

RESOLUTION NO. 1385

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO SIGN A FUND EXCHANGE AGREEMENT WITH THE STATE OF OREGON ACTING BY AND THROUGH THE OREGON DEPARTMENT OF TRANSPORTATION (STATE) TO PROVIDE FUNDING FOR PROPOSED BIKEWAY IMPROVEMENT PROJECTS KNOWN AS TOWN CENTER LOOP WEST PARKWAY / LES SCHWAB CONNECTION, AND THE KINSMAN, BARBER, BOBERG, BOECKMAN BIKEWAY PROJECT.

WHEREAS, the State has adopted a Transportation Improvement Program; and

WHEREAS, said Transportation Improvement Program contains funds for the City of Wilsonville for the improvement of the transportation network within the City; and

WHEREAS, the State is responsible for the distribution of Federal Highway funds to individual cities and counties within the State through the Fund Exchange Program; and

WHEREAS, the City has adopted a Bicycle and Pedestrian Master Plan which contains transportation related improvements to the bikeway and pedestrian systems within the City; and

WHEREAS, the City adopted a five-year Capital Improvement Budget which contains the Bikeway and Pedestrian Improvement Projects referenced above; and

WHEREAS, the City wishes to use the funding available through the Transportation Improvement Program for the construction of the projects contained herein; and

WHEREAS, the City of Wilsonville has applied for funding for these projects through the State's Project Prospectus Program; and

WHEREAS, the State has approved the City's request for the projects contained herein; and

WHEREAS, by authority granted under ORS 366.770 and 366.775, the State may enter into cooperative agreements with cities and counties for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreed to by the contracting parties, and

WHEREAS, the State and City have determined that it is in the best advantage of the State and City to enter into the Fund Exchange Agreement; and

WHEREAS, the State in distributing the funding to the City for the improvements referenced herein, will exchange funds based on the ratio of (\$94) State dollars for (\$100) Federal dollars; and

WHEREAS, based on this ratio, the City wishes to exchange \$193,937.00 in Federal funds for \$181,301.00 in State funds; and

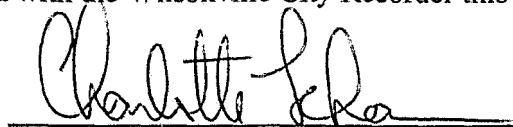
WHEREAS, the State has approved the City's request and has determined that the City's projects are eligible for the exchange funds; and

WHEREAS, with the funding as outlined, the projects can proceed and the City will complete the improvements outlined.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:


1. That the City Council does hereby approve and authorize the Mayor to sign a Fund Exchange Agreement between the City of Wilsonville and the State of Oregon, acting by and through its Department of Transportation, a copy of which is marked Exhibit "A" and attached hereto and incorporated herein to provide funding for the projects referenced herein.
2. That the fiscal year 1996/97 Capital Improvements budget is hereby amended to include the above-referenced projects.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 19th day of May, 1997, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, Mayor

ATTEST:



Sandra C. King, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor MacDonald	Yes
Councilor Helser	Yes
Councilor Luper	Yes
Councilor Barton	Yes

AGREEMENT SUMMARY

DATE: April 4, 1997

WRITTEN BY: Debbie Burgess

PARTY/IES TO THE AGREEMENT: City of Wilsonville

PROJECT: Kinsman Rd/Boberg Ave & Town Center Loop West improvements

AGREEMENT TYPE: Fund Exchange

FUNDING SOURCE: Local STP

RESPONSIBLE ODOT PARTY: Debbie Burgess

SUMMARY:

This is an amendment to a fund exchange agreement with the City of Wilsonville. They had \$131,606 of State Funds for the project and we are adding their 1996 allocations of \$50,695 State funds for a total of \$182,301.



REVIEWED AND APPROVED BY:

Tamira Clark

AMENDMENT NO. 1
ENHANCEMENT PROGRAM PROJECT

The State of Oregon, acting by and through its Department of Transportation (State), and City of Wilsonville, acting by and through its Elected Officials (Agency), entered into Local Agency Agreement No. 12,672 on August 22, 1994. Said agreement covers a fund exchange project that includes minor roadway widening, addition of signing and striping on Kinsman Rd./Boberg Ave. between Boeckman Rd. and Wilsonville Rd., and providing a continuous bicycle/pedestrian path on Town Center Loop West, hereinafter referred to as "Project."

It has now been determined by State and Agency that the agreement referenced above, although remaining in full force and effect, shall be amended by this agreement to add the City's 1996 STP fund allocation:

Page 1, Paragraph 4 which reads:

"4. To assist in funding the project, Agency has requested State to exchange Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$140,006 Federal funds for \$131,606 State funds."

Shall be amended to read:

"4. To assist in funding the project, Agency has requested State to exchange Federal funds which have been allocated to Agency, for State funds based on the following ratio:

\$94 State for \$100 Federal

Based on this ratio, Agency wishes to trade \$193,937 Federal funds for \$182,301 State funds."

Page 2, Paragraph D which reads:

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"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$131,606. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Shall be amended to read:

"D. This Fund Exchange shall be on a reimbursement basis, with State funds limited to a maximum amount of \$182,301. All costs incurred in excess of the fund exchange amount will be the sole responsibility of Agency."

Page 2, Paragraph E which reads:

"E. State certifies at the time this contract is written that sufficient funds are available and authorized for expenditure to finance costs of this contract within State's current appropriation or limitation. Funds available for reimbursement on, or after, July 1, 1993 are contingent upon the legislatively approved budget of State."

Shall be amended to read:

"E. State certifies at the time this contract is written that sufficient funds are available and authorized for expenditure to finance costs of this contract within State's current appropriation or limitation. Funds available for reimbursement on, or after, July 1, 1997 are contingent upon the legislatively approved budget of State."

Page 3, Paragraph J which reads:

"J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 94 percent of the billing amount, not to exceed \$131,606. The cost records and accounts pertaining to the work covered by this agreement shall be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request."

Shall be amended to read:

"J. Agency shall compile accurate cost accounting records. Agency shall bill State, in a form acceptable to State, no more than once a month, for costs incurred on the project. State will reimburse Agency at 94 percent of the billing amount, not to exceed \$182,301. The cost records and accounts pertaining to the work covered by this agreement shall

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be retained for inspection by representatives of State for a period of three (3) years following final payment. Copies shall be made available upon request."

Agency shall authorize execution of this agreement during a duly authorized session of its City Council.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

The funding for this fund exchange program was approved by the Oregon Transportation Commission on September 13, 1995, as a part of the 1996 - 1998 Statewide Transportation Improvement Program.

The Financial Services Branch Manager approved the fund exchange on February 25, 1997.

On March 7, 1996, the Oregon Transportation Commission adopted Delegation Order 2, which grants authority to Region Managers to approve and execute agreements for work in the current Statewide Transportation Improvement Program or approved workplan budget.

STATE OF OREGON, by and through
its Department of Transportation

By Donald R. Williams
Region 1 Manager

Date 4-10-97

APPROVED AS TO
LEGAL SUFFICIENCY

By _____
City Attorney

CITY OF WILSONVILLE, by and
through its Elected Officials

By _____
Mayor

M C & A No. 12,672
CITY OF WILSONVILLE

By _____
Recorder

Date _____