

BEFORE THE
COUNCIL OF FRESNO COUNTY GOVERNMENTS
RESOLUTION NO. 2010-38

In the Matter of:)
)
TRANSPORTATION)
DEVELOPMENT ACT)
OF 1971)
_____)

RESOLUTION OF APPROVAL
TRANSPORTATION FUNDING
CLAIM FOR THE CITY OF
FIREBAUGH, 2010-11

WHEREAS, the Council of Fresno County Governments (COG) is the administrator of the Local Transportation Fund as provided by Chapter 1400 of the California Statutes of 1971, and the State Transit Assistance Fund as provided by Chapter 161 & 322 of the Statutes of 1979 and 1982, respectively, and

WHEREAS, the COG has the authority to review claims and allocate such funds in accordance with the Transportation Development Act of 1971 and Chapter 3 of Title 21 of the California Code of Regulations; and

WHEREAS, the City of Firebaugh has submitted a Transportation Funding Claim for its 2010-11 fiscal year apportionment.

NOW, THEREFORE, BE IT RESOLVED, that the Transportation Funding Claim submitted by the City of Firebaugh has been reviewed and the following findings are hereby made:

1. The Funding Claim submitted by the City of Firebaugh has been reviewed and found to be in conformance with the adopted Regional Transportation Plan.
2. That the COG finds that priority consideration has been given to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high-priority regional, countywide, or area wide public transportation needs.
3. On June 24, 2010 the COG Board approved Resolution 2010-14 which found that public transportation needs within the City of Firebaugh and its sphere of influence will be reasonably met in 2010-11.

BE IT FURTHER RESOLVED, that the COG hereby approves the Transportation Funding Claim submitted by the City of Firebaugh and allocates monies from the Transportation Development Act in accordance with the attached claim which is hereby made a part of this resolution.

BE IT FURTHER RESOLVED, that the Auditor-Controller of the County of Fresno cause the approved claim to be paid in the manner and time directed by the Executive Director of the Council of Fresno County Governments.

THE FOREGOING RESOLUTION was passed and adopted by the Council of Fresno County Governments this 18th day of November, 2010.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Trinidad M. Rodriguez, Chairman

I hereby certify that the foregoing is a true copy of a resolution of the Council of Fresno County Governments duly adopted at a regular meeting thereof held on the 18th day of November, 2010.

Signed: _____
Tony Boren, Executive Director

RESOLUTION NO. 10-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH AUTHORIZING SUBMISSION OF LOCAL TRANSPORTATION FUND CLAIM FOR FY 2010/2011

WHEREAS, the City of Firebaugh has prepared and hereby submits a Local Transportation Fund Claim from the Local Transportation Fund of Fresno County for fiscal year 2010/2011; and

WHEREAS, the Council of Fresno County Governments has authority to review claims and allocate funds in accordance with the Transportation Development Act of 1971 and Chapter 3, Subchapter 2 and 2.5 Title 21 of the California Code of Regulations; and

WHEREAS, the Council of Fresno County Governments encourages inter jurisdictional coordination of transportation needs and increased coordination of transportation implementation plans;

NOW, THEREFORE, BE IT RESOLVED that the Firebaugh City Council hereby requests the Council of Fresno County governments to allocate from the Local Transportation Fund to the City of Firebaugh for fiscal year 2010/2011 for the purposes allowed under Articles III, IV, and VIII of the Transportation Development Act of 1971, as identified in the attached claim and which is in accordance with the adopted Regional Transportation Plan and authorizes the City Manager to sign the claim;

BE IT FURTHER RESOLVED, that the City of Firebaugh further agrees to provide the Council of Fresno County Governments with such information as may be necessary to support its Annual Transportation Claim.

BE IT FURTHER RESOLVED, that the City of Firebaugh hereby requests that of the City's total Transportation Fund Apportionment for the fiscal year 2010/2011, an amount of \$173,692.00 shall be allocated from the Local Transportation Fund to the Council of Fresno County Governments for the purpose of conducting Regional Transportation Planning.

