

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION FOR WINTON AVENUE/D STREET AND TENNYSON ROAD CORRIDORS SIGNAL TIMING PROJECT FOR CONSTRUCTION OF TRAFFIC SIGNAL INFRASTRUCTURE AND IMPLEMENTATION OF ADAPTIVE SIGNAL TIMING

WHEREAS, the Alameda County Transportation Commission (“ALAMEDA CTC”) administers funding programs for projects and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration Fee (“VRF”), 2014 Measure BB, CMA-TIP, and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the “ALAMEDA CTC ADMINISTERED FUNDS”; and

WHEREAS, The CITY OF HAYWARD (“FUND RECIPIENT”) submitted a funding application (“APPLICATION”) to the ALAMEDA COUNTY TRANSPORTATION COMMISSION (“ALAMEDA CTC”) for the Tennyson Road and Winton Avenue/D Street Signal Coordination Project (“PROJECT”); and

WHEREAS, by action of the ALAMEDA CTC Commission as its meeting held on December 7, 2023, ALAMEDA CTC awarded \$515,000 in ALAMEDA CTC ADMINISTERED FUNDS to the FUND RECIPIENT for the implementation and delivery of the construction phase of PROJECT; and

WHEREAS, prior to receipt of any ALAMEDA CTC ADMINISTERED FUNDS, FUND RECIPIENT shall be required to enter into a Project Funding Agreement with ALAMEDA CTC for the PROJECT (“AGREEMENT”) based on ALAMEDA CTC’s form therefor, which AGREEMENT shall set forth certain project-specific requirements applicable to the PROJECT; and.

WHEREAS, as part of the requirements to receive ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT, ALAMEDA CTC requires a resolution accepting the awarded funding to be adopted by the FUND RECIPIENT’s governing body confirming the following:

1. FUND RECIPIENT’s commitment to secure matching funds against the awarded ALAMEDA CTC ADMINISTERED FUNDS; and
2. FUND RECIPIENT’s commitment to provide any additional funding required to deliver the AWARDED PHASE(S) OF PROJECT, with an understanding the same shall not be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and

3. FUND RECIPIENT's commitment to implement the AWARDED PHASE(S) of PROJECT as described in the funding application and the subsequent funding agreement between ALAMEDA CTC and the FUND RECIPIENT; and
4. FUND RECIPIENT's commitment to comply with the AGREEMENT; and
5. FUND RECIPIENT's commitment to comply with the applicable requirements set forth in ALAMEDA CTC's Local Business Contract Equity ("LBCE") Program for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, and abide by the LBCE procedures in the applicable solicitations and contracts.

NOW, THEREFORE, BE IT RESOLVED that FUND RECIPIENT agrees to accept award of \$515,000 in ALAMEDA CTC ADMINISTERED FUNDS;

NOW, THEREFORE, BE IT RESOLVED that FUND RECIPIENT, by adopting this resolution, does hereby state that:

1. FUND RECIPIENT will provide a minimum of \$172,000 in matching funds anticipated to be from Measure BB Local Transportation Fund 212 and Transportation System Improvement Fund 460; and
2. FUND RECIPIENT understands that FUND RECIPIENT shall be responsible to provide any additional funding required to deliver the AWARDED PHASE(S) OF PROJECT, and the same shall not be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and
3. AWARDED PHASE(S) of PROJECT will be implemented as described in the APPLICATION, AGREEMENT, and in this resolution; and
4. FUND RECIPIENT will comply with the AGREEMENT; and
5. FUND RECIPIENT will comply with the applicable requirements set forth in ALAMEDA CTC's LBCE Program;

NOW, BE IT RESOLVED that the City Council hereby finds and determines as follows:

NOW, THEREFORE, BE IT RESOLVED that FUND RECIPIENT hereby confirms that there is no pending or threatened litigation that might in any way adversely affect FUND RECIPIENT's ability to implement and deliver the proposed PROJECT; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Hayward hereby approves the amendment of the FY 2024 Budget Resolution to appropriate \$515,000 in funding from ACTC.

NOW, THEREFORE, BE IT FURTHER RESOLVED that FUND RECIPIENT authorizes its City Manager, or designee, to execute the AGREEMENT.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward