

RESOLUTION NO. 99-12

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO
MTC, COMMITTING MATCHING FUNDS, AND STATING THE ASSURANCE TO
COMPLETE THE ASSIGNED PROJECT**

WHEREAS, the City of Richmond has submitted an application to the Metropolitan Transportation Commission (MTC) for \$203,291 in funding assigned MTC for programming discretion, including by not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as Regional Discretionary Funding) for the Greenprint Transportation Easy Go project for the Contra Costa Lifeline Transportation Program; and

WHEREAS, the "Moving Ahead for Progress in the 21st Century Act", and any extensions or successor legislation for continued funding authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP), the Congestion Mitigation and Air Quality Improvement Program (CMAQ), and the Transportation Alternatives Program (TA); and

WHEREAS, state statutes, including California Streets and Highways Code 182.6 and 182.7 provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA 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 federal funds; and

WHEREAS, the City of Richmond is an eligible sponsor for Regional Discretionary Funding; and

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

1. The commitment of any required matching funds of at least 11.47%; and
2. That the sponsor understands that the Regional Discretionary funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary funding; and
3. That the project will comply with the procedures, delivery milestones and funding deadlines specified in the 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 federal Transportation Improvement Program (TIP); and
5. That the project will comply with all project-specific requirements as set forth in the proposed program; and
6. That the project (transit only) will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

WHEREAS, the City of Richmond is authorized to execute and file an application for Regional Discretionary funding under MAP-21 for continued funding; and be it further

WHEREAS, the City of Richmond by adopting this resolution does hereby agree and sate that:

1. The City will provide \$40,658 in-kind matching funds; and
2. The City understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other funds, and that City does not expect any cost increases to be funded with additional Regional Discretionary Funding; and
3. The City 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, revised) and the City has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by the City; and
4. The project assigned the funds will be implemented as described in the complete application and in this resolution and, if approved, for the amount approved by MTC and programmed in the federal TIP; and
5. The City and the approved project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the program; and
6. The City (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and

BE IT RESOLVED that the City is an eligible sponsor of Regional Discretionary funded projects; and is authorized to submit an application for Regional Discretionary Funding for the proposed project; and there is no legal impediment to the City making applications for the funds;

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 City to deliver the proposed project; and the City authorizes the execution and filing of the application with MTC for Regional Discretionary Funding for the proposed project as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to MTC in conjunction with the filing of the application; and MTC is requested to support the application for the proposed project described in the resolution and to include the proposed project, if approved, in MTC's federal TIP.

I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond at a special meeting held on July 31, 2012, by the following vote:

AYES: Councilmembers Bates, Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

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

I certify that the foregoing is a true copy of Resolution No. 99-12, finally passed and adopted by the City Council of the City of Richmond at a special meeting held on July 31, 2012.