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**RESOLUTION #09-31**

**A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A GRANT FUNDING AGREEMENT WITH ACTIA AND TO COMMIT THE NECESSARY NON-MEASURE B MATCH AND TO STATE THE ASSURANCE TO DEVELOP ALBANY’S FIRST PEDESTRIAN MASTER PLAN AND TO UPDATE THE EXISTING BICYCLE MASTER PLAN**

**WHEREAS**, The City of Albany (“APPLICANT”) has submitted an application to the Alameda County Transportation Improvement Authority (“ACTIA”) for \$130,000 in Measure B funding for the development of the City’s first Pedestrian Master Plan and the Update to the existing Bicycle Master Plan (“PROJECT”) for Cycle 4 of the Bicycle/Pedestrian Countywide Discretionary Program (“PROGRAM”); and

**WHEREAS**, The voters of Alameda County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq., approved the reauthorization of Measure B at the General Election held on November 7, 2000, thereby authorizing that ACTIA be given the responsibility to administer the proceeds from the continued one-half cent transaction and use tax. The duration of the tax will be 20 years from the initial year of collection that began April 1, 2002, with said tax to terminate/expire on March 31, 2022; and

**WHEREAS**, APPLICANT represents that APPLICANT is an eligible grant recipient for Measure B funds; and

**WHEREAS**, as part of the application for Measure B funding, ACTIA requires a resolution adopted by the responsible grant recipient stating the following:

- 1) the commitment of the amount of project sponsor matching funds specified in the grant funding agreement; and
- 2) that the APPLICANT understands that the amount of Measure B funding is

- 1 capped at the amount awarded as specified in the grant funding agreement, and  
2 therefore any cost increase cannot be expected to be funded with additional  
3 Measure B funds; and  
4 3) the assurance of the APPLICANT to complete the project as described in the  
5 grant funding agreement; and  
6 4) that the project will comply with all the project-specific requirements as set forth  
7 in the grant funding agreement.

8  
9 **NOW, THEREFORE, BE IT RESOLVED** that APPLICANT is  
10 authorized to submit an application for Measure B funding for PROJECT; and be it  
11 further

12 **RESOLVED** that the APPLICANT by adopting this resolution does hereby state  
13 that:

- 14 1. APPLICANT has provided \$30,000 in non-Measure B matching funds; and  
15 2. APPLICANT understands that the amount of Measure B funding for the  
16 project is capped at the amount awarded as specified in the grant funding  
17 agreement, and that any cost increases must be funded by the APPLICANT  
18 from other funds, and that APPLICANT does not expect any cost increases to  
19 be funded with additional Measure B funding; and  
20 3. PROJECT will be implemented as described in the grant funding agreement  
21 and in this resolution; and  
22 4. APPLICANT and the PROJECT will comply with the requirements as set  
23 forth in the grant funding agreement; and therefore be it further

24  
25 **RESOLVED** that APPLICANT is an eligible sponsor of Measure B funded  
26 projects; and be it further

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

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**RESOLVED** that APPLICANT authorizes its City Administrator to execute a funding agreement with ACTIA for Measure B funding for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to ACTIA in conjunction with an executed grant funding agreement.

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Marge Atkinson  
Mayor