RESOLUTION NO. 2013-25

A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING
THE EXECUTION OF A GRANT FUNDING AGREEMENT FOR
FUNDING AND COMMITTING ANY NECESSARY MATCHING FUNDS
AND STATING THE ASSURANCE TO COMPLETE THE BUCHANAN
MARIN BIKEWAY PHASE III PROJECT

WHEREAS, The City of Albany ("APPLICANT") has submitted an application
to the Alameda County Transportation Commission ("Alameda CTC") for $536,000
from one or more of the following funding sources administered by the Alameda CTC
and programmed at Alameda CTC’s discretion as part of the Alameda CTC FY 2012/13
Coordinated Program ("PROGRAM"): Measure B Bicycle/Pedestrian Countywide
Discretionary Fund, Measure B Express Bus Service fund, VRF Pedestrian and Bicyclist
Access and Safety Program, and/or VRF Transit Congestion Relief Program funding
(collectively, "FY 2012/13 COORDINATED PROGRAM FUNDING"), for the
BUCHANAN MARIN BIKEWAY-PHASE III ("PROJECT").

WHEREAS, Alameda CTC is a joint powers authority resulting from the
merger of the Alameda County Congestion Management Agency and Alameda County
Transportation Improvement Authority and is responsible for distributing to local
districts certain Measure B and VRF revenues for bicycle and pedestrian safety, local
streets and roads, local transportation technology, mass transit, paratransit, and transit
center development programs; and

WHEREAS, APPLICANT represents that APPLICANT is an eligible grant
recipient for such Measure B and/or VRF funds; and
WHEREAS, prior to entering into a funding agreement for FY 2012/13 COORDINATED PROGRAM FUNDING, Alameda CTC requires the responsible grant recipient to adopt a resolution confirming the following:

1) APPLICANT commits to provide the amount of matching funds specified in the grant funding agreement; and

2) APPLICANT understands that the amount of FY 2012/13 COORDINATED PROGRAM FUNDING is capped at the amount approved by the Alameda CTC Commission, and therefore APPLICANT cannot anticipate any PROJECTS cost increase to be funded with additional Measure B and/or VRF grant funds; and

3) APPLICANT shall complete the project as described in the grant funding agreement; and

4) APPLICANT will comply with all the project-specific requirements as set forth in the PROGRAM Guidelines and grant funding agreement.

NOW THEREFORE, BE IT RESOLVED, that APPLICANT is authorized to enter into a funding agreement for FY 2012/13 COORDINATED PROGRAM FUNDING for PROJECT; and

BE IT FURTHER RESOLVED that the APPLICANT by adopting this resolution does hereby confirm and agree that:

APPLICANT will provide $631,000 in matching funds from a combination of Bicycle Transportation Account (BTA) grant funds and Transportation Development Act funds (TDA) for the Buchanan Marin Bikeway Phase III, and

APPLICANT understands that the amount of FY 2012/13 COORDINATED PROGRAM FUNDING for the project is capped at the amount approved by the Alameda CTC Commission, 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 Measure B/VRF grant funding;
PROJECT will be implemented as described in the application, grant funding agreement and in this resolution; APPLICANT and the PROJECT will comply with the requirements as set forth in the PROGRAM Guidelines and grant funding agreement; and

BE IT FURTHER RESOLVED that APPLICANT is an eligible sponsor of Measure B and/or VRF funded projects; 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, City Manager, or other appropriate designee to execute a funding agreement with Alameda CTC for FY 2012/13 COORDINATED PROGRAM FUNDING for the PROJECT as referenced in this resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to Alameda CTC by June 30, 2013.

Peggy Thomesen,
Mayor
RESOLUTION NO. 2013-25

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 17th day of June, 2013, by the following votes:

AYES: Council Members Barnes, Maass, Vice Mayor Wile & Mayor Thomsen

NOES: none

ABSENT: Council Member Atkinson

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th

Day of June, 2013.

Eileen Harrington
DEPUTY CITY CLERK