RESOLUTION NO. 3700

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR SIR FRANCIS DRAKE BLVD. PAVEMENT REFURBISHING FROM SUNNYHILLS DRIVE TO BOLINAS AVENUE, AND RESCINDING RESOLUTION NO. 3698

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 the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

Whereas, the TEA-21 legislation will guide STP, CMAQ, and TE programming until a 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 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, the Town of San Anselmo is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and

Whereas, the Town of San Anselmo wishes to submit an application to MTC for funds from the Surface Transportation Program Improvement Program in fiscal year 2005-06 and 2006-07 for the following project:

Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

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 the Town Council of the Town of San Anselmo that the Town of San Anselmo is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization in the amount of $170,000 for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that the Town Council of the Town of San Anselmo by adopting this resolution does hereby state that:

1. The Town of San Anselmo will provide up to $22,025 in non-federal matching funds; and
2. The Town of San Anselmo understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement program funding for the project is fixed at $170,000 and that any cost increases must be funded by the Town of San Anselmo from local matching funds, and the Town of San Anselmo does not expect any cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement program funds; and
3. Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue 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 Town of San Anselmo is an eligible sponsor of projects in the Surface Transportation Program; and

BE IT FURTHER RESOLVED that the Town of San Anselmo is authorized to submit an application for Surface Transportation Program funds for Sir Francis Drake Blvd. pavement refurbishing from Sunny Hills Drive to Bolinas Avenue; and

BE IT FURTHER RESOLVED that there is no legal impediment to the Town of San Anselmo making applications for local Streets and Roads Shortfall Program funds; and

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 Town of San Anselmo to deliver such project; 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 program the project, if approved, in MTC’s TIP; and

BE IT FURTHER RESOLVED that Resolution No. 3698, adopted by this Council on July 13, 2004 is hereby rescinded.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo, State of California held on the 27th day of July, 2004 by the following vote:

AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: (none)

ABSENT: (none)

ATTEST:

[Signature]
Paul Chignell, Mayor

[Signature]
Barbara Chambers, Town Clerk