

**RESOLUTION NO. 2009-78**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CONFIRMING COMPLIANCE WITH STATE AND FEDERAL REQUIREMENTS FOR THE I-15/DUNCAN CANYON INTERCHANGE PROJECT PURSUANT TO THE AMERICAN RECOVERY REINVESTMENT ACT (ARRA) FOR THE TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANT.**

**WHEREAS**, on February 17, 2009, President Obama signed the American Recovery and Reinvestment Act (ARRA) of 2009; and

**WHEREAS**, ARRA appropriated \$1.5 billion of discretionary grant funds to be awarded by the Department of Transportation for capital investments in surface transportation infrastructure, now referred to as Grants for Transportation Investment Generating Economic Recovery (TIGER); and

**WHEREAS**, the City of Fontana is applying for a TIGER grant to fund the construction phase of the Duncan Canyon Interchange Project and must therefore verify compliance with state and federal law; and

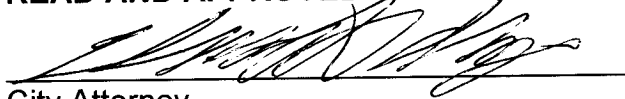
**WHEREAS**, the Duncan Canyon Interchange, when complete, will fulfill the requirements for delivery of the long term creation and preservation of jobs and rapidly promote new and expanded business opportunities;

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Fontana, supports the principles defined within the American Recovery and Reinvestment Act of 2009, and provides notice that the City of Fontana will adhere to the rules and regulations as set forth in the Transportation Investment Generating Recovery grant program, and finds that the Duncan Canyon Interchange Project complies with the following state and federal requirements:

1. The City of Fontana will comply with the requirements of subchapter IV of chapter 31 of Title 40, United States Code (Federal wage rate requirements)
2. The City of Fontana Mayor and City Council support this project as a priority to the City of Fontana, the Inland Region of Southern California and to the National Goods Movement.
3. The Duncan Canyon Interchange Project is a Bridge Reconstruction project eligible under Title 23 of the United States Code.
4. The City of Fontana has received approval for a new connection to the Federal Highway System from the Department of Transportation, Federal Highway Administration.
5. The project schedule demonstrates project completion by February 17, 2012.
6. All required environmental approvals, including The National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) will be in place, meeting with the requirements outlined in the TIGER grant criteria.
7. The Duncan Canyon Interchange Project is included in the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP).
8. The City of Fontana possesses the technical expertise to advertise, award, and administer the construction of the Duncan Canyon Interchange Project,

**APPROVED AND ADOPTED** this 28<sup>th</sup> day of August, 2009.

**READ AND APPROVED AS TO LEGAL FORM:**

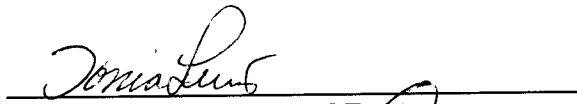
  
\_\_\_\_\_  
City Attorney

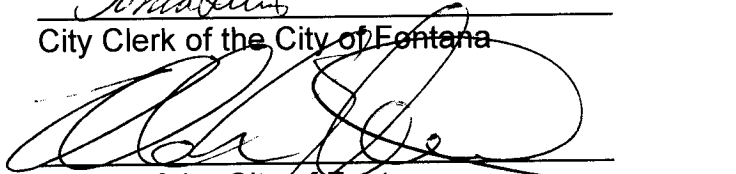
I, Tonia Lewis, City Clerk and Ex-Officio Clerk of the City of Fontana, California, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council at a regular meeting of said City Council on the 28<sup>th</sup> day of August, 2009, by the following to-wit:

**AYES:** Mayor Nuaimi, Council Members Roberts, Scialdone, Warren


**NOES:** None

**ABSENT:** Council Member Rutherford

  
\_\_\_\_\_  
City Clerk of the City of Fontana

  
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Mayor of the City of Fontana

**ATTEST:**

  
\_\_\_\_\_  
City Clerk