

XVI. SAMPLE RESOLUTION OF GOVERNING BODY

Applicants may adapt the style of the resolution as desired. However, all information identified in this Sample Resolution shall be addressed in the Applicant's resolution, with the exception of the approval as to form, unless required or desired by the Applicant. The resolution shall be passed by the Applicant's governing body, executed and submitted with the Application. An Application that does not include a duly approved and executed resolution is not Administratively Complete and will not be further reviewed or considered.

The highlighted fields reflect information to be provided by, or made specific to, the Applicant and Project.

RESOLUTION NO. [REDACTED]

A RESOLUTION OF THE [TITLE OF GOVERNING BODY] OF [political subdivision, special district, Indian tribe, COG or MPO or other Eligible Applicant], [REDACTED] COUNTY, ARIZONA, AUTHORIZING AN APPLICATION TO THE ARIZONA SMART FUND FOR A GRANT FOR [DESIGN AND OTHER ENGINEERING SERVICES/MATCH/GRANT DEVELOPMENT AND SUBMISSION] PURSUANT TO TITLE 28, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES.

WHEREAS, in Chapter 322 of the Laws of 2022 ("the Act"), the Arizona Legislature established the AZ SMART Fund and program, and authorized the State Transportation Board, among other things, to award grants to Eligible Applicants for design and other engineering services ("DOES"), grant development and submission ("GDS"), and Match for a surface transportation project for which the Applicant will submit a Federal Grant application;

WHEREAS, ARS §28-399.Q.1 as amended in Chapter 120 of the Laws of 2024 defines "Federal grant" to mean a federal discretionary grant program administered by any federal agency for surface transportation purposes;

WHEREAS, the AZ SMART Fund Request for Grant Applications and Agreement ("RFGAA") defines "surface transportation purposes to mean a road, bridge, transit or rail infrastructure project, study or plan document that is eligible for a Federal Grant;

WHEREAS, Applicants for AZ SMART Fund must apply in accordance with the requirements of the Act and the RFGAA;

WHEREAS, the [Name of applicant] has determined that it will apply to AZ SMART for [DOES, GDS and/or match] for [brief description of infrastructure project, study or plan] ("Project");

WHEREAS, the [Name of applicant] desires to submit the Project for the federal discretionary grant identified in the RFGAA;

WHEREAS, the RFGAA requires that applications include a resolution from the governing body of the Applicant stating the Project is in the best interests of the residents of the municipality or county in which the Project is or will be located and requires the resolution to state the commitment of Applicant funds, if applicable;

NOW, THEREFORE, BE IT RESOLVED BY THE [NAME OF GOVERNING BODY] OF [NAME OF APPLICANT], [REDACTED] COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the [name of Applicant] Project described above is in the best interests of the residents of [Name of the municipality or county in which the Project is or will be located].

Section 2: That the [name of Applicant] requests [\$] for [DOES/GDS/Match] from the AZ SMART Fund.

Section 3: That [\$] of cash monies of the [name of the Applicant] are committed to the Project.

This clause relates to DOES requests ONLY Section 4: That [name of the Applicant] will apply for the Federal Grant identified in the RFGAA within two years of the date an award is approved by the Board.

Section 5: That the [title of Authorized Representative] is authorized to submit and sign the RFGAA.

Section 6: WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the [name of governing body].

PASSED AND ADOPTED by the [name of governing body] of the [Name of the Applicant], [] County, Arizona, this day of , 20_.

APPROVED:

[Title of Officer]

ATTEST:

[Title of Officer attesting]

If desired:

APPROVED AS TO FORM:

[Name of Applicant] Attorney