

RESOLUTION NO. 2010-70

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND ADOPTING RESOLUTION 2010-70 TO REPLACE RESOLUTION 2010-46 TO AUTHORIZE THE SUBMITTAL OF AN APPLICATION FOR A TRANSPORTATION ENHANCEMENT GRANT (TEG) FOR THE CONSTRUCTION OF SIDEWALKS AND ADA CORNER RAMPS ON ARIZONA AVENUE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 (A); and

WHEREAS, the CITY is authorized and empowered to exercise exclusive control over the streets, avenues, alleys and sidewalks of the town and to lay out, establish or otherwise improve same pursuant to A.R.S. §§ 9-240 (B) and 9-276 (A); and

WHEREAS, the CITY has identified a project to improve the safety of all residents using Arizona Avenue from Haskell Avenue to Rex Allen Drive and to complete ADA corner ramps on both sides of the avenue; and

WHEREAS, Mayor and Council previously passed and adopted Resolution 2010-46 authorizing the submittal of a grant application by the CITY and now desires to replace that resolution with Resolution 2010-70 to include additional items not included in Resolution 2010-46; and

WHEREAS, Transportation Enhancement Grants are available to local jurisdictions with the requirements of a 5.7% match and any overmatch; local application will reimburse for the project scoping document, environmental, right-of-way, utility clearances and design; commitment that the project will be ready for advertisement in 3 years from the notice to proceed; commitment to pay overruns; commitment to reimburse ADOT/FHWA for all federal funds used, if project is cancelled by the sponsor; commitment to ADOT review fee; and commitment to JPA maintenance agreement; and

WHEREAS, CITY staff have identified estimated costs and budget line items to meet those requirements in FY 2010-2011 and FY 2011-2012; and

WHEREAS, it is in the best interest of the City of Willcox, Cochise County, Arizona and its citizens to pursue and to apply for Transportation Enhancement Grant funds; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

Section 1: The City Manager of the CITY is hereby authorized to apply for Transportation Enhancement Grant funds as presented.

Section 2: The City Manager of the CITY is authorized to take such actions as are necessary to apply for Transportation Enhancement Grant funds in an amount not to exceed \$656,953 for Phase I and \$541,940 with a 5.7% match and overage expenditure requirement over a two year period.

Section 3: The CITY agrees to the Grant requirements enumerated above and incorporated herein by reference as if set out fully hereto.

Section 3: The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized and empowered to execute this Resolution.

PASSED AND ADOPTED by Mayor and Council of the City of Willcox, Cochise County, Arizona, this 21st day of June, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: June 22, 2010

APPROVED AS TO FORM:

ATTEST:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa

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