

RESOLUTION NO. 2017-032

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA,
CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM)
PROGRAM**

WHEREAS, the Legislature and Governor of the State of California have enacted Section 164.56 of the California Streets And Highways Code, which is intended to provide grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures and criteria, and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of an application by the Applicants governing board before submission of said application to the State; and

WHEREAS, the City of Hesperia, if selected, will enter into an agreement with the State of California to carry out the Project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HESPERIA AS FOLLOWS:

- Section 1. That the City Council does hereby approve the filing of an application for the Ranchero Road and Interstate 15 Interchange Landscaping Project; and
- Section 2. That the City Council certifies that Applicant understands the requirements in the Program Guidelines; and
- Section 3. That the City Council certifies that Applicant will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so; and
- Section 4. That the City Council certifies that Applicant will record a document against the real property that defines the State's interest in the property whether the Grantee owns the property or not; and
- Section 5. If applicable, the City Council certifies that Applicant will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded EEM Program Funds; and
- Section 6. That the City Council certifies that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable licenses and permits will have been obtained; and

- Section 7. That the City Council certifies that Applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1.
- Section 8. That the City Manager of the City of Hesperia or his/her designee is hereby authorized and empowered to execute and submit in the name of the City of Hesperia all documents, including but not limited to, applications, agreements, amendments, payment request etc., which may be necessary for the completion of the aforementioned project.
- Section 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ADOPTED AND APPROVED this 20th day of June 2017.

Paul Russ, Mayor

ATTEST:

Melinda Sayre
City Clerk