

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *alm*

BOARD AGENDA # C-2

Urgent Routine

AGENDA DATE December 15, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Supplemental Transportation Development Act Claim for Fiscal Year 2008/2009

STAFF RECOMMENDATIONS:

1. Approve the Fiscal Year 2008-2009 Transportation Development Act Supplemental Claim.
2. Authorize the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments (StanCOG).
3. Direct the Auditor-Controller to make the necessary budget adjustment per the financial transaction sheet.

FISCAL IMPACT:

Local Transportation Funds (LTF) are used to fund routine road and bridge maintenance. The supplemental claim of \$343,114 will be used in place of existing highway users tax (HUTA) revenues that were to fund routine maintenance (\$338,277) and non-motorized projects (\$4,837). The HUTA funds will be retained in fund balance as a reserve to help alleviate impacts of future State budget actions.

BOARD ACTION AS FOLLOWS:

No. 2009-832

On motion of Supervisor Grover, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Supplemental Transportation Development Act Claim for Fiscal Year 2008-2009

DISCUSSION:

Transportation Development Act Local Transportation Funds (LTF) are derived from the one-fourth cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenue to each county's LTF. These funds are required to be used primarily for transit purposes. Funds remaining once transit needs have been met are available for local streets and roads, construction and maintenance. The Stanislaus Council of Governments (StanCOG) administers the distribution of these funds. The Fiscal Year 2008-2009 Local Transportation Fund Claim was approved by the Board of Supervisors on May 5, 2009. The initial claim was based on StanCOG's estimate of anticipated Transportation Development Act funds. A reconciliation was completed at year-end based on actual funds received. The variance is then allocated to jurisdictions in the same proportion as the initial claim. The submitted LTF supplemental claim reflects Stanislaus County Public Works' allotment of those funds.

Public Works' Road & Bridge Operations received \$1,311,321 from the previously approved Fiscal Year 2008-2009 LTF claim. These funds were used to fund general maintenance of roads & bridges (\$1,225,656) and non-motorized projects (\$85,665). Routine maintenance includes but is not limited to, paving, crack sealing, grading, etc. Non-motorized projects include sidewalks and bikeways. The Fiscal Year 2008-2009 supplemental claim is for an additional \$343,114. Of this amount, \$338,277 will be used to fund routine maintenance and \$4,837 is available for non-motorized projects.

Section 99233.3 of the Public Utilities Code requires that 2% of identified funds be used for non-motorized purposes. At least half of the 2%, within a five-year period, must be used for bicycle improvements. To accumulate sufficient funds for larger projects, funds may be held in reserve for the jurisdiction by StanCOG for up to five years. The supplemental funds of \$4,837 will be held in reserve.

Prior to submittal, StanCOG requires that the Board of Supervisors take the following actions:

1. Approve the claim and its attachments;
2. Identify the dollar amount claimed for Local Transportation Funds; and,
3. Authorize the individual, by title, to submit the claim to StanCOG.

POLICY ISSUES:

The Board should consider if this action is consistent with its priorities of providing a safe community, a healthy community, and a well-planned infrastructure system. The accessing of these funds contributes to maintaining the County's road system in an acceptable and safe condition.

Approval of the Supplemental Transportation Development Act Claim for Fiscal Year
2008-2009

STAFFING IMPACT:

There are no staffing impacts associated with this item.

JS:jg
L:\Janelle\BOARD ITEMS\LTF Item_2

**AUDITOR-CONTROLLER
BUDGET JOURNAL**



Balance Type	Budget
Category	Budget - Upload
Source	
Currency	USD
Budget Name	LEGAL BUDGET
Batch Name	
Journal Name	PW DKH
Journal description	LTF Fiscal Year 2008-2009 Supplemental
Period	Dec-09
Organization	Stanislaus Budget Org
	BO#

Line	Coding Structure						Debit		Credit		Description
	Fund 4	Org 7	Account 5	G/L Proj 7	Loc 6	Misc 6	incr appropriations decr est revenue	decr appropriations incr est revenue			
1	1101	40300	11800	0	0	0		338,277.00		Increase LTF revenue	
2											
3											
4											
5											
6											
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8											
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21											
22											
23											
24											
25											
Totals									338,277.00		

