

JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
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AGENDA: December 8, 1998

November 24, 1998

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street

Santa Cruz, California 95060

SUBJECT: FEDERAL APPORTIONMENT EXCHANGE AND STATE MATCH PROGRAM
FISCAL YEAR 1997/98

Members of the Board:

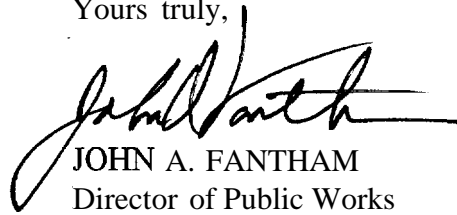
Attached are two copies of the Federal Apportionment Agreement for the County's 1997/98 allocation of Federal Aid Secondary (FAS) Exchange and State Matching funds provided by the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. This agreement is provided by the California Department of Transportation (CALTRANS) pursuant to various sections of the Streets and Highways Code. The agreement provides for the transfer of \$224,813 in Exchange funds and \$100,000 in State Matching funds for fiscal year 1997/98. These funds were included in our approved 1997/98 Road Budget. Included with this standard yearly apportionment are funds which CALTRANS has determined were remaining eligible funds left in reserve from the previous Highway Act prior to the 1991 ISTEA program. These funds are in the amounts of \$17,391 of State Matching funds and \$25,710 in Exchange revenue.

It is therefore recommended that the Board of Supervisors take the following action:

1. Approve the attached Agreement Number X98-5936 (030)
2. Adopt the Resolution Authorizing Execution of Agreement for the Federal Apportionment Program for 1997/98 Exchange and State Match Programs.

3. Authorize the Chairperson of the Board to sign the agreement and duplicate original agreement on behalf of the County.
4. Direct the Clerk of the Board to return the signed original and duplicate original of the signed agreement to Public Works for submittal to Hugh G. Brady, Chief, Office of Local Programs, Project Implementation, P.O. Box 942874, MS #1, Sacramento, CA 94274-0001.

Yours truly,

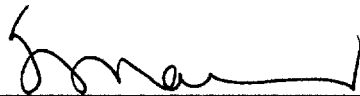


JOHN A. FANTHAM
Director of Public Works

WBW:mg

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Public Works

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

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RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN
THE STATE OF CALIFORNIA AND THE COUNTY OF SANTA CRUZ
FOR FEDERAL APPORTIONMENT EXCHANGE AND STATE MATCHING FUNDS
FOR FISCAL YEAR 1997/98

WHEREAS, the State is required to enter into an agreement with the County relative to the distribution of funds for Federal Apportionment of Exchange and State Matching funds for fiscal year 1997/98.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that said County/State Agreement Number X98-5936 (030) is hereby approved.

BE IT FURTHER RESOLVED AND ORDERED that the Chairperson of the Board of Supervisors be authorized to sign the agreement on behalf of the County and that the Clerk of the Board be hereby directed to return two originals of the Federal Apportionment Agreement Number X98-5936 (030) together with one certified copy of this resolution to Hugh G. Brady, Chief, Office of Local Programs, Project Implementation, P.O. Box 942874, MS #1, Sacramento, CA 94274-0001.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____ 1998, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:



Chief Assistant County Counsel

Distribution: County Counsel
Public Works

FEM

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FEDERAL APPORTIONMENT EXCHANGE PROGRAM AND STATE MATCH PROGRAM: CALIFORNIA DEPARTMENT OF TRANSPORTATION --
NON-MPO COUNTY

5 SANTA CRUZ COUNTY
District county

Agreement No. X98- 5936(030)

EA No. 05-927022L

THIS AGREEMENT is made on _____, 1998, by the COUNTY OF SANTA CRUZ, a political subdivision of the State of California (COUNTY), and the State of California, acting by and through the Department of Transportation (CALTRANS).

WHEREAS, COUNTY desires to assign apportionments made available to it for allocation to transportation projects under the Intermodal Surface Transportation Efficiency Act of 1991, as modified in accordance with section 182.6 of the Streets and Highways Code (Regional Surface Transportation Program (RSTP) funds) in exchange for nonfederal State Highway Account funds, and

WHEREAS section 182.9 of the Streets and Highways Code requires the allocation of state matching moneys from the State Highway Account to COUNTY:

NOW, THEREFORE, the parties agree as follows:

I. FEDERAL APPORTIONMENT EXCHANGE PROGRAM

A. As authorized by section 182.6 of the Streets and Highways Code, and the RTPA having agreed to exchange or elected not to exercise its authority as it relates to the COUNTY'S portion of the RSTP under section 182.6(g), COUNTY agrees to assign to CALTRANS:

