

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 18-27

**A RESOLUTION RATIFYING THE INCORPORATED COUNTY OF LOS ALAMOS
APPLICATION SUBMITTAL TO THE NEW MEXICO DEPARTMENT OF
TRANSPORTATION FOR FEDERAL FISCAL YEARS 2020-2022
CONGESTION MITIGATION AND AIR QUALITY PROGRAM FUNDS FOR THE URBAN
TRAIL, PHASE II PROJECT**

WHEREAS, the Incorporated County of Los Alamos ("County"), New Mexico, has the legal authority to apply for, receive and administer federal funds; and

WHEREAS, County has submitted an application for Federal Fiscal Years 2020-2022 (FFY20-22) Congestion Mitigation Air Quality Program (CMAQ) funds in the amount of Three Million Six Hundred Five Thousand Dollars (\$3,605,000.00), as set forth by the Federal legislation, Fixing America's Surface Transportation Act ("FAST Act") and as outlined in the FFY20 and beyond New Mexico CMAQ Guide; and

WHEREAS, County has budgeted Seventy Thousand Dollars (\$70,000.00) in Fiscal Year 2018 for construction of the Urban Trail; and

WHEREAS, the Urban Trail named in the CMAQ application is an eligible project under CMAQ Program; and

WHEREAS, County acknowledges availability of a required local match of 14.56% and the availability of funds to pay all upfront costs, since CMAQ is a cost reimbursement program; and

WHEREAS, County shall, to the extent permitted by New Mexico law and subject to a budget approved by the Los Alamos County Council, pay any costs that exceed the project amount if the application is selected for funding; and

WHEREAS, County shall maintain the project constructed with CMAQ funding for the useable life of the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Incorporated County of Los Alamos that:

Section 1. County authorized the County Engineer to submit an application for FFY20-2022 Congestion Mitigation Air Quality (CMAQ) funds in the amount of Three Million Six Hundred Five Thousand Dollars (\$3,605,000.00) from the New Mexico Department of Transportation (NMDOT) on behalf of the citizens of the County.

Section 2. County assures the NMDOT that sufficient funding for the local match and for upfront project costs are available, since CMAQ is a reimbursement program, and that any costs exceeding the award amount shall be paid by County, to the extent permitted by New Mexico law and subject to a budget approved by the Los Alamos County Council.

Section 3. County assures the NMDOT sufficient funding for the operation and maintenance of the CMAQ project shall be available for the life of the project, to the extent permitted by New Mexico law and subject to a budget approved by the Los Alamos County Council.

Section 4. County has submitted to the Regional Transportation Organization a Project Feasibility Form to be considered a feasible project for submittal of a CMAQ application for review by the NMDOT and regional planning selection committee.

Section 5. The County Manager is authorized to enter into a Cooperative Project Agreement with the NMDOT for construction of CMAQ projects using these funds on behalf of the citizens of the County. The County Engineer is also authorized to submit additional information as may be required and act as the official representative of County in this and subsequent related activities.

Section 6. County assures the NMDOT that County is willing and able to administer all activities associated with the proposed project.

PASSED AND ADOPTED this 27th day of November, 2018.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS, NEW MEXICO**

**David Izraelevitz
Council Chair**

ATTEST:

**Naomi D. Maestas
Los Alamos County Clerk**