Explanation: LTF Fiscal Year 2008-2009 Supplemental

Requesting Department	CEO	Auditors Office Only	
Diane Haugh		Prepared By	
Signature	Signature		(Admin Approval) (\$75K+)
12/1/09	12/9/09	Date	12/9/09
Date	Date	Date	Date

Diane Haugh 5-7534
Contact Person & Phone Number

**TRANSPORTATION DEVELOPMENT ACT
LOCAL TRANSPORTATION FUND
NON-TRANSIT CLAIM
FISCAL YEAR 2008/09 SUPPLEMENTAL CLAIM**

TO: Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto, CA 95354

FROM: Applicant: County of Stanislaus
Address: 1010 10th Street, Suite 3500
City Modesto Zip: 95358
Contact Person: Diane Haugh Phone: 209-525-7534
E-mail Address: Diane.Haugh@Stancounty.com Fax: 209-525-6525

The County of Stanislaus hereby requests, in accordance with the Transportation Development Act and applicable rules and regulations, that its **supplemental** non-transit claim be approved in the amount of \$ 343,114 for fiscal year 2008/09, to be drawn from the Local Transportation Fund.

When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Local Transportation Fund claim and the financial information contained therein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Submitted by: _____

Title: Director of Public Works

Date: 11/23/2009

StanCOG Board of Directors:

Date of approval: _____

Resolution #: _____

StanCOG Approving Authority

**LOCAL TRANSPORTATION FUND
NON-TRANSIT CLAIM
FY 2008/09 SUPPLEMENTAL CLAIM**

TABLE 1

1.	Planning, Local --PUC 99262/99402	\$	-
2.	Roads and Streets --PUC 99400 (a)	\$	338,277
3.	Nonmotorized - 2% LTF funds --PUC 99233.2/99234	\$	4,837
4.	Nonmotorized - Other LTF funds * --PUC 99233.2/99234	\$	-
5.	TOTAL CLAIM	\$	343,114

<i>This table is to be filled out by StanCOG staff</i>	
County of Stanislaus	
Total Non-Transit LTF available to be claimed:	
FY 2008/09 Nonmotorized supplemental apportionment	\$ 4,837
Total 2% Nonmotorized available to be claimed at this time	\$ 4,837
FY 2008/09 Roads & Streets supplemental apportionment	\$ 338,277
Total Roads & Streets available to be claimed at this time	\$ 338,277
Total available to be claimed at this time	\$ 343,114

* Roads and Streets funds may be claimed for nonmotorized purposes, if desired.

**LOCAL TRANSPORTATION FUND
NONMOTORIZED PROJECTS
FY 2008/09 SUPPLEMENTAL CLAIM**

**TABLE 2
BREAKDOWN BY PROJECT**

BRIEFLY DESCRIBE PROJECTS AND EXPENDITURES							
ID	PROJECT TITLE	MODE			FOR BIKE PROJECTS ONLY		2008/09 ESTIMATED SUPPLEMENTAL EXPENDITURES
		B I K E	P E D	P L A N	PROJECT IN StanCOG's BIKE PLAN	PROJECT IN CITY/COUNTY BIKE PLAN	
			X				
							\$0
							\$0
							\$0
							\$0
TOTAL LTF APPROPRIATED TO PROJECTS							\$0

**TABLE 3
BREAKDOWN BY CATEGORY
RECORD LTF FUNDS ONLY**

	2008/09 SUPPLEMENTAL CLAIM
Bicycle facilities	\$0
Pedestrian facilities	
Preparation of Bicycle Plan	\$0
TOTAL AMOUNT OF BIKE/PED EXPENDITURES	\$0

When combined with your previously approved FY 2008/09 LTF claim, does this claim meet the minimum 50% bicycle expenditure StanCOG performance standard?

YES / NO

NOTE: StanCOG 50% bicycle expenditure requirement: The 5 year bicycle expenditures must be 50% or greater.

