RESOLUTION NO. 2012-33

A RESOLUTION AUTHORIZING THE SUBMISSION OF TWO APPLICATIONS FOR GRANT FUNDS FOR $2,700,000 FOR TRANSIT ORIENTED DEVELOPMENT PROJECTS FROM THE FRESNO COUNCIL OF GOVERNMENTS UNDER THE FRESNO COUNTY MEASURE C TRANSIT ORIENTED DEVELOPMENT (TOD) PROGRAM AND AUTHORIZING THE EXECUTION OF APPLICATION RELATED DOCUMENTS BY THE CITY MANAGER OR DESIGNEE

WHEREAS, the Transit Oriented Development (TOD) Program was created in the 2006 Measure C Extension Plan; and

WHEREAS, the goals of the Measure C Transit Oriented Infrastructure for In-Fill are to support community-based transit projects that are developed through an inclusive planning process with broad private-public partnerships and outreach; improve the range of transportation choices by supporting transit facilities and improving links between facilities and activity nodes; and support well-designed, high-density housing and mixed uses near transit; and

WHEREAS, the applicant's governing body certifies by resolution approval of the applications and program participation; and

WHEREAS, the applicant's governing body agrees that the engineering funds are for design activities only, and not for construction; and

WHEREAS, the applicant's governing body certifies that the adoption of the resolution, in and of itself, does not commit the City Council to moving forward to construction of any of the design options; and

Adopted 3-8-12
Approved
Effective

2012-33

WHEREAS, the City of Fresno, if selected, will enter into an agreement with the Fresno Council of Governments to proceed with the Fulton Mall engineering and development impact fee offset programs;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF FRESNO HEREBY:

SECTION 1. Approves the filing of applications for the Downtown Revitalization Projects and participation therein, consistent with constitutional and local law requirements and this resolution.

SECTION 2. Certifies that the City has reviewed, understands and, to the extent consistent with all constitutional and local law requirements and this resolution, agrees to the provisions contained in the applications and program guidelines, manual and related documents; and

SECTION 3. Certifies that the City will have sufficient funds to operate and maintain the projects consistent with the grant requirements; or will secure the resources to do so; and

SECTION 4. Certifies that the City will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and,

SECTION 5. Certifies that the City will work towards the Measure C TOD Priorities intended to support livable, viable and sustainable transit oriented healthy communities that promote walking, biking, and the use of public transit and reduce private vehicle dependence; and

SECTION 6. Appoints and authorizes the City Manager or his designee as the agent for the City of Fresno to execute and submit all application documents, materials and certifications and so on which may be necessary in pursuit hereof, subject to prior approval as to form by the City Attorney's Office.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 8th day of March, 2012.

AYES: Baines, Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
NOES: None
ABSENT: None
ABSTAIN: None

YVONNE SPENCE, CMC
City Clerk
By: Yvonne Spence
Deputy

APPROVED AS TO FORM:
JAMES C. SANCHEZ
City Attorney
By: [illegible] 3/6/12 Date: 3/9/12