

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT (TE) PROGRAM UNDER THE JOBS FOR MAIN STREET ACT OF 2010 FOR FAIRVIEW CHANNEL BICYCLE TRAIL PROJECT IN THE CITY OF COSTA MESA.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the United State Congress enacted the Jobs for Main Street Act of 2010 which make funds available to the Orange County Transportation Authority (OCTA) for transportation enhancement activities; and

WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and

WHEREAS, the City of Costa Mesa possesses authority to nominate transportation enhancement activities and to finance, acquire, and construct the proposed project; and

WHEREAS, by formal action the City of Costa Mesa authorizes the nomination of Fairview Channel Bicycle Trail project, including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the City of Costa Mesa to act in connection with the nomination and to provide such additional information as may be required; and

WHEREAS, the City of Costa Mesa or agency with appropriate jurisdiction will maintain and operate the property acquired, developed, rehabilitated, or restored for the life of the resultant facility(ies) or activity; and

WHEREAS, with the approval of the California Department of Transportation (Caltrans) and OCTA, the City of Costa Mesa or its successors in interest in the property may transfer the responsibility to maintain and operate the property; and

WHEREAS, the City of Costa Mesa will give the Caltrans and OCTA's representatives access to and the right to examine all records, books, papers or documents related to the transportation enhancement activity; and

WHEREAS, the City of Costa Mesa will cause work on the project to be commenced within a reasonable time after receipt of notification from the State that funds have been approved by the Federal Highway Administration and that the project will be carried to completion with reasonable diligence and can meet the construction award deadline of January 31, 2011; and

WHEREAS, the City of Costa Mesa will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

NOW, THEREFORE, BE IT RESOLVED that the City of Costa Mesa, hereby authorizes the person identified as the official representative of the City of Costa Mesa to apply for the Transportation Enhancement Activities Program under the Jobs for Main Street Act of 2010 for the Fairview Channel Bicycle Trail project.

BE IT FURTHER RESOLVED that the City of Costa Mesa, agrees to fund its share of the project costs and any additional costs over the identified programmed amount. This action is in conformance with the OCTA TE program guidelines and does not exceed seventy-five (75) percent of the total eligible costs.

PASSED AND ADOPTED this 2nd day of March 2010.

Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 10-_____ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 2nd day of March, 2010, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 3rd day of March, 2010.

JULIE FOLCIK, CITY CLERK

(SEAL)