

RESOLUTION NO. 070993

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

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**RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS,  
OR HIS DESIGNEE, TO SUBMIT AN APPLICATION WITH THE  
METROPOLITAN TRANSPORTATION COMMISSION FOR  
FEDERAL SURFACE TRANSPORTATION PROGRAM AND/OR  
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT  
PROGRAM FUNDING TO RESURFACE VARIOUS STREETS IN THE  
LADERA, NORTH FAIR OAKS, DISTRICT 4, AND PALOMAR PARK AREAS.**

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

**WHEREAS**, the County of San Mateo (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for approximately \$1,416,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the Resurfacing of Various Streets in the Ladera, North Fair Oaks, District 4, and Palomar Park Areas of Unincorporated County of San Mateo (herein referred to as PROJECT) for the MTC Resolution No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (herein referred to as PROGRAM); and

**WHEREAS**, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) authorized the Surface Transportation Program (STP) (23 U.S.C. § 133) and the Congestion Mitigation

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and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) through September 30, 2009; and

**WHEREAS**, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

**WHEREAS**, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

**WHEREAS**, the MTC is the MPO for the nine counties of the San Francisco Bay Area region; and

**WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

**WHEREAS**, APPLICANT is an eligible project sponsor for STP/CMAQ funds; and

**WHEREAS**, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1.) the commitment of necessary local matching funds of at least 11.47%; and
- 2.) that the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3.) that the PROJECT will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4.) the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5.) that the PROJECT will comply with all the project-specific requirements as set forth in the PROGRAM.

**NOW, THEREFORE, BE IT RESOLVED** that the APPLICANT is authorized to execute and file with MTC an application for funding for the PROJECT under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

**RESOLVED** that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide approximately \$184,000 in non-federal matching funds; and

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2. APPLICANT understands that the STP/CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in the program; and therefore be it further

**RESOLVED** that APPLICANT is an eligible sponsor of STP/CMAQ funded projects; and be it further

**RESOLVED** that APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT; and be it further

**RESOLVED** that there is no legal impediment to APPLICANT making applications for the funds; and be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver

such PROJECT; and be it further

**RESOLVED** that APPLICANT authorizes its Director of Public Works or Director's designee to execute and file with MTC an application for STP/CMAQ funding for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

**RESOLVED** that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

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Regularly passed and adopted this 10<sup>th</sup> day of August, 2010.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

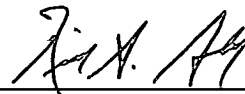
NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

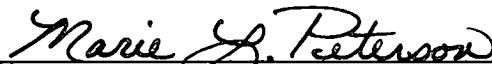
NONE



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

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