

**RESOLUTION NO. 06-01**

**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 AND STATING THE ASSURANCE OF THE CITY OF LOS ALTOS  
TO COMPLETE THE PROJECT**

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**WHEREAS**, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Surface Transportation Program (23 U.S.C. § 133 and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

**WHEREAS**, the SAFETEA legislation will guide STP, CMAQ, and TE programming until a SAFETEA bill is authorized; and

**WHEREAS**, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program or Congestion Mitigation and Air Quality Improvement 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 or Congestion Mitigation and Air Quality Improvement Program funds; and

**WHEREAS**, City of Los Altos wishes to submit an application to MTC for funds from the Surface Transportation Program Improvement Program in fiscal years 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 necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement 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 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 SAFETEA in the amount of \$108,168 for Annual Street Resurfacing for the repair of a portion of Grant Road; and

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

- 1) The City of Los Altos will provide \$12,410 in non-federal matching funds; and
- 2) The City of Los Altos understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding for the project is fixed at \$108,168 and that any cost increases must be funded by the City of Los Altos from local matching funds, and that the City of Los Altos does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) Annual Street Resurfacing 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 the City of Los Altos is an eligible sponsor of projects in the Surface Transportation Program; and be it further

**BE IT FURTHER RESOLVED** that the 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 City of Los Altos making applications for Local Streets and Roads Shortfall 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

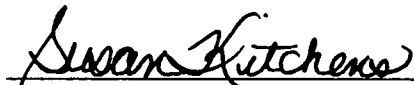
**BE IT FURTHER RESOLVED** that the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP.

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 10<sup>th</sup> day of January, 2006, by the following vote:

AYES:            CARPENTER, CASAS, COLEHOWER, COLE  
NOES:            NONE  
ABSENT:        PACKARD



Curtis Cole, MAYOR PRO TEM



Susan Kitchens, CITY CLERK