



TULARE COUNTY REDEVELOPMENT AGENCY

AGENDA ITEM

BOARD OF DIRECTORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 2, 2009

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						

CONTACT PERSON: Celeste Perez PHONE: (559) 733-6291

SUBJECT: California Department of Transportation Disadvantaged Business Enterprise Implementation Agreement

REQUEST(S):

That the Board of Directors:

1. Approve the California Department of Transportation Disadvantaged Business Enterprise Implementation Agreement.
2. Authorize the Executive Director of the Tulare County Redevelopment Agency (TCRA) as the designated Disadvantaged Business Enterprise Liaison Officer (DBELO) to sign said Agreement.
3. Authorize the Executive Director of the TCRA to sign and submit all subsequent reports and forms required pursuant to California Department of Transportation Disadvantaged Business Enterprise Guidelines and its subsequent changes as set forth from time to time.

SUMMARY:

The Disadvantaged Business Enterprise (DBE) Program is administered by the California Department of Transportation (Caltrans) under Title 49, Part 26 of the Code of Federal Regulations (CFR). The DBE Program is intended to remedy past and current discrimination against DBE's, ensure a level playing field and foster equal opportunity in the federal-aid contracts. The TCRA, as recipients of federal financial assistance for federal-aid transportation projects, is required to comply with

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all the elements of Title 49, Part 26 of the CFR entitled "Participation by Disadvantaged Business Enterprises in the Department of Transportation Financial Assistance Programs."

On June 5, 2001, the Board of Directors adopted the DBE Program utilizing the race-conscious methodology as required by the Caltrans DBE guidelines. After an assessment by Caltrans of its DBE Program, Caltrans determined in 2006 that all recipients of federal funds will adopt and use the Race-Neutral DBE Program.

Every year, the Executive Director of the TCRA submits the annual overall goal information for the subsequent federal fiscal year. The most recent annual overall goal information was submitted in June 2008 for the 2008/2009 Federal Fiscal Year.

With the recent enactment of the American Recovery and Reinvestment Act (ARRA) of 2009, Caltrans received approval from the Federal Highway Administration (FHWA) to immediately implement its new DBE Program that includes a Race Conscious component. The new DBE Program as spelled out in the California Department Of Transportation Disadvantaged Business Enterprise Implementation Agreement must be approved and submitted to Caltrans no later than June 2, 2009.

The Caltrans authorized representative and the designated DBELO for the TCRA shall be the Executive Director of the TCRA. The TCRA DBELO shall sign the Caltrans DBE Implementation Agreement and shall administer the DBE Program as set forth in the agreement. The DBELO shall be authorized to sign and submit all subsequent reports and forms pursuant to Caltrans DBE Guidelines and its subsequent changes as set forth from time to time. As such, it is requested that your Board authorize this required delegation of signature authority to the Executive Director of TCRA.

FISCAL IMPACT/FINANCING:

The direct costs associated with administering the DBE Program is funded from the Tax Increment revenues proportionately distributed between the eight project areas, with staff assigned to administer the Program. There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Organizational Efficiencies - Promotes economic development opportunities, effective growth management and a quality standard of living. The DBE Implementation Agreement promotes economic opportunity for DBE's by attracting and retaining diversity in the business community.

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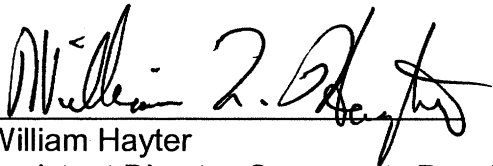
ALTERNATIVES:

The Board could choose not to adopt and not to meet the June 2, 2009 deadline. This alternative is not recommended as it will render the County ineligible to receive federal funds for transportation projects.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Caltrans prepared the model DBE Program. County Counsel has approved to form the DBE Implementation Agreement.

ADMINISTRATIVE SIGN-OFF:

A handwritten signature in black ink, appearing to read "William 2. Hayter", is written over a horizontal line.

William Hayter
Assistant Director-Community Development

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment: California Department of Transportation Disadvantaged Business Enterprise Implementation Agreement

**BEFORE THE BOARD OF DIRECTORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF ADOPTION OF THE)
CALIFORNIA DEPARTMENT OF)
TRANSPORTATION DISADVANTAGED) RESOLUTION NO. _____
BUSINESS ENTERPRISE)
IMPLEMENTATION AGREEMENT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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