RESOLUTION NO. 7292

A RESOLUTION introduced by Mayor Harry Felker, declaring the eligibility of the City of Topeka 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 College Avenue Brick Street Restoration Project in the City of Topeka and authorizing the Mayor to sign the application.

WHEREAS, the City of Topeka, 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 Topeka, 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 Topeka, 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 Council of the City of Topeka, Kansas, has recommended that an application be submitted to the State of Kansas for the College Avenue Brick Street Restoration Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:
Section 1. That the Council of the City of Topeka, 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 Topeka, Kansas.

Section 2. That the Council of the City of Topeka, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the College Avenue Brick Street Restoration Project is available.

Section 3. That the Council of the City of Topeka, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the College Avenue Brick Street Restoration Project will be available for the life of the project.

Section 4. That the Council of the City of Topeka, Kansas, hereby assures the Kansas Department of Transportation that the City of Topeka, Kansas, will have title or permanent easement to the College Avenue Brick Street Restoration Project by the time of project letting.

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

Section 6. That the Council of the City of Topeka, Kansas, hereby assures the Kansas Department of Transportation that the City of Topeka, Kansas, is willing and able
to, if the College Avenue Brick Street Restoration Project is selected for funding, administer
the designing, letting and construction of the College Avenue Brick Street Restoration
Project.

ADOPTED and APPROVED by the City Council _______ NOV 05 2002 _______.

CITY OF TOPEKA, KANSAS

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 11/4/02 BY ___

VYRES/COLLEGEAVERICKSTREET
10/29/02