

RESOLUTION NO. 22-_____

WHEREAS, the State of Alabama enacted legislation, Act 2019-002, to levy an additional excise tax on gasoline and diesel fuel and an additional registration fee for certain motor vehicles, which shall be known and may be cited as the **Rebuild Alabama Act** (hereinafter referred to as the “Act”); and

WHEREAS, the Act provides for an allocation of a portion of the additional taxes levied under the Act, among the municipalities of the state, to begin no later than January 2020; and

WHEREAS, the Act provides that the municipal governing body of the City of Huntsville shall adopt an Annual Transportation Plan no later than August 31 for the next fiscal year which shall provide a detailed list of projects for which expenditures are intended to be made and shall be based upon an estimate of revenues anticipated; and

WHEREAS, the City’s Annual Transportation Plan is the ‘Major Street Plan’ adopted March 27, 2018, which remains current unless materially changed in accordance with the rules and policies of the Metropolitan Planning Organization; and

WHEREAS, the City routinely plans, at least annually, for residential street resurfacing to utilize revenue generated by the Rebuild Alabama Act as well as budgeted resurfacing funds;

- (a) Resolution 2020-131 (2020 Phase One) adopted on 2/13/2020, specifying the plan to resurface 34 streets during fiscal year 2020; and
- (b) Resolution 2020-613 (2020 Phase Two) adopted on 7/9/2020, specifying the plan to resurface 50 streets during fiscal year 2021;
- (c) Resolution 2021-305 (2021 Phase One) adopted on 4/8/2021, specifying the plan to resurface 56 streets during fiscal year 2022

WHEREAS, the Act provides that monies paid to the City of Huntsville shall be deposited into a separate fund to be expended for one or more of the following purposes:

- (a) The maintenance, improvement, replacement and construction of roads and bridges maintained by the City;
- (b) As matching funds for federal road or bridge projects;
- (c) For payment of any debt associated with a road or bridge project; or
- (d) For a joint road or bridge project with one or more municipalities pursuant to any agreement executed under the authority of state law.

WHEREAS, the Act provides that monies paid to the City of Huntsville designated as such, shall not be used for any of the following purposes:

- (a) Salaries, benefits or any other form of compensation of employees or officials, except as included as project costs;
- (b) The purchase, lease or maintenance of equipment, other than equipment purchased and permanently installed as a part of a road or bridge project;
- (c) The maintenance or construction of public buildings or other structures that are not integral to the system of roads or bridges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama as follows:

- (a) Pursuant to the Act, the City set aside allocations to be used for future projects designated solely for City street resurfacing;
- (b) Pursuant to the Act, a listing of street resurfacing projects is maintained on the City’s website.

RESOLUTION NO. 22-_____

- (c) Pursuant to the Act, the written report reconciling the amounts distributed by the State and used in accordance with the Act for the fiscal year 2020 (Exhibit A) and fiscal year 2021 (Exhibit B) are incorporated herein by reference.

ADOPTED this the 27th day of January, 2022.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 27th day of January, 2022.

Mayor of the City of
Huntsville, Alabama