

RESOLUTION NO. 2858-11

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
AUTHORIZING THE APPLICATION FOR FUNDING AND STATING THE ASSURANCE TO
COMPLETE THE OLD REDWOOD HIGHWAY AT LAKEWOOD DRIVE BICYCLE AND
PEDESTRIAN IMPROVEMENTS PROJECT**

WHEREAS, the Town of Windsor (herein referred to as "APPLICANT") is submitting an application to the Metropolitan Transportation Commission (MTC) for \$609,000.00 in funding from the 2012 Regional Transportation Improvement Program (RTIP) for the Old Redwood Highway at Lakewood Drive Bicycle and Pedestrian Safety Improvements (herein referred to as "PROJECT") for the MTC 2012 RTIP, as authorized by MTC by Resolution No. 4028 (herein referred to as "PROGRAM"); and

WHEREAS, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

WHEREAS, as part of that process, MTC is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to California Government Code Section 14527(b), for inclusion in the RTIP, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

WHEREAS, MTC will review and include, if approved, 2012 RTIP projects in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the RTIP; and

WHEREAS, applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and

WHEREAS, APPLICANT is a sponsor of transportation projects eligible for Regional Improvement Program funds; and

WHEREAS, the RTIP Project Programming Request (PPR) form of the project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which APPLICANT is requesting that MTC program Regional Improvement Program funds for inclusion in the RTIP; and

WHEREAS, Part 2 of the project application, attached hereto and incorporated herein as though set forth at length, includes the certification by APPLICANT of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

WHEREAS, as part of the application for 2012 RTIP funding, MTC requires any resolution adopted by the responsible implementing agency to state that the project will comply with the procedures specified in the "Timely Use of Funds Provisions and Deadlines" (MTC Resolution No. 4028, Attachment 1, Page 14, and as may be further amended).

NOW, THEREFORE, BE IT RESOLVED, that APPLICANT approves the assurances set forth in Part 2 of the project application, attached to this resolution; and be it further

BE IT FURTHER RESOLVED, that APPLICANT will comply with the provisions and requirements of the “Timely Use of Funds Provisions and Deadlines” (MTC Resolution No. 4028, Attachment 1, Page 14, and as may be further amended), that 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 that APPLICANT and PROJECT will comply with the requirements as set forth in the 2012 RTIP Policies and Procedures (MTC Resolution No. 4028); and therefore be it further

BE IT FURTHER RESOLVED, that APPLICANT will comply with the provisions and requirements of the Transit Coordination Implementation Plan, as set forth in MTC Resolution No. 3866; and be it further

BE IT FURTHER RESOLVED, that APPLICANT has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP Project Programming Request (PPR) form of the project application, attached to this resolution; and be it further

BE IT FURTHER RESOLVED, that APPLICANT is an eligible sponsor of projects in the State Transportation Improvement Program; and be it further

BE IT FURTHER RESOLVED, that APPLICANT is authorized to submit an application for State Transportation Improvement Program funds for PROJECT; and be it further

BE IT FURTHER RESOLVED, that APPLICANT has and will retain the expertise and knowledge necessary to deliver STIP and federally-funded projects, and has assigned a single point of contact for all STIP and FHWA-funded projects to work with the CMA, MTC, and Caltrans on any questions or issues that may arise during the STIP and/or federal programming and delivery process; and be it further

BE IT FURTHER RESOLVED, that there is no legal impediment to APPLICANT making applications for Regional Improvement Program funds; and be it further

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

BE IT FURTHER RESOLVED, that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC to program Regional Improvement Program funds into the RTIP, for the projects, purposes and amounts included in the project application attached to this resolution; and be it further

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the APPLICANT application referenced herein, along with the name and contact information for the APPLICANT's single point of contact.


PASSED, APPROVED AND ADOPTED this 7th day of December 2011, by the following vote:

AYES: COUNCILMEMBERS ALLEN, GOBLE, SALMON, SCHOLAR AND
MAYOR FUDGE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE


DEBORA FUDGE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK