

**CITY OF WASILLA
RESOLUTION SERIAL NO. 09-03**

A RESOLUTION OF THE WASILLA CITY COUNCIL AUTHORIZING AN AMENDMENT TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, MEMORANDUM OF AGREEMENT FOR LUCILLE STREET AND SOUTH MACK DRIVE IMPROVEMENTS TO TERMINATE THE AGREEMENT.


WHEREAS, the \$1 million in federal funding the City of Wasilla has received is inadequate to complete the Lucille Street and South Mack Drive improvements; and

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities needs to terminate the agreement due to the inadequate funding; and

WHEREAS, the funding can be re-appropriated to other federally funded transportation projects in Wasilla.

NOW, THEREFORE, BE IT RESOLVED, by the Wasilla City Council that the Memorandum of Agreement be amended to terminate on January 13, 2009.

ADOPTED by the Wasilla City Council on January 12, 2009.


VERNE E. RUPRIGHT, Mayor

ATTEST:


KRISTIE L. SMITHERS, MMC, City Clerk

[SEAL]

PASSED UNANIMOUSLY: Cox, Holler, Harris, Hall and Woodruff



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: RESOLUTION SERIAL NO. 09-03

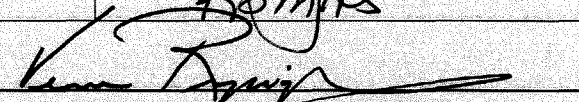
A RESOLUTION OF THE WASILLA CITY COUNCIL AUTHORIZING AN AMENDMENT TO THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES MEMORANDUM OF AGREEMENT FOR LUCILLE STREET AND SOUTH MACK DRIVE IMPROVEMENTS.

Agenda of: January 12, 2009
Originator: Public Works Director

Date: December 26, 2008

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	
	Culture and Recreation Services Director Library, Museum, Sports Complex	
X	Public Works Director Facility Maintenance, Utility, Roads & Airport	 12/29/08
X	Chief Financial Officer Finance, Risk Management, Purchasing & MIS	 12/31/08
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

REVIEWED BY MAYOR VERNE E. RUPRIGHT:



FISCAL IMPACT: yes or no \$1,000,000 Funds Available yes no
Account number/name: 160-4320-432.45-30 Lucille St. Fed. (\$500,000)
160-4320-432.45-32 S. Mack Dr. Fed. (\$500,000)

Attachments: MOA Amendment

SUMMARY STATEMENT: The Lucille Street and South Mack Drive Memorandum of Agreement was established in 2006 with the Department of Transportation and Public Facilities (ADOT/PF) to provide \$1 million in Federal Funding towards these projects. Subsequently, ADOT/PF has stated that the Federal Highway Administration will not allow this funding to be spent unless all the project funding is in place. The estimated cost for these projects combined is in excess of \$10 million. Therefore, ADOT/PF needs to terminate the agreement and remove these projects from the Federal funding list.

ADOT/PF has indicated that the funding can be re-appropriated to other projects. The administration is recommending the funding be re-appropriated towards the Main Street Couplet. The Main Street Couplet is the number one priority project in the City that can be Federally funded.

RECOMMENDED ACTION: To adopt Resolution Serial No. 09-03 authorizing an amendment to the Alaska Department of Transportation and Public Facilities Memorandum of Agreement for Lucille Street and South Mack Drive Improvements.



**Amendment Number One
to
Memorandum of Agreement
Between State of Alaska and
City of Wasilla**

Lucille Street and Mack Drive Improvements

AKSAS Project No. 58112

December 15, 2008

The parties to this Amendment Number One are the State of Alaska, acting through its Department of Transportation and Public Facilities, (hereafter the DOT&PF) and the City of Wasilla, a municipality established under Alaska law (hereafter the City).

WHEREAS, the DOT&PF and the City entered into Memorandum of Agreement on September 3, 2006 to establish project responsibilities for the Lucille Street and Mack Drive Improvements Project (the Project) , and

WHEREAS, funding for the Project is inadequate to complete the Project in compliance with Federal Highway Administration regulations,

THEREFORE, the parties agree;

1. this Agreement will be terminated as of December 15, 2008,
2. the City of Wasilla shall not be responsible for any costs incurred by the DOT&PF,
3. the DOT&PF shall have no further obligations or responsibilities under the terms of the Memorandum of Agreement, dated September 3, 2006.

	Date
XXXXXXXXXX Mayor City of Wasilla	
STATE OF ALASKA)
) ss.	
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2008, by XXXXXXXXXX, Mayor of the City of Wasilla, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public for State of Alaska
My Commission Expires: _____

