

RESOLUTION OF SUPPORT NO. 6745

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF LAWRENCE TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR THE BURROUGHS CREEK RAIL TRAIL PROJECT IN THE CITY OF LAWRENCE AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION.

WHEREAS, the City of Lawrence, Kansas, 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 Lawrence, Kansas, desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the City of Lawrence, Kansas, is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, After appropriate public input and due consideration, the Governing Body of the City of Lawrence, Kansas has recommended that an application be submitted to the State of Kansas for the Burroughs Creek Rail Trail project.

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

SECTION 1. That the City of Lawrence, Kansas does hereby authorize the Mayor to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Lawrence, Kansas.

SECTION 2. That the City of Lawrence, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the Burroughs Creek Rail Trail project is available.

SECTION 3. That the City of Lawrence, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the Burroughs Creek Rail Trail project will be available for the life of the project.

SECTION 4. That the City of Lawrence, Kansas, hereby assures the Kansas Department of Transportation that the City of Lawrence, Kansas, will have title or permanent easement to the Burroughs Creek Rail Trail project by the time of project letting.


SECTION 5. That the Mayor of the City of Lawrence, Kansas, is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Lawrence, Kansas. The Mayor is also authorized to submit additional information as may be required and act as the official representative of the City of Lawrence in this and subsequent related activities.

SECTION 6. That the City of Lawrence, Kansas, hereby assures the Kansas Department of Transportation that the City of Lawrence, Kansas, is willing and able to, if the Burroughs Creek Rail Trail project is selected for funding, administer the designing, letting and construction of the Burroughs Creek Rail Trail project.

ADOPTED AND PASSED by the Governing Body of the City of Lawrence, Kansas, this 18th day of October, 2007.


Mike Dever, Vice Mayor

ATTEST:


Frank S. Reeb, City Clerk