

CITY OF SAUGATUCK RESOLUTION 191014-B
CITY OF THE VILLAGE OF DOUGLAS RESOLUTION _____
SAUGATUCK TOWNSHIP RESOLUTION _____

A JOINT RESOLUTION ON BEHALF OF THE CITY OF SAUGATUCK, CITY OF THE
VILLAGE OF DOUGLAS, AND SAUGATUCK TOWNSHIP REGARDING A REQUEST TO
CONSTRUCT A NON-MOTORIZED TRAIL SEGMENT WITHIN EACH JURISDICTION

WHEREAS, the Friends of the Blue Star Trail (FOTBST) is a 501(c)(3) non-profit advocacy group incorporated in the State of Michigan for the charitable purpose of promoting the development and continuance of the Blue Star Trail from South Haven to Saugatuck; and

WHEREAS, the FOTBST identify the Blue Star Trail as a 20 mile regional non-motorized trail that traverses multiple governmental jurisdictions; and

WHEREAS, in 2017 the FOTBST estimated completion of the Blue Star Trail at a project cost of \$11 million; and

WHEREAS, the FOTBST has proposed that 75% (\$8.25 million) of the estimated required funds for the trail will need to be obtained from state grants and 25% (\$2.75 million) of the required funds would be raised from a local match; and

WHEREAS, State grant applications would need to be applied for by a governmental entity as the FOTBST is an advocacy organization and cannot legally apply for grant funds; and

WHEREAS, the FOTBST is requesting the City of the Village of Douglas, the City of Saugatuck and Saugatuck Township ("Communities" or "Community" as appropriate) jointly accept responsibility to construct a section of the Blue Star Trail, along Blue Star Highway, from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street; and

WHEREAS, while unknown at this time, the FOTBST estimate the cost of the portion of the Blue Star Trail to be constructed within the Communities would be \$1.3 million, requiring state grants in the amount of \$975,000 (75%) and a local match of \$325,000 (25%); and

WHEREAS, the Communities have undertaken to identify staff resources, design engineering, construction engineering, actual construction, and on-going maintenance costs necessary for the proposed trail and recognize that these activities would involve considerable expenditures for the Communities, which funds are not currently available.

NOW, THEREFORE, IT IS RESOLVED that the Communities agree to explore construction of a section of the Blue Star Trail along Blue Star Highway from Center Street in the City of the Village of Douglas, through the City of Saugatuck, and into Saugatuck Township terminating at Washington Street and to seek grant funding for the same subject to the following conditions and contingencies:

1. Any expenses for the engineering, construction and/or on-going maintenance of the portion of Blue Star Trail within the Communities, comprising a local grant match or otherwise, shall be funded by the FOTBST in the form of fully funded deposits for engineering and

construction and a fully funded endowment or similar arrangement for maintenance; it being the intent of the Communities that their funds will not be used for these purposes.

2. Determinations as to the level and manner of future maintenance expenditures to be supported by the endowment or a similar arrangement shall be as agreed to between the Communities based upon general maintenance and repair standards utilized for other properties of the Communities.
3. Prior to the engineering and construction of any portion of the Blue Star Trail within a Community's jurisdiction, the availability of the required funds consistent with the terms of this Resolution shall be verified and approved along with submission of a design that is esthetically acceptable to that Community which, without limitation, does not reduce the number of existing traffic lanes.
4. No application for grant funding, contracting of any nature or other actions reasonably necessary to the design, construction or maintenance of any portion of the Blue Star Trail within any of the Communities may occur until a written agreement, in such form satisfactory to each of the Communities, has been reviewed and approved by each Community's governing body, which agreement must set forth matters including conditions and provisions identified or alluded to in this Resolution such as the scope and nature of the project, the designated lead agency for funding and oversight of the project, responsibility for bidding and awarding contracts, indemnification of the parties, insurance requirements, mechanisms for maintenance and such other matters deemed necessary by the parties.
5. This Resolution shall become effective only in the event that the governing body for each of the Communities adopts it in the form and substance as set forth herein. Thereafter, the last date of approval shall be considered its effective date.

BE IT FURTHER RESOLVED any prior resolutions, memorandums of understanding, letters of support or similar actions, to the extent of a conflict with the provisions of this Resolution, are hereby rescinded and revoked.

The foregoing resolution was proposed by _____, and seconded by _____.

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION NO. _____ DECLARED ADOPTED

_____ Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the _____ of the _____, Allegan County, Michigan at a _____ meeting held on _____, 2019, and that the public notices of said meeting were given pursuant to Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting notice of publication or posting at least eighteen (18) hours prior to the time set for the meeting.

_____ Clerk