The foregoing resolution was duly adopted by the Firebaugh City Council at a regular meeting on the 18th day of October 2010, by the following vote, to wit:

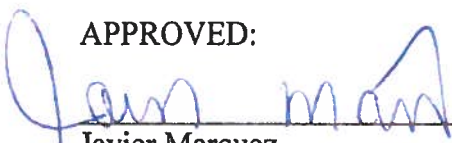
AYES: Council Members Sablan, Lake, Lowe, Marquez

NOES: Council Members

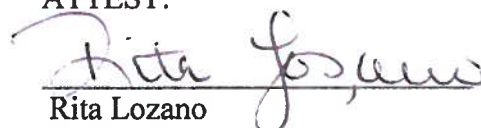
ABSTAIN: Council Members

ABSENT: Council Members DeFrancesco

APPROVED:


Javier Marquez
Mayor

ATTEST:


Rita Lozano
Deputy City Clerk

**ATTACHMENT A
LOCAL TRANSPORTATION PURPOSES
CERTIFICATIONS AND CLAIM**

TO: Fresno County Transportation Authority

FROM: City of Firebaugh

Address: 1575 11th Street
City: Firebaugh Zip Code 93622
Contact: Jose Antonio Ramirez, City Manager
Telephone: (559) 659-2043

1. The City of Firebaugh ("claimant") is an eligible claimant of funds for local transportation purposes pursuant to California Public Utilities Code Section 142257.
2. The Fresno County Transportation Authority has adopted a Resolution of Apportionment for Fiscal Year 2010-2011 setting .73% of the amount for Local Transportation Purposes available to the claimant. On behalf of claimant, I hereby request release of the funds to claimant in accordance with:
 - (a) Monthly payments consistent with adopted percentage, based on actual receipts.
3. On behalf of claimant, I hereby certify as follows:
 - (a) That Local Transportation Purpose Funds are not being used to substitute for property tax funds which claimant had previously used for local transportation purposes. Such substitution of property tax funds is prohibited by California Public Utilities Code Section 142257.
 - (b) That claimant has segregated property tax revenues from claimant's other general funds revenues used to support local transportation purposes so that verification of non-substitution can be proved through audit or that the non-substitution of funds shall apply to claimant's entire general fund.
 - (c) That claimant shall account for Local Transportation Purpose Funds received pursuant to Public Utilities Code Section 142257. Claimant shall maintain current records in accordance with generally accepted accounting principles, and shall separately record expenditures for each type of eligible purpose. Claimant shall make such records available to the Authority for inspection or audit at any time.
4. Claimant understands that should financial or compliance audit exceptions be found, the Fresno County Transportation Authority will take immediate steps to resolve the exceptions in accordance with its adopted procedures.

Claimant's Authorized Signature: _____

Title: _____

Date: _____

Jose A Ramirez
City Manager

10/29/10

ATTACHMENT: Evidence of Formal Action for Approval and Submittal

Approved by: Fresno County Transportation Authority

Date: _____

Chairman: _____

Enter Date: 10/8/2010

Claimant Name: City of Firebaugh

TRANSPORTATION FUNDING CLAIM FOR FISCAL YEAR: 2010/11

Instructions: Please note that light yellow fields require an entry if applicable, light grey fields contain formulas that will automatically calculate based on corresponding entries. A date and claimant name field is at the top of the first page, and automatically repeats on following pages, (date should be formatted 00/00/0000)

When completed, please print, sign and send signed original via mail to: Les Beshears, Director of Finance, Council of Fresno County Governments, 2035 Tulare Street, Suite 201, Fresno, CA 93721

From: Applicant: City of Firebaugh
 Address: 1133 "P" Street
 City/State/Zip: Firebaugh, CA 93622
 Contact Phone/email: 559-659-2043, financedirector@ci.firebaugh.ca.us

This applicant is an eligible claimant pursuant to Section 99203 of the Public Utilities Code and certifies that the following transportation funds are available to be claimed:

Local Transportation Fund	
Apportionment:	\$ 173,692.00
Surplus (Prior Years):	
Unexpended, Held by Claimant:	
Other Agency:	

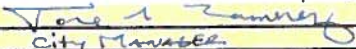
State Transit Assistance Fund	
Estimate:	\$ 35,617.00
Prior Year Carryover:	
Unexpended, Held by Claimant:	

Other	
Audit Exception/Impairment:	
Other (specify):	
Other (specify):	
Other (specify):	

TOTAL Two hundred nine thousands three hundred and nine dollars \$ 209,309.00

spell out total amount in above cell

for the purposes and respective amounts specified in the attached claim be drawn from the
Local Transportation Fund and State Transit Assistance Fund.
 Please print and sign after completing form

Authorized Signature: 
 Title: City Manager
 Date: 10-08-10

Enter Date: 10/8/2010

Claimant Name: City of Firebaugh

BICYCLE AND PEDESTRIAN FACILITIES FOR FISCAL YEAR: 2010/11

Two percent (2%) of the claimant's Local Transportation Fund apportionment must be spent on bicycle and pedestrian facilities (PUC 99233.3 and 99234); such claims are to be filed as Article 3. Claims for projects in excess of 2% may be filed as Article 8a (PUC 99400(a)). If other funding is to be used with Local Transportation Funds to implement projects, such funding should be shown on the claim form.

