



1 various funding programs for the programming discretion of the Metropolitan Planning  
2 Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

3  
4 **WHEREAS**, pursuant to the FEDERAL TRANSPORTATION ACT, and any  
5 regulations promulgated thereunder, eligible project sponsors wishing to receive federal  
6 or state funds for a regionally-significant project shall submit an application first with the  
7 appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal  
8 Transportation Improvement Program (TIP); and

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10 **WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San  
11 Francisco Bay region; and

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13 **WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC  
14 Resolution No. 3606, revised) that sets out procedures governing the application and use  
15 of REGIONAL DISCRETIONARY FUNDING; and

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17 **WHEREAS**, APPLICANT is an eligible sponsor for REGIONAL  
18 DISCRETIONARY FUNDING; and

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20 **WHEREAS**, as part of the application for REGIONAL DISCRETIONARY  
21 FUNDING, MTC requires a resolution adopted by the responsible implementing agency  
22 stating the following:

- 23 • the commitment of any required matching funds; and  
24 • that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING  
25 is fixed at the programmed amount, and therefore any cost increase cannot be  
26 expected to be funded with additional REGIONAL DISCRETIONARY  
27 FUNDING; and

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- 1 • that the PROJECT will comply with the procedures, delivery milestones and  
2 funding deadlines specified in the Regional Project Funding Delivery Policy  
3 (MTC Resolution No. 3606, revised); and  
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- 5 • the assurance of the sponsor to complete the PROJECT as described in the  
6 application, subject to environmental clearance, and if approved, as included in  
7 MTC's federal Transportation Improvement Program (TIP); and  
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- 9 • that the PROJECT will have adequate staffing resources to deliver and complete  
10 the PROJECT within the schedule submitted with the project application; and  
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- 12 • that the PROJECT will comply with all project-specific requirements as set forth  
13 in the PROGRAM; and  
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- 15 • that APPLICANT has assigned, and will maintain a single point of contact for all  
16 FHWA- and CTC-funded transportation projects to coordinate within the agency  
17 and with the respective Congestion Management Agency (CMA), MTC, Caltrans,  
18 FHWA, and CTC on all communications, inquires or issues that may arise during  
19 the federal programming and delivery process for all FHWA- and CTC-funded  
20 transportation and transit projects implemented by APPLICANT; and

21 **WHEREAS**, that APPLICANT is authorized to submit an application for  
22 REGIONAL DISCRETIONARY FUNDING for the PROJECT; and  
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24 **WHEREAS**, there is no legal impediment to APPLICANT making applications for  
25 the funds; and  
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27 **WHEREAS**, there is no pending or threatened litigation that might in any way  
28 adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such  
29 PROJECT; and

1           **WHEREAS**, APPLICANT authorizes its City Manager, or designee to execute and  
2 file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the  
3 PROJECT as referenced in this resolution; and  
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5           **WHEREAS**, MTC requires that a copy of this resolution be transmitted to the  
6 MTC in conjunction with the filing of the application.  
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8           **NOW, THEREFORE, BE IT RESOLVED**, that the APPLICANT is authorized  
9 to execute and file an application for funding for the PROJECT for REGIONAL  
10 DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or  
11 continued funding; and  
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13           **BE IT FURTHER RESOLVED**, that APPLICANT will provide any required  
14 matching funds; and  
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16           **BE IT FURTHER RESOLVED**, that APPLICANT understands that the  
17 REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved  
18 programmed amount, and that any cost increases must be funded by the APPLICANT  
19 from other funds, and that APPLICANT does not expect any cost increases to be funded  
20 with additional REGIONAL DISCRETIONARY FUNDING; and  
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22           **BE IT FURTHER RESOLVED**, that APPLICANT understands the funding  
23 deadlines associated with these funds and will comply with the provisions and  
24 requirements of the Regional Project Funding Delivery Policy (MTC Resolution No.  
25 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and  
26 resources necessary to deliver federally-funded transportation and transit projects, and has  
27 assigned, and will maintain a single point of contact for all FHWA- and CTC-funded  
28 transportation projects to coordinate within the agency and with the respective  
29 Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all

1 communications, inquires or issues that may arise during the federal programming and  
2 delivery process for all FHWA- and CTC-funded transportation and transit projects  
3 implemented by APPLICANT; and  
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5 **BE IT FURTHER RESOLVED**, that PROJECT will be implemented as described  
6 in the complete application and in this resolution, subject to environmental clearance,  
7 and, if approved, for the amount approved by MTC and programmed in the federal TIP;  
8 and  
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10 **BE IT FURTHER RESOLVED**, that APPLICANT has reviewed the PROJECT  
11 and has adequate staffing resources to deliver and complete the PROJECT within the  
12 schedule submitted with the project application; and  
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14 **BE IT FURTHER RESOLVED**, that PROJECT will comply with the  
15 requirements as set forth in MTC programming guidelines and project selection  
16 procedures for the PROGRAM; and  
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18 **BE IT FURTHER RESOLVED**, that, in the case of a transit project,  
19 APPLICANT agrees to comply with the requirements of MTC's Transit Coordination  
20 Implementation Plan as set forth in MTC Resolution No. 3866, revised; and  
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22 **BE IT FURTHER RESOLVED**, that, in the case of a highway project,  
23 APPLICANT agrees to comply with the requirements of MTC's Traffic Operations  
24 System (TOS) Policy as set forth in MTC Resolution No. 4104; and  
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26 **BE IT FURTHER RESOLVED**, that, in the case of an RTIP project, PROJECT  
27 is included in a local congestion management plan, or is consistent with the capital  
28 improvement program adopted pursuant to MTC's funding agreement with the  
29 countywide transportation agency; and

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**BE IT FURTHER RESOLVED**, that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and

**BE IT FURTHER RESOLVED**, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

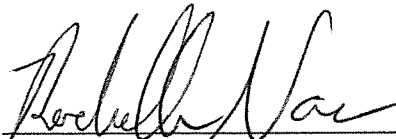
**BE IT FURTHER RESOLVED**, that there is no legal impediment to APPLICANT making applications for the funds; and

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

**BE IT FURTHER RESOLVED**, that APPLICANT authorizes its City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

**BE IT FURTHER RESOLVED**, that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

  
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ROCHELLE NASON, MAYOR



# City of Albany

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**RESOLUTION NO.      2019-45**

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

The 3<sup>rd</sup> Day of June, 2019, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, and Mayor Nason

NOES:

ABSENT: Council Member Pilch

ABSTAINED:

RECUSED:

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 4<sup>th</sup> Day of  
June, 2019

Anne Hsu  
CITY CLERK