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RESOLUTION NO. 2010-12

A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL JOBS FOR MAIN STREET ACT OF 2010 FUNDING (STIMULUS II) AND STATING THE ASSURANCE TO COMPLETE PROJECT

WHEREAS, The City of Albany (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for approximately \$1,023,600 in funding from the federal Jobs for Main Street Act of 2010, Transportation Enhancement Component (TE) for Phase I of the Buchanan Bicycle and Pedestrian Path (herein referred as PROJECT) for the MTC Regional Jobs for Main Street Act Program (MTC Resolution No. 3943); and

WHEREAS, pursuant to Jobs for Main Street Act of 2010, and any regulations and/or guidance promulgated thereunder, eligible project sponsors wishing to receive Regional Jobs for Main Street Act of 2010 funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) applicable to federal Jobs for Main Street Act of 2010 fund delivery and has adopted (or is scheduled to adopt) in MTC Resolution No. 3943 such additional requirements as are necessary or appropriate to meet the obligations/award deadlines in the Jobs for Main Street Act of 2010; and

1 **WHEREAS**, APPLICANT is an eligible project sponsor for Jobs for Main Street
2 Act of 2010 funds; and

3
4 **WHEREAS**, as part of the application for Jobs for Main Street Act of 2010
5 funding, MTC requires a resolution adopted by the responsible implementing agency
6 stating the following:

7
8 1) that the sponsor understands that the Jobs for Main Street Act of 2010
9 funding is fixed at the programmed amount, and therefore any cost increase cannot be
10 expected to be funded with additional Jobs for Main Street Act of 2010 or other MTC-
11 programmed funds; and

12 2) that PROJECT will comply with the procedures specified in MTC's
13 Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and with
14 all project-specific requirements as set forth in MTC's Regional Jobs for Main Street Act
15 Program (MTC Resolution No. 3943); and PROJECT as described in the application, and
16 if approved, as included in MTC's TIP; and

17 3) that PROJECT will comply with all the project-specific requirements as
18 set forth in the federal Jobs for Main Street Act of 2010 and appropriate applicable
19 regulations or guidance.

20
21 **NOW, THEREFORE, BE IT RESOLVED**, that (APPLICANT) is authorized
22 to execute and file an application for funding under the Jobs for Main Street Act of 2010
23 for (PROJECT); and be it further

24
25 **RESOLVED** that the APPLICANT by adopting this resolution does hereby state
26 that:

27 1) APPLICANT understands that the Jobs for Main Street Act of 2010 funding
28 for the project is fixed at the MTC approved programmed amount, and that
29 any cost increases must be funded by the APPLICANT from other funds, and

1 that APPLICANT does not expect any cost increases to be funded with
2 additional Jobs for Main Street Act of 2010 or MTC-programmed funds; and

3 2) APPLICANT understands the funding deadlines associated with these funds
4 and will comply with the applicable provisions and requirements of the
5 Regional Jobs for Main Street Program (MTC Resolution No. 3943) and
6 Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as
7 revised); and

8 3) PROJECT will be implemented as described in the complete application and
9 in this resolution and, if approved, for the amount programmed in the MTC
10 federal TIP; and

11 4) PROJECT will comply with all the project-specific requirements as set forth
12 in the Jobs for Main Street Act of 2010 and appropriate applicable regulations
13 or guidance; and be it further

14
15 **RESOLVED** that there is no legal impediment to APPLICANT making
16 applications for the funds; and be it further

17
18 **RESOLVED** that there is no pending or threatened litigation that might in any
19 way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver
20 such PROJECT; and be it further

21
22 **RESOLVED** that APPLICANT authorizes its Executive Director, General
23 Manager, or designee to execute and file an application with MTC for Jobs for Main
24 Street Act of 2010 funding for the PROJECT as referenced in this resolution; and be it
25 further

26
27 **RESOLVED** that a copy of this resolution will be transmitted to the MTC in
28 conjunction with the filing of the application; and be it further

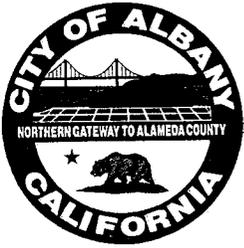
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RESOLVED that MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.



Joanne Wile, MAYOR



City of Albany

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Childcare Program
PH. (510) 524-0135
• Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
• Teen Center
PH. (510) 525-0576

RESOLUTION NO. 2010-12

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 15th day of March, 2010, by the following votes:

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 16th
day of March, 2010.


JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community,
and providing a safe, healthy environment now and in the future.*



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