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**RESOLUTION** 2023-37  
**PROGRAMMING AIR QUALITY SMALL GRANT PROGRAM PROJECT**

**WHEREAS**, Air Quality Small Grant Program funds for urbanized areas have been made available for improvements within the Oklahoma City Urban Area, and

**WHEREAS**, The City of Midwest City (City) has selected a project described as follows: Construction of One-Quarter (1/4) mile of trail as the first phase of the Tributary 4 Trail, and

**WHEREAS**, the engineer's preliminary estimate of cost is \$450,000, and Federal participation under the terms of Congestion Mitigation and Air Quality Improvement (CMAQ) funds is hereby requested for funding 80% of the project cost up to \$360,000, and

**WHEREAS**, the City proposes to use the Capital Improvements Project Fund as the source(s) of funds for the local match, which is estimated at \$90,000, and

**WHEREAS**, no City funds are committed by this action at this time, and

**WHEREAS**, the City has the required matching funds available and further agrees to fund the project for reimbursement of the federal funds, and

**WHEREAS**, the City will select a design consultant qualified and licensed in the state of Oklahoma to furnish engineering services in the preparation of detailed plans, specifications and estimates, and

**WHEREAS**, the City agrees to provide for satisfactory maintenance after completion, and to furnish the necessary right-of-way clear and unobstructed, and

**WHEREAS**, the City agrees, as a condition to receiving any Federal financial assistance from the Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964", and

**WHEREAS**, The City assures that no qualified person with a disability shall, solely by reasons of their disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity administered by the City, and

**WHEREAS**, the City further understands that acceptance of this resolution by the Association of Central Oklahoma Governments (ACOG) and the Oklahoma Department of Transportation is not a commitment to Federal funding, but only registers the City's interest and intent in participating in the program application process.

**NOW, THEREFORE, BE IT RESOLVED:**

That ACOG is hereby requested to consider this project as a candidate for Federal funding, and to submit same to the Oklahoma Department of Transportation for its approval;

**ADOPTED** by the City Council of Midwest City and **SIGNED** by the Mayor this 24<sup>th</sup> day of October, 2023.

ATTEST:

Sara Hancock  
City Clerk

[Signature]

Approved as to form and legality

[Signature]  
City Attorney

