



STAFF REPORT

Resolution for the Authorization to Apply for Federal Surface Transportation Program Funds Administered by the Metropolitan Transportation Commission in the Amount of \$134,000 for Old County Road Pavement Rehabilitation between the San Mateo County Limits and Ralston Avenue.

Honorable Mayor and City Council:

Summary

The Metropolitan Transportation Commission (MTC) made funds available via the Surface Transportation Program (STP) Funds (FY 2005/06 and FY 2006/07) to public agencies for pavement rehabilitation and preventive maintenance projects. The City is seeking funds from the STP fund in the amount of \$134,000 for Old County Road pavement rehabilitation between the San Mateo County limits and Ralston Avenue.

Background and Discussion

In May 2004, MTC issued a call for local streets and roads pavement rehabilitation and preventive maintenance projects. Projects were limited to roadways on the Metropolitan Transportation System (MTS). These roadways are Ralston Avenue, Old County Road, El Camino Real and Alameda de las Pulgas within the City of Belmont. The City was allocated an amount of \$134,000 for a project.

City staff created a project to rehabilitate approximately 900 feet of Old County Road pavement south of Ralston Avenue to the San Mateo County limits near O'Neill Avenue. The project will consist of grinding and overlay of pavement within the project limits. Severe areas of pavement failure will be excavated and patched. Concrete work will include repair of curb, gutter and driveways and the installation of Americans with Disabilities Act (ADA) compliant curb ramps. No right-of-way acquisition is required.

City staff submitted the project in an initial screening application to the City/County Association of Governments (C/CAG) in July 2004. C/CAG approved the application and permitted the City

to proceed with the required elements of the MTC application. These elements are: 1) Main application, 2) Resolution of Local Support and 3) Opinion of Legal Counsel.

The “Opinion of Legal Counsel” is required by MTC and states that the applicant is an eligible sponsor of projects for the STP, CMAQ, and TE Second Cycle Program for TEA-21 Reauthorization; that the applicant is authorized to submit an application for STP funds for the project; that there is no legal impediment to the applicant applying for the funds; and that there is no pending or threatened litigation which might adversely affect the project or the ability of the applicant to carry out the project.

City staff submitted the main application to MTC by the August 31, 2004 deadline. The Resolution of Local Support and “Opinion of Legal Counsel” are due by December 1, 2004. MTC permits consolidating the “Opinion of Legal Counsel” within a single Resolution of Local Support. Staff reviewed this option and with the City Attorney’s approval did consolidate the “Opinion of Legal Counsel” within the Resolution of Local Support.

This project is programmed for FY 2006/07 and funds are required to be obligated by June 30, 2007. The project will not begin, however, until Pacific Gas and Electric (PG&E) completes the project to place the overhead utility services underground in the recently establish utility district on Old County Road. PG&E has begun design of that project and is scheduled to complete their construction by June 2006.

City staff requests that City Council approve proceeding with the Old County Road Pavement Rehabilitation project by approving the attached combined Resolution of Local Support and Opinion of Legal Counsel.

Fiscal Impact

The engineer’s estimate for the pavement rehabilitation project is \$175,000. The City of Belmont’s local match is approximately \$41,000. These matching funds will be allocated from the Redevelopment Agency Capital fund (RDA Street Improvements 351-4610-9534) during the program year FY 2006/07 budget. Council will recall that one element of the economic development implementation plan adopted in August includes \$250,000 annually for street improvements.

Recommendation

Staff recommends that the City Council adopt the attached resolution authorizing Public Works to submit the combined Resolution of Local Support and Opinion of Legal Counsel for the Surface Transportation Program Funds for the Old County Road Pavement Rehabilitation project.

Alternatives

1. Deny the request.
2. Refer back to staff for additional information

Attachments

1. Resolution
2. Exhibit A – Map

Respectfully submitted,

Bennett Chun, P.E.
Associate Engineer

Raymond E. Davis, III, PE, PTOE
Director of Public Works

Jean Savaree
City Attorney

Daniel Rich
Interim City Manager

RESOLUTION NO. _____

**CITY OF BELMONT
San Mateo County, California**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT FOR THE
AUTHORIZATION TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM
FUNDS ADMINISTERED BY THE METROPOLITAN TRANSPORTATION COMMISSION IN
THE AMOUNT OF \$134,000 FOR OLD COUNTY ROAD PAVEMENT REHABILITATION
BETWEEN THE SAN MATEO COUNTY LIMITS AND RALSTON AVENUE**

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 City of Belmont is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and,

WHEREAS, the City of Belmont 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 follow project:

**Old County Road Pavement Rehabilitation between the San Mateo County limits
and Ralston Avenue**

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, IT IS HEREBY RESOLVED, by the City Council that the City of Belmont is authorized to execute and file an application for funding under the Surface Transportation Program of TEA-21 Reauthorization in the amount of \$134,000 for Old County Road Pavement Rehabilitation; and,

