



RESOLUTION NO. 2009-61

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, APPROVING THE PARTICIPATION AS A CO-APPLICANT WITH THE COUNTY OF FRESNO AND THE FIG GARDEN HOMEOWNERS ASSOCIATION FOR THE SUBMITTAL OF A COMMUNITY-BASED TRANSPORTATION PLANNING GRANT APPLICATION OF UP TO \$300,000 UNDER THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FISCAL YEAR 2009-10 AND FOR THE ACCEPTANCE OF FUNDING AS A SUB-RECIPIENT.

WHEREAS, the California Department of Transportation (hereinafter CALTRANS) has issued its Notice of Funding inviting applications for Fiscal Year 2009-2010 Transportation Planning Grants; and

WHEREAS, CALTRANS' regulations establish that the eligible applicants for these grants may be cities and counties and that community based organizations may only apply as a sub-recipient; and

WHEREAS, if grant funding is received, the City intends to use said funding to prepare an "Old Fig Garden Community Transportation and Land Use Plan" that will include a traffic study, draft design guidelines, recommendations for enhanced bicycle and talking trails and safe routes to local schools, a tree inventory and historic survey; and

WHEREAS, the Fig Garden Homeowners Association has invited both the County of Fresno and the City of Fresno to participate in this planning grant application; and

WHEREAS, the Fresno County Public Works and Planning Department has agreed to be the applicant and the City of Fresno desires to apply for the planning grant as a sub-recipient and submit the application and receive an allocation of up to \$300,000; and

WHEREAS, said procedures established by CALTRANS require the applicant's governing body to certify, by resolution, the approval of the application to CALTRANS and the authorization for execution of the Program standard agreement, amendments thereto and related Program documents; and

WHEREAS, the City of Fresno would enter into a standard agreement with the County of Fresno, the Fig Garden Homeowners Association and CALTRANS for the grant Program.

Adopted _____
Approved 3/24/09
Effective _____

2009-61



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

1. Approves the filing of the application as a sub-recipient with the County of Fresno as applicant and the Fig Garden Homeowners Association as an additional sub-recipient for up to \$300,000 from CALTRANS, contingent upon grant funds being available, and participation therein, consistent with constitutional and local law requirements and this resolution; and
2. 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 application and program guidelines, documents and agreements; and
3. Appoints and authorizes the City of Fresno Planning and Development Director and his designee(s), and each of them as agent(s) of the City of Fresno, to execute all agreements, applications, amendments, memoranda of understanding, payment requests and so on, which may be necessary for participation in and completion of the grant application and to accept any grant proceeds, including any extensions or amendments thereof, subject to prior approval as to form by the City Attorney's Office.



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 held on the 24th day of March, 2009, by the following vote:

Ayes: Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes: None
Absent: None
Abstain: None

REBECCA E. KLISCH CMC

City Clerk

By Rebecca Klisch

APPROVED AS TO FORM

JAMES C. SANCHEZ
City Attorney

By John W. Fox
John W. Fox, Deputy City Attorney

Date 3/18/2009