

**RESOLUTION NO. 1006**

**A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF OSAWATOMIE TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ALTERNATIVES PROGRAM FUNDS FOR THE JOHN BROWN AND LEVEE LOOP PROJECT IN THE CITY OF OSAWATOMIE**

**WHEREAS**, the City of Osawatomie has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S. A. 12-1662, regarding the expenditure of federal aid to public agencies; and

**WHEREAS**, the City of Osawatomie, Kansas is submitting an application to the Kansas Department of Transportation for Transportation Alternatives (TA) Program funds up to the amount of 1,925,000; and

**WHEREAS**, the City of Osawatomie, Kansas, is participating as an eligible Project Sponsor in the Kansas Department of Transportation's TA Program; and

**WHEREAS**, Federal monies are available under a Transportation Alternatives Program, administered by the State of Kansas, Department of Transportation, for the purpose of creating and promoting the planning and development of active transportation facilities and programs in Kansas; and

**WHEREAS**, the City of Osawatomie, Kansas, acknowledges availability of the require local match of no less than twenty percent (20%) and the availability of funds to pay all upfront costs since the TA Program is a cost reimbursement program; and

**WHEREAS**, the City of Osawatomie, Kansas, agrees to pay any costs that exceed the project amount in f the application is selected for funding; and,

**WHEREAS**, after appropriate public input and due consideration, the Governing Body of the City of Osawatomie, Kansas, has recommended that an application be submitted to the State of Kansas for the John Brown and Levee Loop project; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:**

**SECTION ONE:** That the City of Osawatomie, Kansas, does hereby authorize the City Manager to submit an application to the Kansas Department of Transportation for Transportation Alternatives Program funds on behalf of the Citizens of the City of Osawatomie, Kansas.

**SECTION TWO:** That the City of Osawatomie, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for minimum 20% match and all non-reimbursable expenses, e.g. PE, ROW, utilities, etc. for the John Brown and Levee Loop project is available, as the Transportation Alternatives Program is a reimbursement program.

**SECTION THREE:** That the Governing Body of the City of Osawatomie, Kansas, does hereby authorize the City Manager to submit an application to the Kansas Department of Transportation for Transportation Alternatives Program funds on behalf of the Citizens of the City of Osawatomie, Kansas.

**SECTION FOUR:** That THE City of Osawatomie, Kansas, HEREBY ASSURES THE Kansas Department of Transportation that the City of Osawatomie, Kansas, will have title or permanent easement to the John Brown and Levee Loop project by the time of project letting, if necessary.

**SECTION FIVE:** That the City Manager of the City of Osawatomie, Kansas, is authorized to sign the application to the Kansas Department of Transportation for Transportation Alternatives Program funds on behalf of the citizens of the City of Osawatomie, Kansas. The City Manager is also authorized to submit additional information as may be required and acts as the official representative of the City of Osawatomie, Kansas in this and subsequent related activities.

**SECTION SIX:** That the City of Osawatomie, Kansas, hereby assures the Kansas Department of Transportation that the City of Osawatomie, Kansas is willing and able to, if the John Brown and Levee Loop projects is selected for funding, administer all activities involved with the John Brown and Levee Loop project.

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas, this 12<sup>th</sup> day of May, 2022, a majority voting in favor of.

**APPROVED** and signed by the mayor.

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Nick Hampson, Mayor

(SEAL)

ATTEST:

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Tammy Seamands, City Clerk