

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 21<sup>st</sup> 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 21<sup>st</sup> 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 21<sup>st</sup> Century; and

WHEREAS, federal monies are available under a Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21<sup>st</sup> 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:

29           Section 1.   That the Council of the City of Topeka, Kansas, does hereby authorize  
30 the Mayor to submit an application to the Kansas Department of Transportation for  
31 transportation enhancement program funds set forth by the Federal Transportation Equity  
32 Act for the 21<sup>st</sup> Century on behalf of the citizens of the City of Topeka, Kansas.

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

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

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

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

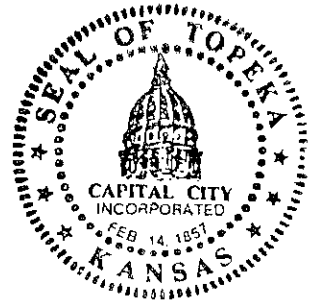
50           Section 6.   That the Council of the City of Topeka, Kansas, hereby assures the  
51 Kansas Department of Transportation that the City of Topeka, Kansas, is willing and able

52 to, if the College Avenue Brick Street Restoration Project is selected for funding, administer  
53 the designing, letting and construction of the College Avenue Brick Street Restoration  
54 Project.

55 ADOPTED and APPROVED by the City Council NOV 05 2002

56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68

CITY OF TOPEKA, KANSAS



*Harry Felker*  
\_\_\_\_\_  
Harry Felker, Mayor

ATTEST:

*Iris E. Walker*  
\_\_\_\_\_  
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE 11/6/02 BY FLC