YES

1. FY 2008/09 Supplemental Nonmotorized 2% funds applied towards FY 2008/09 projects (must match Page 2, Line 3)

2. FY 2008/09 Supplemental Nonmotorized 2% funds to be held in reserve at StanCOG

\$4,837

SEE PAGE 3b FOR NONMOTORIZED REGULATIONS/POLICIES AND NOTES

NONMOTORIZED PROJECTS
FY 2008/09
(Continued)

NONMOTORIZED REGULATION/POLICY REMINDERS:

- A. State law allows a jurisdiction to use LTF to update a Bicycle Action Plan once every five years (PUC 99234(h)).
- B. State law allows a jurisdiction to use up to 20% of the amount available each year to restripe Class II bicycle lanes (PUC 99234(h)).
- C. State law allows a jurisdiction to use up to 5% of the amount available each year to supplement moneys from other sources to fund bicycle safety education programs, but the funds shall not be used to fully fund the salary of any one person (PUC 99233.3).
- D. All funds must be spent within five years of receipt. Over the five-year period shown in Table 3, at least 50% of funds must be spent for bicycle purposes. StanCOG will not allocate funds to any jurisdiction which is in violation of these policies.

NOTES:

- * If the project is in StanCOG's Bicycle Action Plan, please indicate its Priority Group from that Plan (example: Yes - Priority #4).
By StanCOG policy, all bike projects must appear in either StanCOG's Bicycle Action Plan, or in a City or County bicycle plan, to be eligible for LTF funding.
- ** Beginning with FY 2003/04, nonmotorized funds will only be allocated by StanCOG for specific projects. If no project is identified, funds will be held in reserve at StanCOG for eventual use by that jurisdiction.

**LOCAL TRANSPORTATION FUND
ROAD AND STREET PROJECTS
FY 2008/09 SUPPLEMENTAL CLAIM**

TABLE 4

Briefly describe all proposed projects and indicate proposed project expenditures for right of way acquisition and the construction of road and street projects.					
Project Title & Brief Description	Will this Project add new travel lanes? Yes or No	Will this Project use Federal Funds? Yes or No	Is this Project consistent with the RTP Yes or No	Total Project Cost	LTF Funds Utilized
General Maintenance of Roads and Bridges	NO	NO	N/A	\$338,277	\$338,277
TOTAL				\$338,277	\$338,277

1. FY 2008/09 Supplemental Roads and Streets funds applied towards FY 2008/09 projects (must match Page 2, Line 2)

\$338,277

2. FY 2008/09 Supplemental Roads and Streets funds to be held in reserve at StanCOG

\$0



City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

February 25, 2010

TO: Diane Haugh, Stanislaus County Public Works
FROM: Robin Whitehead, Budget & Grants Coordinator *RW*
RE: Transportation Development Act (TDA)
FY 2008/09 Supplemental Non-Transit Claim

On January 20, 2010, the StanCOG Policy Board approved your supplemental non-transit claim for FY 2008/09. Attached is a copy of the adopting resolution, the signed claim, and the payment voucher for your files.

If you have any questions, please give me a call at (209) 525-4647.

Attachments
cc: Julie Serrano, Public Works
v:\stancog\robin\TDA08-09\County non-transit supplemental approval 08-09

**STANISLAUS COUNCIL OF GOVERNMENTS
RESOLUTION 09-37
RESOLUTION ALLOCATING FY 2008/09 SUPPLEMENTAL
NON-TRANSIT TRANSPORTATION
DEVELOPMENT ACT FUNDS TO THE COUNTY OF STANISLAUS**

WHEREAS, the Stanislaus Council of Governments (StanCOG) has been designated as the Transportation Planning Agency with the responsibility to administer the Transportation Development Act, and

WHEREAS, the County of Stanislaus, as the claimant, has submitted a transportation claim in conformance with all applicable rules and regulations, and

WHEREAS, StanCOG has adopted a Regional Transportation Plan which identifies transit needs which are reasonable to be met, with consideration to the size and location of identifiable groups likely to be dependent upon transit, the adequacy of both private and public services and potential alternatives, and

WHEREAS, StanCOG has held two public hearings and, after reviewing the findings, determined that there are no unmet transit needs that are reasonable to meet, within the jurisdiction of the County of Stanislaus.