\$ 224,813.00 from the eligible portion of its annual minimum RSTP Apportionment for Fiscal Year 1997/98

For Caltrans Use Only

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance								
<i>Evan Krizek</i> Accounting Officer						Date	\$ 367,914.60	
Chapter	Statutes	Item	Fiscal Year	Program	BC	Category	Fund Source	\$
282	1997	2660-101-042	97-98	20.70.010.120	N	217000	102-042-T	17,390.91
282	1997	2660-101-042	97-98	20.70.010.130	N	224040	102-042-T	25,710.09
282	1997	2660-125-042	97-98	20.70.010.840	C	224040	125-042-T	224,313.00
282	1997	2660-125-042	97-98	20.70.010.830	N	217000	125-042-T	100,000.00

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance								
Accounting Officer						Date	\$	
Chapter	Statutes	Item	Fiscal Year	Program	BC	Category	Fund Source	\$

The eligible portion of said minimum apportionment is the COUNTY's annual minimum RSTP apportionment established under Section 182.6 (d)(2) of the Streets and Highways Code less any federal apportionments already obligated for projects chargeable to its annual minimum RSTP apportionment.

B. COUNTY agrees to use such funds, as necessary, for those projects already included in the adopted Federal Statewide Transportation Improvement Program (FSTIP) that were to be funded with RSTP funds exchanged **under** section I.A. or reach agreement on amendments to the FSTIP.

C. COUNTY agrees that it will not undertake any capacity-expanding project funded herein located in an air quality nonattainment area without prior inclusion of said project by its RTPA in the "build" alternative of the air quality conformance analysis and the RTPA's subsequent concurrence in the project's implementation.

II PRE-ISTEA FEDERAL APPORTIONMENT EXCHANGE PROGRAM

A. As authorized by Section 2209 of the Streets and Highways Code, County agrees to assign CALTRANS:

\$ 25,710.09 from previous eligible portion of its annual minimum FAS apportionment.

Total Exchange funds are **\$ 250,523.09**

B. COUNTY agrees to use all state funds paid under Section II. A. for any highway construction purpose including preliminary engineering, construction engineering and right of way.

III. STATE MATCH PROGRAM

A. As authorized by section 182.9 of the Streets and Highways Code, CALTRANS agrees to pay to COUNTY **\$ 100,000.00** from the unobligated balance of its State Matching moneys for Fiscal Year 1997/1998, plus an additional amount of **\$ 17,390.91** from previous years of State Match funds. Total State Match funds to be paid are **\$ 117,390.91**

B. COUNTY agrees that before it uses State Matching funds for any other lawful purpose, it shall use such funds to match Federally funded transportation projects.

IV. COMMON PROVISIONS

A. Subject to funds being made available by the State Budget Act, and upon receipt of an invoice evidencing COUNTY's assignment of its apportionment **under** section I.A. to CALTRANS, CALTRANS agrees to pay to COUNTY an amount not to exceed **\$ 367,914.00** which amount is equal

to the sum of the apportionment amounts identified in sections LA, and the pre-ISTEA funds identified in section II. A., and the State Match funds identified in III A.

B. Subject to funds being made available by the State Budget Act, CALTRANS agrees to pay COUNTY \$ 367,914.00 of the amounts invoiced under section IV. A, for use in accordance with this agreement.

C. COUNTY agrees to use all state funds paid hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution.

D. COUNTY agrees to establish a special account within their County Road Fund for the purpose of depositing all payments received from STATE pursuant to this agreement.

E. COUNTY agrees to grant State of California auditors access to COUNTY's books and records for the purpose of verifying that funds paid hereunder are properly accounted for and proceeds are expended in accordance with the terms of this agreement. All documents will be available for inspection by authorized CALTRANS agents at any time for a four-year period from date of payment under this agreement or one year after the audit is completed or waived by CALTRANS, whichever is later.

F. COUNTY agrees in the event COUNTY fails to use funds received hereunder in accordance with the terms of this agreement, CALTRANS will require COUNTY to replace those State funds with local funds and credit the account established under section III.D. In the event of such requirement by **CALTRANS, COUNTY** shall provide written verification to CALTRANS that the requested corrective action has been taken.

G. CALTRANS reserves the right for the payments required hereunder to be reduced to offset such additional federal apportionments obligated for projects chargeable to the COUNTY's annual RSTP minimum apportionment as are not counted in section I.A. and such additional State Match funds obligated for federal projects as are not counted in section III.A.

STATE OF CALIFORNIA
Department of Transportation

COUNTY OF SANTACRUZ

Chief, Office of Local Programs
Project Implementation
Date: _____

Chair, Board of Supervisors
Date: _____