



Sponsor:	<u>Mayor Lee Burger</u>
Adoption:	<u>August 1, 2023</u>
Vote:	<u>5</u> Yeas, <u>0</u> Nays, <u>1</u> Absent

**CITY OF THORNE BAY
RESOLUTION 23-08-01-02**

A RESOLUTION OF THE CITY COUNCIL, FOR THE CITY OF THORNE BAY, IN SUPPORT OF A RURAL SURFACE TRANSPORTATION GRANT (RURAL) FOR THE KASAAN TO GOOSE CREEK ROAD PROJECT MP 0.0 to MP 5.4 BEING SUBMITTED BY THE ORGANIZED VILLAGE OF KASAAN (OVK) DEPARTMENT OF TRANSPORTATION (OVKDOT) AND AUTHORIZING OVKDOT TO CONSTRUCT THE PROJECT AND SUPPORTING THE APPLICATION AND THE PROJECT IN THE SPIRIT OF SISTER COMMUNITY PARTNERSHIP FOR A REGIONALLY SIGNIFICANT PROJECT.

WHEREAS, the City Council is the governing body of Thorne Bay, Alaska; and

WHEREAS, the City of Thorne Bay (TNB) has maintenance responsibility for around 12 miles of the Kasaan Road and has been seeking every funding opportunity to make improvements to this road in close partnership with the Organized Village of Kasaan (OVK); and

WHEREAS, the OVK has final plans, specifications and estimates and permits for the reconstruction of the entire 17.3 miles of the road including the section operated and maintained by TNB and both agencies are always seeking funding to construct the project or parts of it at least; and

WHEREAS, TNB has entered into a Memorandum of Agreement with OVK for the maintenance of the 12 miles TNB is responsible for and has done so for many years because OVK has a robust DOT with the equipment and expertise to perform this work more effectively and efficiently than TNB does and the MOA provides for reimbursement from TNB to OVK for the work performed on their behalf on a monthly and annual basis; and

WHEREAS, TNB fully supports all of OVK's applications for funding for the Kasaan Road and OVK supports TNB's applications for funding for the Kasaan Road in a close partnership for the maintenance and construction of the road to the benefit of the Tribal members, the City of Kasaan and the City of TNB; and

WHEREAS, the Kasaan Road is the sole road access to the rest of the world for half of the residents of TNB and all of the residents of the City and Village of Kasaan; and

WHEREAS, the Rural Surface Transportation Grant Program "RURAL" provides dedicated, discretionary funding for transportation infrastructure projects of local or regional significance and OVK seeks to work with the United States Department of Transportation (USDOT) to improve and expand the transportation infrastructure of Prince of Wales Island and specifically the communities of Kasaan and Thorne Bay; and

WHEREAS, the USDOT is soliciting applications for up to \$5.575 billion in FY 2023 and FY 2024 MPDG opportunity funds. Up to \$1.8 billion from FY 2023–2024 will be made available for the Mega program, up to \$3.1 billion will be made available for the INFRA program, and up to \$675 million will be made available for the RURAL program; and

WHEREAS, the FY 2023 RURAL Grant program directs available funds to be provided for projects in rural areas, like the communities of Kasaan and Thorne Bay, and requires measures to ensure an equitable geographic distribution of grant funds; and

WHEREAS, under federal law, eligible entities to receive RURAL Grant program funds include units of local government and Federally recognized Indian Tribes such as OVK and the Cities of Kasaan and Thorne Bay and eligible projects include highway, bridge, and road projects such as the Kasaan to Goose Creek Road project; and

WHEREAS, OVK and TNB are seeking funds to complete the construction of the Kasaan to Goose Creek Road Project which is fully designed and permitted and shovel-ready and will be used to reconstruct the road to a consistent 35 mph design standard to correct horizontal and vertical alignment deficiencies and to construct a new two lane paved surface complete with new striping, signing, guardrails and other features to improve the safety of this road that provides the only access in and out of the communities of Kasaan and South Thorne Bay on Prince of Wales Island in Southeast Alaska; and

WHEREAS, RURAL grants may be used for up to 80 percent of future eligible project costs, except eligible projects that further the completion of a designated segment of the Appalachian Development Highway System under 40 U.S.C. § 14501 or address a surface transportation infrastructure need identified for the Denali access system program under section 309 of the Denali Commission Act of 1998 may apply for up to 100 percent of the project costs. Other Federal assistance may satisfy the non-Rural share requirement for a Rural grant up to 100 percent of project costs; and

WHEREAS, OVK acknowledges availability of matching funds of no less than 20% and understands that the current overall project cost estimate being submitted with this application is \$15,607,374 and TNB wishes to provide some of the matching funds in partnership with OVK; and

WHEREAS, OVK's FHWA approved Long-Range Transportation Plan and Tribal Transportation Improvement Program which is used to implement its transportation priorities shows its further commitment to supporting this projects application for funding of its number one priority transportation project and supports its intent to submit a RURAL grant application to the USDOT; and

WHEREAS, RURAL Grant funding will be used to complete the construction of the Kasaan to Goose Creek Road project which has strong regional support and is the number one priority surface transportation project for OVK, the City of Kasaan, the City of Thorne Bay and the Prince of Wales Community Advisory Committee; and

WHEREAS, after the appropriate public input and due consideration, TNB has recommended that an application be submitted by OVK to the USDOT 2023 RURAL Grant program for the Kasaan to Goose Creek Road Project MP 0.00 to MP 5.4.

NOW THEREFORE BE IT RESOLVED, by the TNB City Council:

Section 1. That TNB does hereby authorize the OVKDOT and/or their contractors to have full access to the Kasaan Road under its jurisdiction and control for the purposes of construction of the project being submitted for this RURAL project on behalf of the citizens of the City of Thorne Bay as well as fully supporting the execution of all future project agreements and other project documentation.

Section 2. That OVK does submit an application to the USDOT for the 2023 RURAL Grant program for some of the funds needed for the Kasaan to Goose Creek Road project on behalf of the Communities of Kasaan and Thorne Bay and fully executes any project related agreements as may be necessary to accept the award of such funding in the future.

Section 3. That OVK has provided assurance to the USDOT that sufficient funding for the OVK non-Federal cost sharing contributions as shown in the RURAL application budget for the Kasaan to Goose Creek Road Project is or will be available for this rural project and TNB has committed match funding that is contributory to the overall project as well.

Section 4. That TNB hereby assures the USDOT and OVK that it will provide up to \$150,000 in TNB funding to contribute to OVK for their committed matching funds of \$1,481,975 for the Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4, and these funds are available.

Section 5. That OVK has provided assurance to the USDOT that OVK will commit to maintenance and operations responsibilities in partnership with the City of Thorne Bay and the City of Kasaan through the use of Memorandums of Agreement as has been used for years to provide sufficient resources and funding for the Kasaan to Goose Creek Road Project and will continue to do so for the useful life of the project which also exhibits the strength of the partnership of these agencies around the management of this regionally significant transportation asset.

Section 6. That TNB, supports OVK's RURAL Grant application and requests the USDOT to favorably consider the RURAL Grant application for the Kasaan to Goose Creek Road MP 0.0 to MP 5.4 project, and to approve the application and grant the funds requested to move the project forward as expeditiously and effectively as possible.

PASSED AND APPROVED August 1, 2023

ATTEST:



Lee Burger, Mayor



Teri Feibel, CMC
For Caitlyn Sawyer, City Clerk/Treasurer