NOW, THEREFORE, BE IT RESOLVED, that the following findings are substantiated by the Staff Report and other evidence presented to the Policy Board:

- (1) The claimant's proposed expenditures are in conformity with the Regional Transportation Plan.
- (2) The sum of the claimant's allocations from the Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.
- (3) There are no unmet transit needs which are reasonable to meet within the jurisdiction.

BE IT FURTHER RESOLVED, that the allocations for the following purposes and amounts are approved:

<u>Purpose</u>	<u>Source</u>	<u>2008/09 Supplemental Claim</u>
Nonmotorized	LTF-99234	\$ 4,837 *
Streets	LTF-99400a	<u>338,277</u>
		\$ 343,114

* The \$4,837 of nonmotorized funds that are being allocated will remain in reserve at StanCOG until such time the County identifies a specific nonmotorized project for those funds.

BE IT FURTHER RESOLVED, the County of Stanislaus' transportation claim is hereby approved and the Executive Director, or his designee, is authorized to issue an allocation instruction to the County Auditor and issue disbursement instructions to honor claimant invoices as funds become available.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments on the 20th day of January, 2010. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.

MEETING DATE: January 20, 2010



JEFF GROVER, CHAIR

ATTEST:



VINCENT J. HARRIS, EXECUTIVE DIRECTOR

**TRANSPORTATION DEVELOPMENT ACT
LOCAL TRANSPORTATION FUND
NON-TRANSIT CLAIM
FISCAL YEAR 2008/09 SUPPLEMENTAL CLAIM**


TO: Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto, CA 95354

FROM: Applicant: County of Stanislaus
Address: 1010 10th Street, Suite 3500
City: Modesto Zip: 95358
Contact Person: Diane Haugh Phone: 209-525-7534
E-mail Address: Diane.Haugh@Stancounty.com Fax: 209-525-6525

The County of Stanislaus hereby requests, in accordance with the Transportation Development Act and applicable rules and regulations, that its **supplemental** non-transit claim be approved in the amount of \$ 343,114 for fiscal year 2008/09, to be drawn from the Local Transportation Fund.


When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Local Transportation Fund claim and the financial information contained therein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Submitted by: 
Title: Director of Public Works
Date: 11/23/2009

StanCOG Board of Directors:

Date of approval: January 20, 2010
Resolution #: 09-37


StanCOG Approving Authority

Vincent Canales, Jr., Finance Director

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YES / NO

NOTE: StanCOG 50% bicycle expenditure requirement: The 5 year bicycle expenditures must be 50% or greater.

YES

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\$0

2. FY 2008/09 Supplemental Nonmotorized 2% funds to be held in reserve at StanCOG

\$4,837

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NONMOTORIZED PROJECTS
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ROAD AND STREET PROJECTS
FY 2008/09 SUPPLEMENTAL CLAIM**

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TOTAL				\$338,277	\$338,277

1. FY 2008/09 Supplemental Roads and Streets funds applied towards FY 2008/09 projects (must match Page 2, Line 2)

\$338,277

2. FY 2008/09 Supplemental Roads and Streets funds to be held in reserve at StanCOG

\$0

Fiscal Year 2008–2009 Transportation Development Act Supplemental Claim

Public Works

PowerPoint Presentation

Transportation Development Act (TDA)

- ▶ The Transportation Development Act (TDA) of 1971 provides funding to be allocated to transit and non-transit related purposes that comply with regional transportation plans.

