

RESOLUTION NO. 2711-10

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
AUTHORIZING FUNDING AND STATING THE ASSURANCE TO COMPLETE THE
HEMBREE LANE RESURFACING PROJECT**

WHEREAS, the Town of Windsor (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) through the Sonoma County Transportation Authority (SCTA) for \$348,000.00 in funding from the Local Streets and Roads Shortfall (LSRS) for the Hembree Lane Resurfacing Project (herein referred as PROJECT); 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 fund delivery and has adopted (or is scheduled to adopt) in MTC Resolution No. 3885 such additional requirements as are necessary or appropriate to meet the obligations/award deadlines; and

WHEREAS, APPLICANT is an eligible project sponsor for LSRS funds; and

WHEREAS, as part of the application for LSRS funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) that the sponsor understands that the LSRS funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional RBP/TLC or other MTC-programmed funds; and
- 2) that PROJECT will comply with the procedures specified in MTC's Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and with all project-specific requirements as set forth in MTC's Regional LSRS Program (MTC Resolution No. 3885); and PROJECT as described in the application, and if approved, as included in MTC's TIP; and
- 3) that PROJECT will comply with all the project-specific requirements as set forth in the federal LSRS and appropriate applicable regulations or guidance.

NOW, THEREFORE, BE IT RESOLVED that the Town of Windsor is authorized to execute and file an application for funding for Hembree Lane Resurfacing Project; and

BE IT FURTHER RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT understands that the LSRS funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional LSRS or MTC-programmed funds; and
2. APPLICANT understands the funding deadlines associated with these funds and will comply with the applicable provisions and requirements of the Regional LSRS Program (MTC Resolution No. 3885) and Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and

3. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
4. PROJECT will comply with all the project-specific requirements as set forth in the LSRS and appropriate applicable regulations or guidance; 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 Executive Director, General Manager, or designee to execute and file an application with MTC for LSRS 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 to include the PROJECT, if approved, in MTC's TIP.

PASSED, APPROVED AND ADOPTED this 16th day of June 2010, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SCHOLAR AND
MAYOR SALMON

NOES: NONE

ABSTAIN: NONE

ABSENT: COUNCILMEMBER GOBLE



SAM SALMON, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK