

RESOLUTION NO. 07-11

RESOLUTION OF THE MEMBERS OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY, RICHMOND, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT FUNDING AND COMMITTING THE NECESSARY NON-FEDERAL MATCH AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the Richmond Community Redevelopment Agency (herein referred as the “Agency”) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$113,778 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the Richmond Downtown Bicycle and Pedestrian Access Improvements Project (herein referred as the “Project”) for the MTC SAFETEA, 3RD Cycle STP/CMAQ Program [County TLC Program], MTC Resolution No. 3723 (herein referred as the “Program”); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); 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) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, the Agency is an eligible project sponsor for STP/CMAQ funds; and

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

- 1) The commitment of necessary local matching funds of at least 11.47%; and
- 2) That the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) That the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) That the project will comply with all the project-specific requirements as set forth in SAFETEA, 3rd Cycle, STP/CMAQ (County TLC Program), MTC Resolution no. 3723.

NOW, THEREFORE, BE IT RESOLVED that the Agency is authorized to execute and file an application for funding under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA for the Project; and be it further

RESOLVED that the Agency by adopting this resolution does hereby state that:

1. The Agency will provide \$1,705,000 in non-federal matching funds; and
2. The Agency understands that the STP/CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by

- the Agency from other funds, and that the Agency does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. The Agency understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
 4. The 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
 5. The Agency and the Project will comply with the requirements as set forth in SAFETEA, 3rd Cycle, STP/CMAQ (County TLC Program), MTC Resolution no. 3723; and, therefore be it further

RESOLVED that the Agency is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED that the Agency is authorized to submit an application for STP/CMAQ funds for the Project; and be it further

RESOLVED that there is no legal impediment to the Agency 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 the Agency to deliver such Project; and be it further

RESOLVED that the Agency authorizes its Executive Director to execute and file an application with MTC for STP/CMAQ 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.

I certify that the foregoing Resolution was passed and adopted by the Richmond Community Redevelopment Agency, Richmond, California, at a regular meeting held on June 19, 2007, by the following vote:

AYES: Boardmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Chairperson McLaughlin
NOES: None
ABSTENTIONS: None
ABSENT: None

DIANE HOLMES
CLERK OF THE REDEVELOPMENT AGENCY

(SEAL)

Approved:

GAYLE McLAUGHLIN
AGENCY CHAIR

Approved as to form:

LOUISE RENNE, Interim
AGENCY ATTORNEY

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Redevelopment Resolution No. 07-11, finally passed and adopted by the Redevelopment Agency at a meeting held on June 19, 2007.