MEMORANDUM

DEPARTMENT OF PUBLIC WORKS
County of Placer

TO: BOARD OF SUPERVISORS DATE: May 20, 2014

FROM: KEN GREHM / WILL GARNER WG

SUBJECT: **PASS THROUGH OF FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS TO THE CITY OF LINCOLN**

ACTION REQUESTED / RECOMMENDATION

1. Adopt a Resolution approving a Budget Revision to add $154,687 to the Fiscal Year 2013-14 Department of Public Works Placer County Transit Budget to pass through FTA grant funds to the City of Lincoln. There is no net County cost.
2. Authorize the Director of Public Works to execute an agreement with the City of Lincoln to pass through FTA grant funds to the City.

BACKGROUND / SUMMARY

Placer County annually receives funding from the Federal Transit Administration (FTA) Section 5307 program. The FTA 5307 program provides funding for public transit within urbanized areas. Placer County is partially within the Sacramento urbanized area. The City of Lincoln became eligible for these funds when the urbanized area was redefined after the 2010 Census. The City previously received non-urbanized transit funds directly from Caltrans. FTA 5307 funds come directly from FTA. The FTA Region IX office will not provide grant funds directly to new grantee's, but instead seeks to pass the funds through existing grantees. Placer County has been coordinating with the City of Lincoln on consolidating transit operations and administration. Placer County has received grant funds directly from FTA for several years, and is the most logical agency to receive these funds and pass them through to the City. In order to preserve the funds, Placer County DPW applied successfully to FTA for the funds on behalf of the City of Lincoln.

ENVIRONMENTAL

The project is statutorily exempt from CEQA pursuant to section 21080(b)(10), as it is a project to provide passenger service.

FISCAL IMPACT

Placer County has received payment of funds designated for the City of Lincoln as part of the annual grant program. The proposed Budget Revision and Agreement will allow Placer County to process the payment of funds to the City. This pass through of funds from FTA to the City of Lincoln is entirely funded with approved FTA grants.

Attachments: Resolution
Budget Revision
Copy of Agreement

Before the Board of Supervisors
County of Placer, State of California

In the matter of: A RESOLUTION APPROVING A BUDGET REVISION FOR THE FISCAL YEAR 2013-2014 BUDGET FOR PLACER COUNTY TRANSIT INCREASING THE APPROPRIATION BY $154,687 TO PASS THROUGH FUNDS FROM FEDERAL TRANSIT ADMINISTRATION GRANTS TO THE CITY OF LINCOLN.

Resol. No:.....

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage

_____

Chair, Board of Supervisors

Attest:
Clerk of said Board

_____

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that this Board approves a Budget Revision to increase the appropriation to Placer County Transit in the amount of $154,687 to pass through funds from Federal Transit Administration Grants to the City of Lincoln.

Project 52

PLACER COUNTY
BUDGET REVISION

PAS DOCUMENT NO.

Dept No.	Doc Type	Total $ Amount	Total Lines
19	BR	$309,374.00	2

☐ Cash Transfer Required

☐ Reserve Cancellation Request

☐ Establish Reserve Required

☑ Auditor-Controller (Lynn Y. reviewed)

☐ County Executive

☐ Board of Supervisors

ESTIMATED REVENUE ADJUSTMENT											APPROPRIATION ADJUSTMENT										
Dept No.	T Code	Rev	FUND	SUBFUND	OCA	PCA	OBJ L-3	Proj. No.	G/L Sub GL	AMOUNT	Dept No.	T Code	Rev	OCA	PCA	FUND	SUBF	Obj L-3	Proj. No.	Proj Detail	AMOUNT
19	006		210	100	002102	00202	7255			154,687.00	19	014		002102	00202	210	100	3395			154,687.00
							TOTAL			154,687.00								TOTAL			154,687.00

REASON FOR REVISION: Budget Rvision to increase expense budget appn. for object level 3# 3395 Contribution to Other Agencies by $154,687 and increase the revenue budget appn for object level 3# 7255 Federal Operating Assistance by $154,687 to receive/ pass through monies for City of Lincoln.

Department Head Ken Grehm

Date: 4/28/2014

Distribution:
All copies to Auditor

Board of Supervisors

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AUDITOR-CONTRO
2014 APR 28 AM 10:40

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CONTRACT #: _____

AGREEMENT REGARDING PASS THROUGH OF FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDING FROM PLACER COUNTY TO THE CITY OF LINCOLN.

This Agreement, hereinafter referred to as "AGREEMENT", is made and entered into this _____ day of _____, 20__, by and between the County of Placer, hereinafter referred to as "COUNTY," and the City of Lincoln, hereinafter referred to as "LINCOLN."

