



**COUNTY ADMINISTRATION  
OFFICE  
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 13, 2012

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Denise Akins    PHONE: 636-5005

**SUBJECT:** Amendment to Tulare County Association of Governments Joint Powers Authority

**REQUEST(S):**

That the Board of Supervisors:

1. Rescind Board Agreement No. 24583-B.
2. Approve Amendment Two to Agreement No. 24583 (the Tulare County Association of Governments (TCAG) Joint Powers Agreement among the Cities and the County) to give TCAG the authority to implement and manage a Regional Transportation Impact Fee program and to join the Central California Railroad Authority.
3. Authorize the Chairman to execute ten (10) originals of the Joint Powers Agreement (JPA) Amendment Two approved by a sufficient number of the nine (9) political subdivisions and leaving the date blank with the understanding that the effective date will be the date the Amendment is executed by the last party.

**SUMMARY:**

The County and the Cities have recognized that it is desirable to provide a forum for the coordination of governmental activities involving both long-range and functional planning for the Cities and the County, and to develop programs which will assure compatible action between all levels of government within the County for plan implementation.

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To that end, TCAG was established on May 4, 1971 by a JPA among the Cities and the County. Since then, the JPA has been amended in June 1975 and February 1976. On June 15, 2010, the JPA was rescinded and a new one was adopted incorporating all the amendments to the original JPA of 1971 and additional changes were made to the JPA to reflect the current practices and terminology. TCAG is responsible for overseeing and planning projects including bus services, road improvements, and air quality improvements.

On April 17, 2012 your Board passed resolution number 2012-0270 approving Amendment Two Tulare County Board Agreement No. 24583-B. Although your Board approved Amendment Two and the majority of member agencies approved the amendment, one member agency requested revisions and therefore Amendment Two was not added to the JPA. Therefore, it is necessary for your Board to rescind Agreement No. 24583-B.

On December 5, 2011 the TCAG Board authorized staff to plan, program, and implement the County of Tulare Transportation Impact Fee (TIF) Program subject to your Board's approval. On January 10, 2012 your Board passed resolution number 2012-0035 which approved TCAG assuming responsibility for the preparation and implementation of the Regional TIF program. While TCAG can conduct planning studies, a JPA amendment is required to allow TCAG to implement and manage a TIF program. It should also be noted that the JPA amendment includes clarifying language that each member agency also has the right to implement a local TIF program.

On September 6, 2011 the governor signed SB 325 Central California Railroad Authority Act) creating an authority to ensure railroad service continues on existing short rail lines in San Joaquin Valley Counties if the Surface Transportation Board authorizes the abandonment or discontinuance of service on those lines, or in the event of the bankruptcy or sale of existing short line railroad operations in the San Joaquin Valley Counties that are a part of the rail authority. Communities heavily reliant on short haul rail services stand to lose access to goods movement and shipping services if an alternative is not developed to ensure dependable rail service for the San Joaquin Valley Counties. In order for TCAG to join the Central California Railroad Authority, an amendment to the JPA is required.

Both the Regional TIF program and Central California Railroad Authority amendments are included in Amendment Two to Agreement No. 24583 the Tulare County Association of Governments (TCAG) Joint Powers Agreement among the Cities and the County.

**FISCAL IMPACT/FINANCING:**

There is no cost to the County to approve the proposed amendment to the JPA.

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

**Safety and Security:** Maintaining our roads and improving our transportation infrastructure is fundamental to the safety of residents.

**Organizational Performance:** Partnering with other jurisdictions to address common goals improves the quality of efforts and is economically advantageous to all jurisdictions.

**Quality of Life:** Improving air quality in our County improves the health and quality of life of residents.

**ADMINISTRATIVE SIGN-OFF:**

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Denise Akins  
Administrative Analyst- Water Resources

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment Amendment Two to Agreement No. 24583

1. Rescinded Board Agreement No. 24583-A.
2. Approved Amendment Two to Agreement No. 24583 (the Tulare County Association of Governments (TCAG) Joint Powers Agreement among the Cities and the County) to give TCAG the authority to implement and manage a Regional Transportation Impact Fee program and to join the Central California Railroad Authority.
3. Authorized the Chairman to execute ten (10) originals of the Joint Powers Agreement (JPA) Amendment One approved by a sufficient number of the nine (9) political subdivisions and leaving the date blank with the understanding that the effective date will be the date the Amendment is executed by the last party.