

RESOLUTION NO. 1439

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. 1 TO A FUND EXCHANGE AGREEMENT WITH THE STATE OF OREGON ACTING BY AND THROUGH THE OREGON DEPARTMENT OF TRANSPORTATION TO PROVIDE \$43,593 IN FUNDING FOR THE PROPOSED BROWN ROAD BIKE LANES, PARKWOOD LANE TO WILSONVILLE ROAD.

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 State is responsible for the distribution of Federal Highway funds to individual cities and counties within the State through the Fund Exchange Program. By authority granted under ORS 366.770 and 366.775, the State may enter into cooperative agreements with cities and counties for the construction, reconstruction, improvement, repair or maintenance of any road, highway or street with the allocation of terms and conditions mutually agreed to by the contracting parties; and

WHEREAS, the State has adopted a Transportation Improvement Program which contains funds for the City of Wilsonville to improve the transportation network within the City; and

WHEREAS, the City wishes to use the funding available through the State's Transportation Improvement Program for the design and construction of bike lanes on Brown Road from Parkwood Lane to Wilsonville Road in accordance with the Bicycle and Pedestrian Master Plan; and

WHEREAS, the City of Wilsonville has applied for funding for this project through the State's Project Prospectus Program and the State has approved the City's request; and

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

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

WHEREAS, the State has determined that the City's projects are eligible for the exchange funds and has approved the City's request to exchange (\$46,375) in Federal funds for (\$43,593) in State funds; and

WHEREAS, Resolution No. 1245 authorized the Mayor to sign the original fund exchange agreement for the Brown Road Bike Lanes, with an expiration of February 5, 1998. Due to possible design and funding implications that the proposed prison could have on Brown Road, the project has not been completed; and

WHEREAS, by approving Amendment No. 1 to the Fund Exchange Agreement, the expiration date will be extended two years, until February 5, 2000; and

WHEREAS, with funding as outlined, these projects may proceed and the improvements completed in a timely manner.

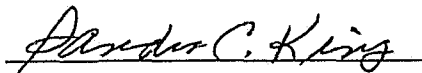
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. That the City Council does hereby approve and authorize the Mayor to sign Amendment No. 1 to the 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 Brown Road Bike Lanes -- Parkwood Lane to Wilsonville Road Project.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 2nd day of February, 1998.


CHARLOTTE LEHAN, Mayor

ATTEST:


SANDRA C. KING, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Kirk	Yes
Councilor Luper	Yes

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ORIG. DJ. Porter
for ODOT signature

John

Misc. Contracts & Agreements
No. 13,951

AMENDMENT NO. 1
FUND EXCHANGE AGREEMENT
Brown Rd. – Parkwood Ln. to Wilsonville Rd.

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. 13,951 on February 5, 1996. Said agreement covers a fund exchange project for the addition of bicycle lanes along Brown Road from Parkwood Lane to Wilsonville Road, 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 extend the time for completion of the project as follows:

Page 3, Paragraph M which reads:

"M. This contract shall be for two years, beginning on the date State's representative executes this agreement, and terminating two calendar years later, on the same month and day, unless otherwise extended or renewed by formal agreement of the parties."

Shall be amended to read:

"M. This contract, which is due to expire February 5, 1998, shall be extended by two years. The new expiration date will be February 5, 2000."

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

M C & A No. 13,951
CITY OF WILSONVILLE

The funding for this fund exchange program was approved by the Oregon Transportation Commission on July 20, 1994, as a part of the 1995 - 1998 Statewide Transportation Improvement Program.

The Financial Services Branch Manager approved the project on October 16, 1995.

On December 17, 1997, the Oregon Transportation Commission adopted Subdelegation Order No. 2, which grants authority to Region Managers to approve and execute agreements for projects included in the current Statewide Transportation Improvement Program.

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

STATE OF OREGON, by and through
its Department of Transportation

By _____
Region 1 Manager

Date _____

APPROVED AS TO
LEGAL SUFFICIENCY

By Michael E. Kohlhauf
City Attorney

CITY OF WILSONVILLE, by and through
its Elected Officials

By Donald L. King
Mayor

By Arcene King
Recorder

Date FEB. 7, 1998