RESOLUTION NO. 7536

A RESOLUTION introduced by Mayor James A. McClinton 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 Street Improvement Project No. 18027-00, which provides for the I-70 beautification project and authorizing Mayor James A. McClinton 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 Governing Body of City of Topeka, Kansas has recommended that an application be submitted to the
State of Kansas for Street Improvement Project No. 18027-00, which provides for the
beautification of I-70, hereinafter referred to as the I-70 Beautification Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka,
Kansas, that:

Section 1. That the City of Topeka, Kansas does hereby authorize Mayor James A.
McClinton 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 City of Topeka, Kansas.

Section 2. That the City of Topeka, Kansas, hereby assures the Kansas
Department of Transportation that sufficient funding for the construction of the I-70
Beautification Project is available.

Section 3. That the City of Topeka, Kansas, hereby assures the Kansas
Department of Transportation that sufficient funding for the operation and maintenance of
the I-70 Beautification Project will be available for the life of the project.

Section 4. That 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 I-70 Beautification Project by the time of project letting.

Section 5. That the Mayor James A. McClinton of City of Topeka, 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 City of Topeka, Kansas. The Mayor
James A. McClinton is also authorized to submit additional information as may be required
and act as the official representative of the City of Topeka in this and subsequent related activities.

Section 6. That 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 I-70 Beautification Project is selected for funding, administer the designing, letting and construction of the I-70 Beautification Project.

PASSED and APPROVED by City Council OCT 12 2004.

CITY OF TOPEKA, KANSAS

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 10/14/04 BY BB

VYRES/ENHANCEMENTGRANT
09/30/04 3