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

- 1) The City of Belmont will provide \$41,000 in non-federal matching funds; and,
- 2) The City of Belmont understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding for the project is fixed at \$134,000, and that any cost increases must be funded by the City of Belmont from local matching funds, and that the City of Belmont does not expect a cost increases to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and,
- 3) Old County Road Pavement Rehabilitation 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 Belmont is an eligible sponsor of projects in the Surface Transportation Program; and,

BE IT FURTHER RESOLVED that the City of Belmont is authorized to submit an application for Surface Transportation Program funds for Old County Road Pavement Rehabilitation; and,

BE IT FURTHER RESOLVED that there is no legal impediment to the City of Belmont 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 City of Belmont 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.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on this 9th day of November 2004.

AYES, COUNCILMEMBER(S): _____

NOES, COUNCILMEMBER(S): _____

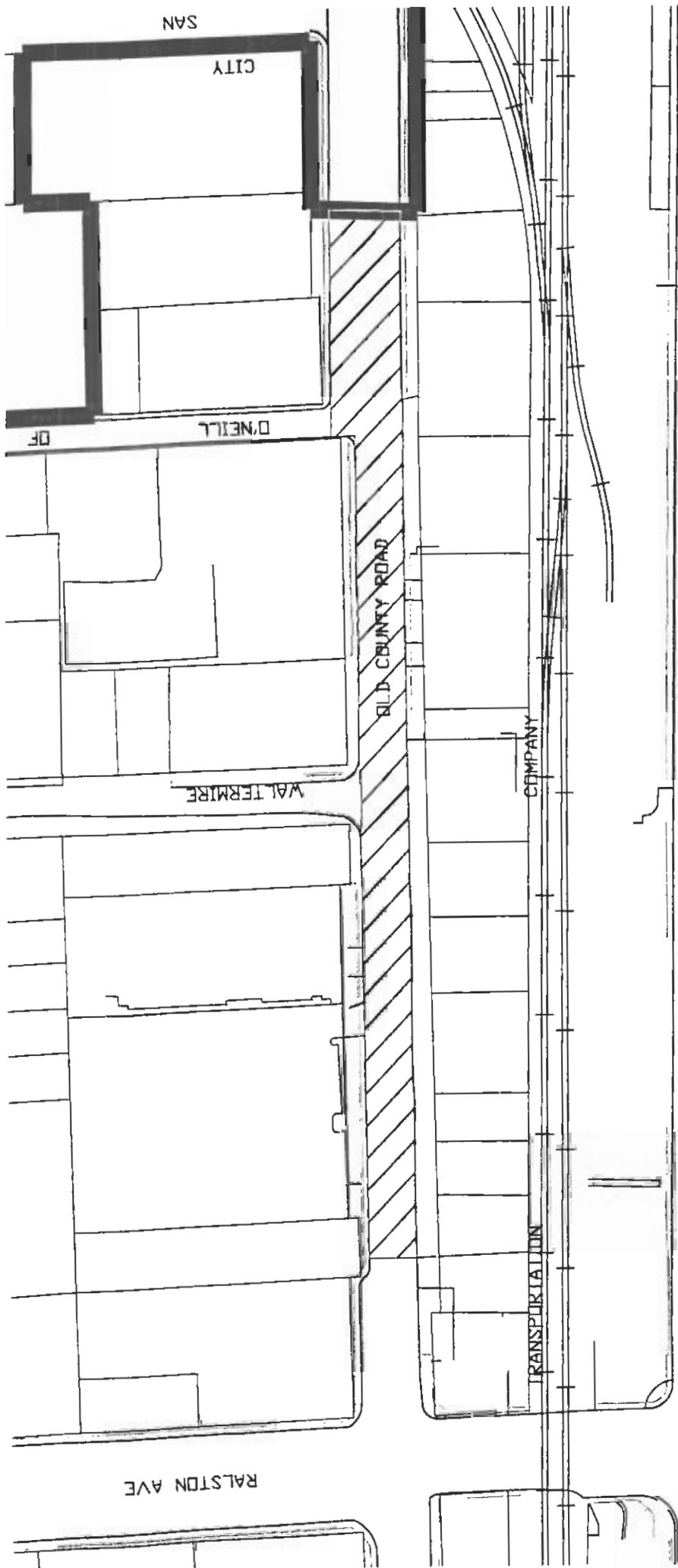
ABSTAIN, COUNCILMEMBER(S): _____

ABSENT, COUNCILMEMBER(S): _____

Clerk of the City of Belmont

APPROVED:

Mayor of the City of Belmont



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EXHIBIT A