TDA Funding

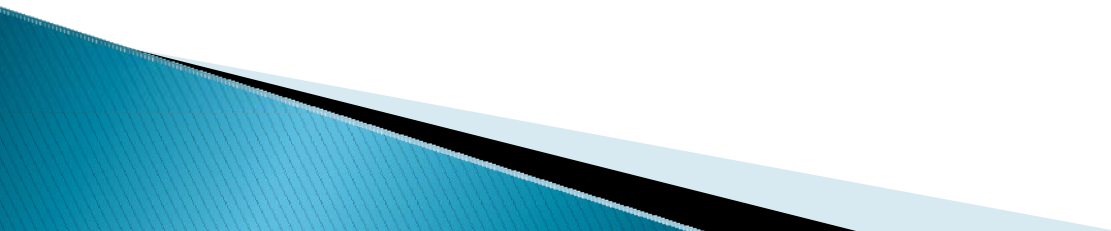
- ▶ Local Transportation Fund (LTF)–1 / 4 cent of the general sales tax collected statewide
- ▶ State Transit Assistance (STA)–statewide sales tax on gasoline and diesel fuel

LTF Funding restrictions

- ▶ Primarily for transit purposes
- ▶ Excess funds, after transit needs have been met, are available for local streets and roads, construction and maintenance.*

