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RESOLUTION NO. 2013-25

**A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING
THE EXECUTION OF A GRANT FUNDING AGREEMENT FOR
FUNDING AND COMMITTING ANY NECESSARY MATCHING FUNDS
AND STATING THE ASSURANCE TO COMPLETE THE BUCHANAN
MARIN BIKEWAY PHASE III PROJECT**

WHEREAS, The City of Albany (“APPLICANT”) has submitted an application to the Alameda County Transportation Commission (“Alameda CTC”) for \$ 536,000 from one or more of the following funding sources administered by the Alameda CTC and programmed at Alameda CTC’s discretion as part of the Alameda CTC FY 2012/13 Coordinated Program (“PROGRAM”): Measure B Bicycle/Pedestrian Countywide Discretionary Fund, Measure B Express Bus Service fund, VRF Pedestrian and Bicyclist Access and Safety Program, and/or VRF Transit Congestion Relief Program funding (collectively, “FY 2012/13 COORDINATED PROGRAM FUNDING”), for the BUCHANAN MARIN BIKEWAY-PHASE III (“PROJECT”).

WHEREAS, Alameda CTC is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency and Alameda County Transportation Improvement Authority and is responsible for distributing to local jurisdictions certain Measure B and VRF revenues for bicycle and pedestrian safety, local streets and roads, local transportation technology, mass transit, paratransit, and transit center development programs; and

WHEREAS, APPLICANT represents that APPLICANT is an eligible grant recipient for such Measure B and/or VRF funds; and

1 **WHEREAS**, prior to entering into a funding agreement for FY 2012/13
2 COORDINATED PROGRAM FUNDING, Alameda CTC requires the responsible grant
3 recipient to adopt a resolution confirming the following:
4

- 5 1) APPLICANT commits to provide the amount of matching funds specified in the
6 grant funding agreement; and
7
8 2) APPLICANT understands that the amount of FY 2012/13 COORDINATED
9 PROGRAM FUNDING is capped at the amount approved by the Alameda CTC
10 Commission, and therefore APPLICANT cannot anticipate any PROJECTS cost
11 increase to be funded with additional Measure B and/or VRF grant funds; and
12
13 3) APPLICANT shall complete the project as described in the grant funding
14 agreement; and
15
16 4) APPLICANT will comply with all the project-specific requirements as set forth in
17 the PROGRAM Guidelines and grant funding agreement.

18 **NOW THEREFORE, BE IT RESOLVED**, that APPLICANT is authorized
19 to enter into a funding agreement for FY 2012/13 COORDINATED PROGRAM
20 FUNDING for PROJECT; and

21 **BE IT FURTHER RESOLVED** that the APPLICANT by adopting this
22 resolution does hereby confirm and agree that:

23 APPLICANT will provide \$631,000 in matching funds from a combination of
24 Bicycle Transportation Account (BTA) grant funds and Transportation Development Act
25 funds (TDA) for the Buchanan Marin Bikeway Phase III, and

26 APPLICANT understands that the amount of FY 2012/13 COORDINATED
27 PROGRAM FUNDING for the project is capped at the amount approved by the Alameda
28 CTC Commission, and that any cost increases must be funded by the APPLICANT from
29 other funds, and that APPLICANT does not expect any cost increases to be funded with
additional Measure B/VRF grant funding;

1 PROJECT will be implemented as described in the application, grant funding
2 agreement and in this resolution;

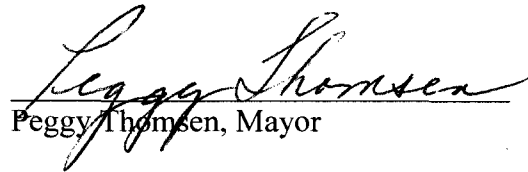
3 APPLICANT and the PROJECT will comply with the requirements as set forth in
4 the PROGRAM Guidelines and grant funding agreement; and
5

6 **BE IT FURTHER RESOLVED** that APPLICANT is an eligible sponsor of
7 Measure B and/or VRF funded projects; and
8

9 **BE IT FURTHER RESOLVED** that there is no pending or threatened litigation
10 that might in any way adversely affect the proposed PROJECT, or the ability of
11 APPLICANT to deliver such PROJECT; and
12

13 **BE IT FURTHER RESOLVED** that APPLICANT authorizes its Executive
14 Director, General Manager, City Manager, or other appropriate designee to execute a
15 funding agreement with Alameda CTC for FY 2012/13 COORDINATED PROGRAM
16 FUNDING for the PROJECT as referenced in this resolution; and
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18 **BE IT FURTHER RESOLVED** that a copy of this resolution will be transmitted
19 to Alameda CTC by June 30, 2013.
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21 
22 Peggy Thomsen, Mayor
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City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2013-25

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

The 17th day of June, 2013, by the following votes:

AYES: Council Members Barnes, Maass, Vice Mayor Wile & Mayor Thomsen

NOES: none

ABSENT: Council Member Atkinson

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th
Day of June, 2013.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.