

RESOLUTION NO. 3041

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH THE STATE OF OREGON DEPARTMENT OF TRANSPORTATION TO EXCHANGE FEDERAL AID URBAN FUNDS FOR STATE TRANSPORTATION FUNDS.

WHEREAS, the City of Albany (City) has requested the State of Oregon (State) to exchange \$120,220.40 in Federal Aid Urban (FAU) funds for \$102,187.34 in State funds; and

WHEREAS, the State, acting by and through its Department of Transportation, Highway Division, and the City, acting by and through its designated officials, have determined that it is advantageous to both parties and in the public's interest to enter into this agreement; and

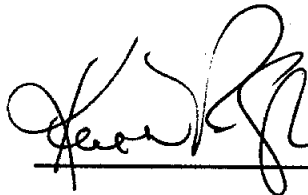
WHEREAS, the FAU funds transferred to the State may be used by the State at its discretion; and

WHEREAS, State funds transferred to the City must be used for transportation purposes consistent with the Oregon constitution and statutes; and

WHEREAS, the City will be responsible to account for expenditures of State funds as if the funds were a part of the City's gas tax receipts.

NOW, THEREFORE, BE IT RESOLVED by the City Council that it authorizes the Mayor and City Recorder to execute the agreement between the Oregon State Highway Division and the City of Albany for the exchange of Federal Aid Urban (FAU) funds for State funds.

DATED THIS 13th DAY OF March, 1991.



\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
CITY RECORDER

FAUEX010  
February 20, 1991

Misc. Contracts & Agreements  
No. 10558

City of Albany  
P.O. Box 490  
Albany, Oregon 97321

Ladies & Gentlemen,

The STATE OF OREGON (State), acting by and through its Department of Transportation, Highway Division, and the CITY OF ALBANY (City), acting by and through its designated officials, have determined that it is advantageous to both parties and in the public's interest to enter into this agreement.

City has requested State to exchange Federal Aid Urban (FAU) funds for State funds based on the following ratio:

\$85 State for \$100 FAU

Based on this ratio, City wishes to trade \$120,220.40 FAU funds for \$102,187.34 State funds.

The parties agree that the exchange is subject to the following conditions:

1. The FAU funds transferred to State may be used by State at its discretion.
2. State dollars transferred to City must be used for transportation purposes consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). City will be responsible to account for expenditure of State funds as if the funds were a part of City's monthly gas tax receipts.
3. City shall enter into and execute this agreement during a duly authorized session of its City Council.

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

Agreement No. 10558  
CITY OF ALBANY

This program was approved by the Oregon Transportation Commission on February 19, 1991, at which time the State Highway Engineer was authorized to sign the necessary agreements for and on behalf of the Commission. By Subdelegation Order No. HWY-6 the State Highway Engineer further delegated the signing authority to the Program Section Manager.

All agreement provisions were approved as to legal sufficiency on January 11, 1991 by Dale K. Hormann, Assistant Attorney General.

STATE OF OREGON, by and through  
its Department of Transportation  
Highway Division

By *Tom Gilman*  
Manager, Program Section

Date 3/27/91

CITY OF ALBANY, by and  
through its Designated Officials

By *John R. [Signature]*  
Mayor

By *[Signature]*  
City Recorder

Date 3/18/91