*For counties that had a population of no more than 500,000 in the 1970 census

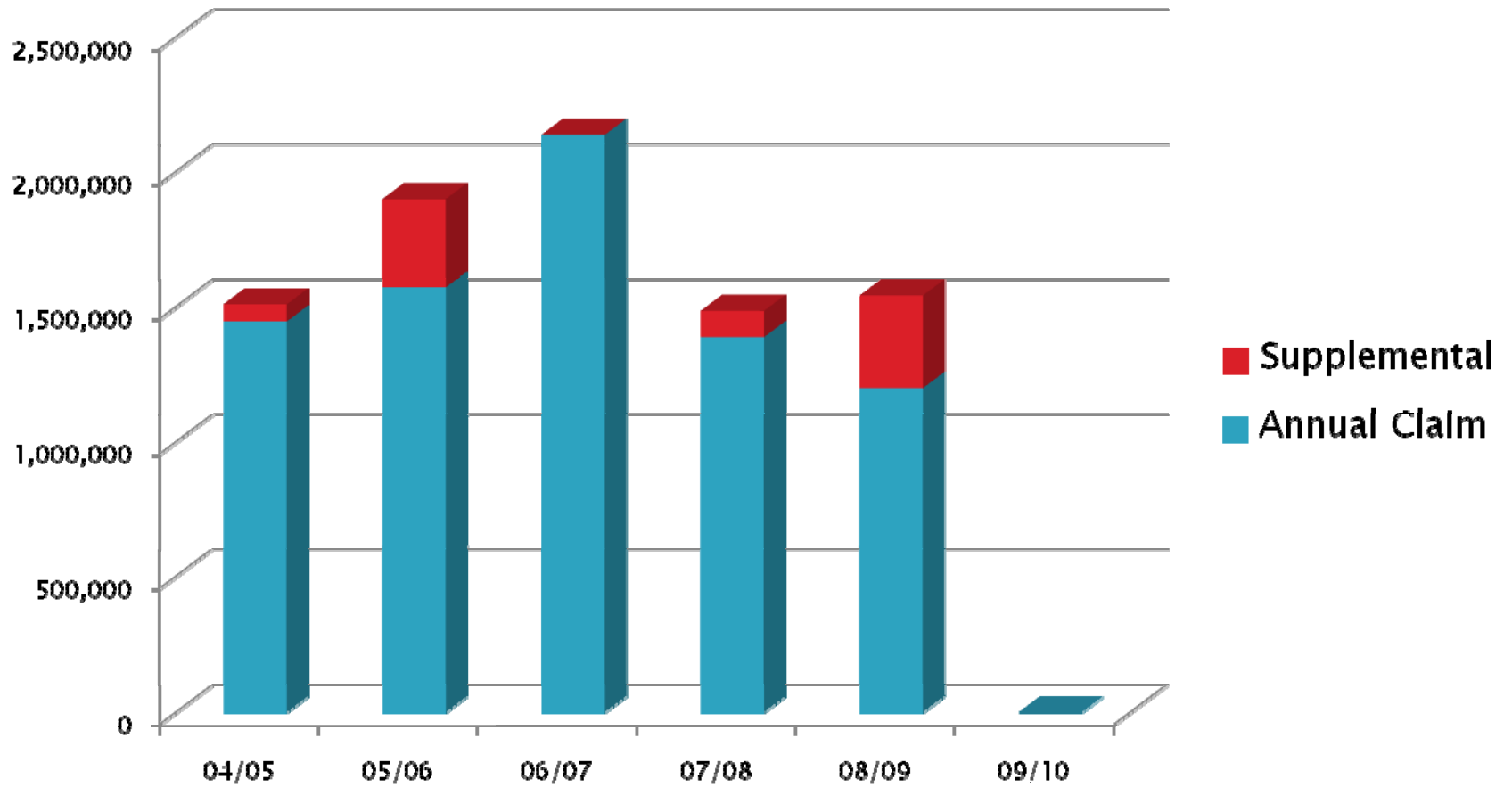
LTF Allocations

- ▶ Allocated by StanCOG according to the adopted cost sharing agreement
 - ▶ Revenue estimate is prepared by StanCOG
 - ▶ Reconciliation is completed the following year.
 - ▶ Supplemental claim is processed.
- 

Historical Revenues

Fiscal Year	Annual Claim	Supplemental
04/05	1,445,627	63,452
05/06	1,572,364	325,843
06/07	2,136,610	0
07/08	1,387,496	97,074
08/09	1,198,887	343,114

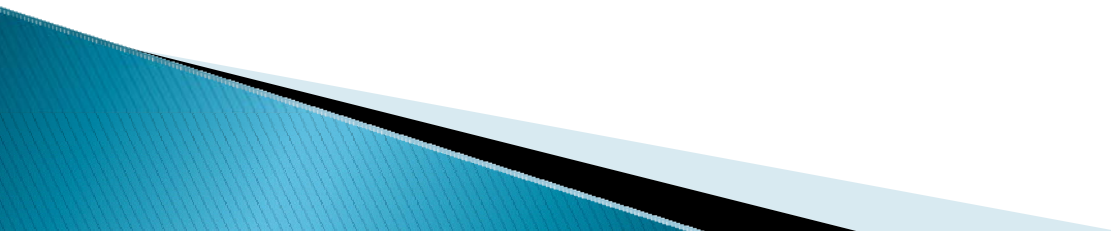
Historical Revenues



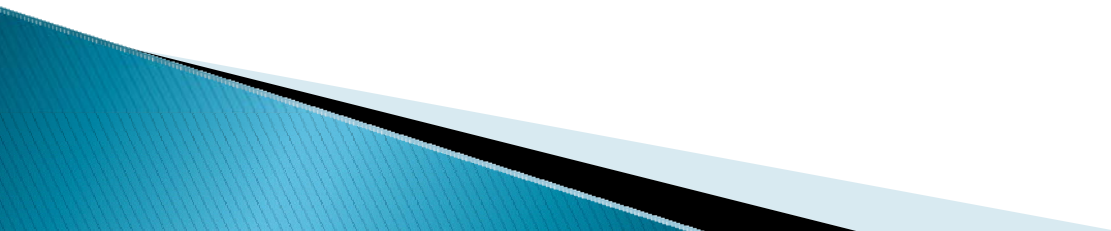
Road Operations Budget

Fiscal Year	Total Budget	LTF Revenues
2009/2010	\$15,133,554	\$0
2008/2009	\$15,217,811	\$1,225,656
2007/2008	\$16,002,705	\$1,198,255
2006/2007	\$14,609,663	\$2,394,652
2005/2006	\$10,821,979	\$1,786,973

Budget Strategy

- ▶ 5-Year budget strategy
 - ▶ Revenue loss from LTF and Proposition 1 B
LTF not included in FY 09/10 budget
Prop 1B through FY 11/12
 - ▶ 15% reduction in revenues
 - ▶ Staff reduction through attrition
 - ▶ Define core services
 - ▶ Consolidation
- 

Staff Recommendations

- ▶ Approve the Fiscal Year 2008–2009 Transportation Development Act Supplemental Claim
 - ▶ Authorize the Director of Public Works to execute and submit the claim to StanCOG
 - ▶ Direct the Auditor–Controller to make the necessary budget adjustments
- 

Questions