

RESOLUTION NO. 070391

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING THE CONTROLLER TO TRANSFER FUNDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,904,721 FROM THE COUNTY-WIDE ROAD IMPROVEMENT FUND, TO THE COUNTY ROAD FUND, AS NEEDED, IN ORDER TO ENSURE ADEQUATE SHORT TERM FUNDING FOR MAINTENANCE AND OPERATIONS.

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Government Code section 25252 says that the Board of Supervisors shall establish or abolish, those funds as are necessary for the proper transaction of the business of the county, and may transfer money from one fund to another, as the public interest requires, and that the board, by resolution, authorize the auditor to transfer money from one fund to another if the Board of Supervisors has authority over each fund. The Board of Supervisors does have authority over the County-wide Road Improvement Fund (Mitigation Fee Fund) and the Road Fund (State Gas Tax Fund); and

WHEREAS, the State of California is proposing to defer local agency disbursements of Highway User Tax Account (HUTA) funds for a minimum of 5 months, beginning in November, 2009; and

WHEREAS, the State of California is proposing to defer local agency disbursements of Proposition 42 funds from July, 2009 through December, 2009; and

WHEREAS, said funds support the San Mateo County Department of Public

070391

Work's road maintenance and operational efforts; and

WHEREAS, the State of California has committed to resuming regular payments of local agency shares of HUTA funds in March, 2010 and to reimburse local agencies for 2009 and 2010 deferrals in April, 2010; and

WHEREAS, the State of California has committed to resuming regular payments of local agency shares of Proposition 42 funds in January, 2010, and to reimburse local agencies for 2009 deferrals in May, 2010; and

WHEREAS, a transfer to the State Gas Tax Fund of Mitigation Fee Funds on an as needed basis, in an amount not to exceed \$2,904,721, would support current staffing during the State's disbursement deferrals and allow for the provision of maintenance efforts identified as essential by the Department of Public Works, through its performance measures; and

WHEREAS, this Board has considered and concurs with the recommendation of the Director of Public Works.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Controller is authorized to transfer funds in an amount not to exceed an amount of \$2,904,721 from the Mitigation Fee Fund to the State Gas Tax Fund, with the expectation that the amount of funds transferred from the Mitigation Fee Fund to the State Gas Tax Fund will be transferred back to the Mitigation Fee Fund once the Proposition 42 and HUTA moneys are received from the State, prior to the expiration of fiscal year 2009/2010.

* * * * *

070391

Regularly passed and adopted this 22nd day of September, 2009.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

NONE



*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



*Marie L. Peterson, Deputy
Clerk of the Board of Supervisors*

070391