RECITALS:

WHEREAS, LINCOLN directly provides public transit bus service, which operates within LINCOLN's and COUNTY's jurisdictional boundaries; and

WHEREAS, LINCOLN is eligible to receive funding under FTA section 5307 for operating assistance related projects; and

WHEREAS, the FTA Region IX office requires that section 5307 funding be awarded to an existing grantee; and

WHEREAS, LINCOLN is not an existing grantee of FTA Region IX; and

WHEREAS, COUNTY is an existing grantee of FTA Region IX; and

WHEREAS, COUNTY has been awarded a grant of FTA Section 5307 funds on behalf of LINCOLN,

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained, it is agreed by and between the parties hereto as follows:

I. GENERAL PROVISIONS

A. COUNTY agrees secure FTA Section 5307 grant funds and to pass said grant funds to the City of Lincoln for the purposes of grants identified on Exhibit A.

II. FEDERAL REQUIREMENTS

A. LINCOLN shall comply with the provisions of the annual FTA Certification and Assurances that are applicable to LINCOLN's use of FTA funds passed through from COUNTY found at the following web sites:
http://www.fta.dot.gov/documents/2014_Certs_and_Assurances.pdf
http://www.gpo.gov/fdsys/pkg/FR-2014-01-31/pdf/2014-01888.pdf

B. In addition to the requirements in the annual FTA Certifications and Assurances, LINCOLN also must comply with any and all laws, statutes, rules, regulations, circulars and directives, and the requirements of federal and state governments that relate to or in any manner the projects funded by the FTA Grants under this agreement. These regulations, circulars and directives include, without limitation, the following: FTA Circular No. 4220.1D, Third Party Contracting Guidelines; 49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;" Office of Management and Budget Circular A-87, Revised "Cost Principles Applicable to Grants and Contracts with State and Local Governments;" and any amendments or revisions to the foregoing.

III. PAYMENT

A. Upon receipt of LINCOLN's properly documented invoice and the required Progress and Financial Status Reports, COUNTY will draw down the FTA Grant funds and pay LINCOLN the applicable federal share of the invoice within 30 days from the date of receipt. LINCOLN's invoice shall include, at a minimum, evidence and/or a statement that LINCOLN has incurred the costs set out in its invoice and has paid its local share contribution. COUNTY reserves the right to require LINCOLN to submit payroll records, contractor or vendor invoices to verify that LINCOLN has incurred the cost set out in its invoice and that the amount of the invoice does not exceed the applicable federal share of LINCOLN allocation of FTA grant funds under the applicable FTA grant.

IV. HOLD HARMLESS

A. Neither LINCOLN nor any officer, employee or volunteer thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction delegated to COUNTY under this AGREEMENT. It is understood and agreed that, pursuant to Government Code Section 895.4, COUNTY shall fully defend, indemnify and save harmless LINCOLN, its officers, employees and volunteers from all claims, suits, or actions of every nature, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, activity or jurisdiction delegated to COUNTY under this AGREEMENT.

B. Neither COUNTY nor any officer, employee or volunteer thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by LINCOLN under or in connection with any work, activity or jurisdiction delegated to LINCOLN under this AGREEMENT. It is understood and agreed

that, pursuant to Government Code Section 895.4, LINCOLN shall fully defend, indemnify and save harmless COUNTY, its officers, employees and volunteers from all claims, suits, or actions of every nature, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by LINCOLN under or in connection with any work, authority or jurisdiction delegated to LINCOLN under this AGREEMENT.

V. TERMINATION.

A. This AGREEMENT becomes effective after its approval by both parties. This AGREEMENT shall remain in effect unless either of the parties to the AGREEMENT serves in writing, the other party a 30-day notice of termination. LINCOLN will submit an invoice to COUNTY for all expenses incurred to the effective date of termination for which LINCOLN has not been previously reimbursed. COUNTY will pay the invoice in accordance with the provisions of Section III above.

B. Written notice shall be served by U.S. Mail or in person to the following:

PLACER COUNTY:	Will Garner Department of Public Works Transportation Division 3091 County Center Dr, Suite 220 Lincoln, CA 95603
CITY OF LINCOLN:	Jim Estep City Manager 1225 Lincoln Way, Room 9 Lincoln, CA 95603

IN WITNESS THEREOF, the parties hereto have executed this agreement the day and year first above written.

City of LINCOLN

Recommended for Approval

By:_____
Jim Estep, City of Lincoln
City Manager

Approved as to Form:

By:_____
City Attorney

County of Placer

Recommended for Approval

By:_____
Ken Grehm, Placer County
Public Works Director

Approved as to Form:

By:_____
County Counsel

Exhibit A
Federal Transit Administration Grants Passed Through To The City of Lincoln from Placer County – FY 2013/14

Grant Type: 5307
CFDA #: 20.507
Grant Number: CA-90-Z018
FTA Amount Passed Through to Lincoln: $154,687
Contribution from the City of Lincoln: $539,313
Grant Purpose: Operating Assistance