

**RESOLUTION NO. 3502-19**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING TWO SEPARATE AGREEMENTS WITH THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION ENTITLED: A) MAINTENANCE AGREEMENT FOR SOUNDWALLS IN THE TOWN OF WINDSOR, AND B) AGREEMENT FOR SHARING COST OF STATE HIGHWAY ELECTRICAL FACILITIES WITH TOWN OF WINDSOR; AND AUTHORIZE THE TOWN MANAGER TO EXECUTE SAID AGREEMENTS ON BEHALF OF THE TOWN AND ANY FUTURE NON-MATERIAL AMENDMENTS TO SAID AGREEMENTS SUBJECT TO APPROVAL OF THE TOWN ATTORNEY AS TO FORM**

**WHEREAS**, State project EA 0A10U1 widened State Highway Route 101 from a four-lane freeway to a six-lane freeway; and

**WHEREAS**, State project EA 3A23U1 constructed soundwalls with landscaping along Hembree Lane and Conde Lane; and

**WHEREAS**, these projects are to be made part of these agreements; and

**WHEREAS**, on March 11, 1974, the County of Sonoma and the State of California, Department of Transportation (Caltrans) entered into an agreement for maintenance of traffic signals and intersection lighting on State highways including cost distributions of said electrical facilities; and

**WHEREAS**, on July 1, 1997 and May 21, 1998, the Town of Windsor and Caltrans entered into freeway maintenance agreements relating to the portion of State Highway Route 101 within the Town limits; and

**WHEREAS**, the proposed Agreement for Sharing Cost of State Highway Electrical Facilities clarifies the cost sharing for maintenance and operations for electrical systems in place at the intersections of any State highway route and Town streets and roads and supersedes any previous Agreement and/or Amendments for sharing State-incurred costs with the Town; and

**WHEREAS**, the Town of Windsor and Caltrans mutually wish to clarify the division of maintenance responsibility at the soundwall structures, and landscaped areas lying within or outside of the freeway; and

**WHEREAS**, the Maintenance Agreement for Soundwalls is not meant to replace or supersede earlier agreements.

**NOW, THEREFORE BE IT RESOLVED** that the Town of Windsor Town Council hereby approves the Agreement for Sharing Cost of State Highway Electrical Facilities and the Maintenance Agreement for Soundwalls, between Caltrans and the Town of Windsor, attached to the accompanying agenda report; and

**BE IT FURTHER RESOLVED** that the Town Manager is hereby authorized to sign said agreements and any future non-material amendments to said agreements, subject to approval of the Town Attorney as to form.

**PASSED, APPROVED AND ADOPTED** this 20th day of February 2019, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS LEMUS, OKREPKIE, SALMON, VICE MAYOR FUDGE AND MAYOR FOPPOLI</b>
<b>NOES:</b>	<b>NONE</b>
<b>ABSTAIN:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>NONE</b>

  
**DOMINIC FOPPOLI, MAYOR**

**ATTEST:**

  
**MARIA DE LA O, TOWN CLERK**