidelines Section 15061(b)(3), as the replacement of a gas powered excavator with a diesel engine utilizing renewable diesel will reduce emissions from an equivalent internal combustion vehicle.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petaluma as follows:

1. Declare that the above recitals to be true and correct and are incorporated into this resolution as findings of the City Council.
2. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that purchasing an excavator does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments

that will not result in direct or indirect physical changes in the environment. Relatedly, if the proposed action did constitute a project under CEQA, the action is exempt under the common-sense exemption, CEQA Guidelines Section 15061(b)(3), as the replacement of a gas powered excavator with a diesel engine utilizing renewable diesel will reduce emissions from an equivalent internal combustion vehicle.

3. Find that purchasing the excavator through Sourcewell Cooperative Purchasing Program is in compliance with the purchasing requirements of the City Charter and Chapter 4.04 of the Petaluma Municipal Code.
4. Approve the purchase of one mini-excavator from Kubota Tractor Corporation through their approved vendor, Garton Tractor, Inc., for \$59,267.58, including taxes and fees.
5. Authorize the City Manager or her designee to execute any necessary agreements and documents to complete the purchase of the vehicles and related equipment.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 16th day of September 2024, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor