

# **MOUNTAINS RECREATION AND CONSERVATION AUTHORITY**

December 5, 2012 — Agenda Item XIV

Resolution No. 12-168

## **RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY CONSIDERATION OF RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM UNDER THE SECTION 164.56 OF THE STREETS AND HIGHWAYS CODE FOR THE MALIBU CREEK ACQUISITION PROJECT**

WHEREAS, the Legislature of the State of California has enacted AB 471 (Chapter 106 of the Statutes of 1989), which is intended to provide \$10 million annually for a period of 10 years for grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the Natural Resources Agency has established the procedures and criteria for reviewing grant proposals and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

WHEREAS, said procedures and criteria established by the Natural Resources Agency require a resolution certifying the approval of application by the Applicant's governing body before submission of said application to the State; and

WHEREAS, the application contains assurances that the Applicant must comply with; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the environmental enhancement and mitigation project;

NOW, THEREFORE, BE IT RESOLVED THAT THE Governing Board of the Mountains Recreation and Conservation Authority (MRCA) hereby:

1. FINDS that Malibu Creek will provide significant public benefits.
2. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act.

3. ADOPTS the staff report and recommendations dated December 5, 2012.
4. APPROVES the filing of an application for the Environmental Enhancement and Mitigation Program for grant assistance.
5. CERTIFIES that said Applicant will make adequate provisions for operation and maintenance of the project.
6. APPOINTS Lisa Soghor, Deputy Executive Officer or designee as an agent of the Mountains Recreation and Conservation Authority (MRCA) to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and so on, which may be necessary for the completion of the aforementioned project.
7. APPOINTS Jeff Jones, Assistant Financial Officer or designee as an agent of the Mountains Recreation and Conservation Authority (MRCA) to conduct all negotiations, execute and submit all financial documents, including, but not limited to payment requests, and so on, which may be necessary for the completion of the aforementioned project.

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Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the governing board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 5<sup>th</sup> day of December, 2012.

Date:

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Executive Officer