



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

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:** November 10, 2009

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input 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"/>
<b>CONTACT PERSON: Celeste Perez    PHONE: 559-624-7010</b>						

**SUBJECT:** State Standard Agreement No. 648012 for Cost Reimbursement of Capital Transit Purchases

- REQUEST(S):**  
That the Board of Supervisors:
1. Ratify and approve State Standard Agreement No. 648012 for the amount of \$159,354 in cost reimbursement for the purchase of a compressed natural gas bus retroactive to July 30, 2009 through May 31, 2017;
  2. Find that the Board had authority to enter into the proposed agreement as of July 30, 2009 and that it was in the County's best interest to enter into the agreement on that date; and
  3. Authorize the Chairman to sign the State Agreement.

**SUMMARY:**  
The State Standard Agreement No. 648012 in the amount of \$159,354 provides cost reimbursement of the Federal share of transit capital purchases. This funding is available through the Federal Transit Administration (FTA) Section 5311 program for rural public transportation projects, administered through the State.

Resource Management Agency's (RMA) Transit Fund will be reimbursed in the amount of \$159,354 for the purchase of a compressed natural gas (CNG) bus to replace an older bus presently operating in Tulare County's transit fleet. In general, replacing old diesel or gasoline-powered buses with vehicles which operate on CNG will help improve

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air quality in the San Joaquin Valley. The Transit Fund will cover the local share of \$20,646 out of Transit funds.

The grant application for this transit capital purchase was approved by your Board on April 7, 2009 (Resolution 2009-0224).

The contract includes an indemnification clause on Exhibit C, Section 5 in which the County agrees to indemnify, defend and save harmless the State, in the performance of the Agreement. This clause is not reciprocal as it does not indemnify the County of Tulare.

The State requests that the County approve the Agreement to allow reimbursement to the County for the Federal share of the transit capital purchases.

**FISCAL IMPACT/FINANCING:**

Funding for the FTA 5311 expenditure is included in the 2009/2010 Transit Budget Account No. 040-220-2100-7095.

Section 5311 (Federal Share)	\$159,354
Tulare County (Transit Share)	<u>\$ 20,646</u>
Total cost	\$180,000

There will be no net county cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

This program links to Strategic Initiative 1: Safety and Security. Safety and Security includes the goal of improving and maintaining adequate transportation infrastructure. The proposed action meets this initiative.

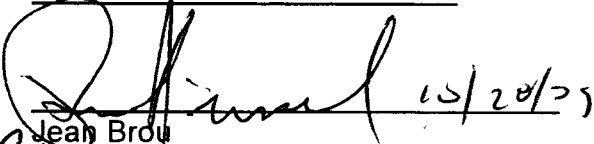
**ALTERNATIVES:**

No reasonable alternative.

**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

Coordination with the State, the Federal Highway Administration and the Federal Transit Administration. County Counsel has reviewed the Agreement.

**ADMINISTRATIVE SIGN-OFF:**

  
Jean Brou  
Assistant Director – Transportation

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

Attachment: Agreement

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

IN THE MATTER OF STATE )  
STANDARD AGREEMENT )  
NO. 648012 FOR REIMBURSEMENT )  
OF CAPITAL TRANSIT PURCHASES)

RESOLUTION NO. \_\_\_\_\_  
AGREEMENT NO. \_\_\_\_\_

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

\* \* \* \* \*

1. Ratified and approved State Standard Agreement No. 648012 for the amount of \$159,354 in cost reimbursement for the purchase of a compressed natural gas bus retroactive to July 30, 2009 through May 31, 2017;
2. Found that the Board had authority to enter into the proposed agreement as of July 30, 2009 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorized the Chairman to sign the State Agreement.