Agenda Report

DATE: November 16, 2010

TO: The Mayor and City Council

FROM: Sean P. Quinn, City Manager
       George R. Hicks, Public Works Director
       Steven L. Hartwig, Assistant Public Works Director

SUBJECT: Resolution Authorizing the Filing of an Application for Federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) Funding and Committing the Necessary Non-Federal Match and Stating the Assurance to Complete the Project

RECOMMENDED ACTION
Adopt resolution.

STATEMENT OF ISSUE
The proposed resolution is required to support the City's request to the Metropolitan Transportation Commission (MTC) for an allocation of Federal STP/CMAQ Funds for the 2010 Overlay Project. This resolution is one of the required steps necessary to program a new Surface Transportation Program (STP) project into the Regional Transportation Improvement Program (RTIP).

DISCUSSION
The Public Works Department has applied for STP funds for the 2010 Overlay Project. The project includes pavement rehabilitation of the following streets: Pitman Road; Cadenasso Road; Travis Boulevard; Gold Hill Road; Mangels Boulevard; and Green Valley Road. The funding source requires a local agency resolution which provides commitment to complete the project and the necessary non-federal match (11.47%).

FINANCIAL IMPACT
The local match (11.47%) for the project is $158,000 which will come from gas tax funds. There is no fiscal impact to the City's General Fund. If approved, $1,370,000 of STP funding will be available through MTC.
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PUBLIC CONTACT/ADVISORY BODY RECOMMENDATION
Upon acceptance of the resolution, the Solano Transportation Authority's Board of Directors will be recommending that the City of Fairfield receives this funding for this project.

ALTERNATIVE ACTION
The City Council could choose not to approve the Resolution, which will result in the loss of STP funding for this project.

DOCUMENTS ATTACHED
Attachment 1: Proposed Resolution

STAFF CONTACT
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Coordinated with: Solano Transportation Authority Staff
City Attorney
CITY OF FAIRFIELD

RESOLUTION NO. 2010-30

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) AND/OR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) FUNDING AND COMMITTING THE NECESSARY NON-FEDERAL MATCH AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the City of Fairfield (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for $1,370,000 in funding from the federal Surface Transportation Program (STP) for the 2010 Overlay Project (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 (23 U.S.C. § 133) and the Congestion Mitigation 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 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; and
6) that the project (transit only) will comply with MTC Resolution No. 3866, which sets forth the requirements of MTC’s Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. APPLICANT is authorized to execute and file 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.

Section 2. APPLICANT will provide $158,000 in non-federal matching funds.

Section 3. 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.

Section 4. 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).

Section 5. 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.

Section 6. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC’s Transit Coordination Implementation Plan as set forth in MTC Resolution 3866.
Section 7. APPLICANT and the PROJECT will comply with the requirements as set forth in the program.

Section 8. APPLICANT is an eligible sponsor of STP/CMAQ funded projects.

Section 9. APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT.

Section 10. There is no legal impediment to APPLICANT making applications for the funds.

Section 11. 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.

Section 12. APPLICANT authorizes its City Manager, or designee to execute and file an application with MTC for STP/CMAQ funding for the PROJECT as referenced in this resolution.

Section 13. A copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application.

Section 14. 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.

PASSED AND ADOPTED this 16th day of November, 2010, by the following vote:

AYES: COUNCILMEMBERS: ________________________________

NOES: COUNCILMEMBERS: ________________________________

ABSENT: COUNCILMEMBERS: ________________________________

ABSTAIN: COUNCILMEMBERS: ________________________________

MAYOR

ATTEST:

CITY CLERK
Pw