



RESOLUTION NO. 2009-166

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR AND ACCEPTANCE OF GRANT FUNDS TO COUNCIL OF FRESNO COUNTY GOVERNMENTS TRANSPORTATION ENHANCEMENTS GRANT PROGRAM AND AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE PUBLIC WORKS DIRECTOR OR DESIGNEE

WHEREAS, in anticipation of the U.S. Congressional Reauthorization of the Federal Transportation Bill currently in development, Caltrans and the City of Fresno have a cooperative nomination to the upcoming Transportation Enhancements (TE) Program; and

WHEREAS, the Council of Fresno County Governments (Fresno COG) has been delegated the responsibility for the administration of the federal programs, including establishing the necessary procedures governing local project applications and the evaluation of each submitted project; and

WHEREAS, the application(s) contains assurances that the applicant must comply with; and

WHEREAS, the procedures established by Fresno COG require the applicant to certify by resolution the approval of the applications prior to submission of the applications; and

WHEREAS, the applicant will enter into (an) agreement(s) with the Fresno COG, and any collaborating local agencies and entities to complete the projects upon the terms and conditions herein following approval as to form by city attorney and council approval of the agreement(s).

WHEREAS, the applicant's governing body certifies by resolution approval of the applications and program participation.

Adopted _____
Approved 11/30/09
Effective _____

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NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF FRESNO HEREBY:

SECTION 1. Approves the filing of applications for and acceptance of the Transportation Enhancements Program funds and participation therein, consistent with constitutional and local law requirements and this resolution; and

SECTION 2. Certifies to the extent consistent with constitutional and local law requirements and this Resolution, that said applicant has or will have prior to commencement of any work on the projects included in the applications, sufficient funds to operate and maintain the projects; and

SECTION 3. Certifies that the City has reviewed, understands and, to the extent consistent with all constitutional and local law requirements and this resolution, agrees to the provisions contained in the applications and program guidelines, manual and related documents; and

SECTION 4. Authorizes the Department of Public Works Director or Designee as the agent for the City of Fresno to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on which may be necessary for the completion of the aforementioned projects, subject to prior approval as to form by the City Attorney's Office.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 30th day of July, 2009.

AYES: Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Approval: _____ N/A _____, 2009
Mayor Approval/No Return: _____ N/A _____, 2009
Mayor Veto: _____ N/A _____, 2009
Council Override Veto: _____ N/A _____, 2009

REBECCA E. KLISCH
City Clerk

By: Rebecca Klisch
~~Deputy~~

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By: [Signature]
Kathryn Phelan

Date: 7/10/09

PROJECT LOCATION MAPS

