



RESOLUTION NO. 2008-47

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR AND ACCEPTANCE OF THE COUNCIL OF FRESNO COUNTY GOVERNMENTS 2008 CONGESTION MITIGATION AND AIR QUALITY (CMAQ) IMPROVEMENT PROGRAM "CALL FOR PROJECTS" AND AUTHORIZING THE EXECUTION OF DOCUMENTS.

WHEREAS, AB 1012 has been enacted into state law in part to provide for the "timely use" of State and Federal funding; and

WHEREAS, the City of Fresno is able to apply for and receive Federal and State funding under the 2009 Federal Transportation Act; and

WHEREAS, the City of Fresno desires to ensure that its projects are delivered in a timely manner to preclude the Fresno Region from losing those funds for non-delivery; and

WHEREAS, it is understood by the City of Fresno that failure for not meeting project delivery dates for any phase of a project may jeopardize Federal or State funding to the Region; and

WHEREAS, the City of Fresno must demonstrate dedicated and available local matching funds.

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

SECTION 1. Agrees that the City of Fresno will ensure that all project delivery deadlines for all project phases will be met or exceeded; and

Adopted _____
Approved 3/11/08
Effective _____

2008-47



SECTION 2. Finds pursuant to state law that failure to meet project delivery deadlines may be deemed as sufficient cause for the Council of Fresno County Governments Policy Board to terminate an agency's project and reprogram Federal/State funds as deemed necessary; and

SECTION 3. Directs the City Manager and City Engineer to ensure all projects are carried out in a timely manner as per the requirements of AB 1012; and

SECTION 4. Appoints and authorizes the Departments of Transportation and Public Works Directors and designee(s) thereof and each of them as the agents 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 Selection, 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)
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 11th day of March, 2008.

AYES: Calhoun, Dages, Duncan, Perea, Sterling, Westerlund, Xiong
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Approval: _____ N/A _____, 2008
Mayor Approval/No Return: _____ N/A _____, 2008
Mayor Veto: _____ N/A _____, 2008
Council Override Veto: _____ N/A _____, 2008

REBECCA E. KLISCH
City Clerk

By Rebecca E. Klisch
(Deputy)

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By Stacie L. Melikian
Stacie L. Melikian, Deputy

Date: 3/5/08