

**RESOLUTION NO. 04-17**

**AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE  
TRANSPORTATION PROGRAM FUNDING FOR  
ANNUAL PAVEMENT RESURFACING  
AND COMMITTING THE NECESSARY NON-FEDERAL MATCH FOR THE  
PROJECT(S) AND STATING THE ASSURANCE OF THE CITY OF LOS ALTOS TO  
COMPLETE THE PROJECT**

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WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133); and

WHEREAS, the TEA-21 legislation will guide Surface Transportation Program until the TEA-21 Reauthorization bill is authorized; and

WHEREAS, pursuant to TEA-21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

WHEREAS, City of Los Altos is an eligible project sponsor for Surface Transportation Program; and

WHEREAS, City of Los Altos wishes to submit an application to MTC for funds from the Surface Transportation Program in fiscal year 2005-06 and 2006-07 for the following project:

Annual Street Resurfacing for the repair of a portion of Grant Road.

WHEREAS, MTC requires, as part of the application, a resolution stating the following:

- 1) the commitment of local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the Surface Transportation Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program funds; and
- 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and

4) that the sponsor understands that funds must be obligated by June 30 of the year that the project is programmed for in the TIP, or the project may be removed from the program; and

5) that the sponsor has a MTC certified pavement management system (PMS).

NOW, THEREFORE, BE IT RESOLVED by City of Los Altos City Council that the City of Los Altos is authorized to execute and file an application for funding under the Surface Transportation Program of TEA -21 Reauthorization in the amount of \$106,789 for Annual Street Resurfacing for the repair of a portion of Grant Road. and

BE IT FURTHER RESOLVED that Los Altos City Council by adopting this resolution does hereby state that:

1) City of Los Altos will provide \$590,000 in non-federal matching funds; and

2) City of Los Altos understands that the Surface Transportation Program funding for the project is fixed at \$106,789 and that any cost increases must be funded by the City of Los Altos from local matching funds, and that City of Los Altos does not expect any cost increases to be funded with Surface Transportation Program funds; and

3) Annual Street Resurfacing project will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and

4) The program funds are expected to be obligated by June 30 of the year the project is programmed for in the TIP.

BE IT FURTHER RESOLVED that City of Los Altos is an eligible sponsor of projects in the Surface Transportation Program; and be it further

BE IT FURTHER RESOLVED that City of Los Altos is authorized to submit an application for Surface Transportation Program funds for Annual Street Resurfacing and be it further

BE IT FURTHER RESOLVED that there is no legal impediment to the City of Los Altos making applications for Federal STP Road Rehabilitation Program funds; and be it further

BE IT FURTHER RESOLVED that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the City of Los Altos to deliver such project; and be it further

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 program the project, if approved, in MTC's TIP.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and adopted by the City Council of the City of Los Altos at the Regular Meeting of Los Altos City Council on the 22<sup>ND</sup> day of June, 2004, by the following vote:

YES: COLE, PACKARD, CASAS, LEAR, MOSS  
NOES: NONE  
ABSENT: NONE

  
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JOHN MOSS, MAYOR

  
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SUSAN KITCHENS, CITY CLERK