PROJECT TITLE & BRIEF DESCRIPTION	PROJECT COST
1. Various Bicycle & Pedestrian Facilities throughout the claimant's jurisdiction:	\$ 3,474.00
AND/OR:	
1. Specify:	\$ -
2. Specify:	\$ -
Add additional rows if necessary, copy and paste to insert and preserve formatting.	\$ -
TOTAL PROJECT COSTS	\$ 3,474.00
Update formula in TOTAL PROJECT COSTS field to include new cell values if necessary.	
Revenue Source & Amount	
LTF Article 3:	\$ 3,474.00
LTF Article 8a:	\$ -
Other (specify):	\$ -
Other (specify):	\$ -
Audit Exception - General Payback Fund:	\$ -
SUB-TOTAL	\$ 3,474.00

STREETS AND ROADS CLAIM FOR FISCAL YEAR: 2010/11

Local Transportation Funds coming to claimants within Fresno County may be used for streets and roads improvements and maintenance pursuant to Article 8 (PUC 99400), but only after Fresno COG makes a finding that public transportation needs within the claimant's jurisdiction are reasonably met by satisfying the service requirements set forth by the Regional Transportation Plan (PUC 99401.5).

PROJECT TITLE & BRIEF DESCRIPTION	PROJECT COST
1. Development, Construction & Maintenance Facilities throughout the claimant's jurisdiction:	\$ -
AND/OR:	\$ -
1. Specify:	\$ -
2. Specify:	\$ -
Add additional rows if necessary, copy and paste to insert and preserve formatting.	\$ -
TOTAL PROJECT COSTS	\$ -
Update formula in TOTAL PROJECT COSTS field to include new cell values if necessary.	
Revenue Source & Amount	
LTF Article 8a:	\$ 141,488.00
Other (specify):	\$ -
Other (specify):	\$ -
Audit Exception - General Payback Fund:	\$ -
SUB-TOTAL	\$ 141,488.00

Enter Date: 10/8/2010

Claimant Name: City of Firebaugh

TRANSPORTATION FUNDING CLAIM DETAIL FOR FISCAL YEAR: 2010/11

PURPOSE	AMOUNT	SUBTOTAL
1. Bicycle & Pedestrian Facilities:		
Article 3:	\$ 3,474.00	
Article 8:		
Audit Exceptions:		
Unexpended Funds Held by Claimant:		
	SUB-TOTAL	\$ 3,474.00
2. Regional Transportation Planning:		\$ 4,851.00
3. Public Transportation:		
Article 4:		
Article 8c:		
State Transit Assistance Funds (STA)		
Audit Exceptions (General Fund Payback)		
Unexpended Funds Held by Claimant:		
Other Agency (specify):		
Other Agency (specify):		
Other Agency (specify):		
Other Agency (specify):		
	SUB-TOTAL	\$ -
4. Community Transit Service CSTA, article 4.5:		
5. Streets & Roads Article 8a:	\$ 141,488.00	
Audit Exceptions:		
Unexpended Funds Held by Claimant:		
	SUB-TOTAL	\$ 141,488.00
6. To Be Claimed By:		
Fresno County Rural Transit Agency:	\$ 50,985.00	
Consolidated Transportation Service Agency:	\$ 8,511.00	
Other Agency (specify):		
Other Agency (specify):		
Other Agency (specify):		
Other Agency (specify):		
	SUB-TOTAL	\$ 59,496.00
7. Reserve In Fund Pending Further Claiming		
	GRAND TOTAL	\$ 209,309.00
Claim Total Must Agree With Total on First Page	\$ 209,309.00	
Minus All Unexpended Funds Held By	\$ -	
GRAND TOTAL PAYABLE TO CLAIMANT	\$ 209,309.00	

Allocation instructions and payment by the Fresno County Auditor-Controller to the applicant is subject to such monies being available for distribution, and to the provisions that such monies will be used only in accordance with the rules and regulations of the Transportation Development Act.

Enter Date: **10/8/2010**

Claimant Name: **City of Firebaugh**

CONTINGENCY PROJECT LISTING FOR FISCAL YEAR: 2010/11

Should additional Local Transportation Fund or State Transit Assistance Fund monies be made available during the current fiscal year, they are hereby also claimed for the following purposes:

CHECK ALL THAT APPLY (Enter "X" in yellow cell)

BICYCLE AND PEDESTRIAN FACILITIES

☒ X

Article 3

PUBLIC TRANSPORTATION

☒ X

Article 4

STREETS & ROADS

☒ X

Article 8a

STANDARD ASSURANCES FOR APPLICANTS

CLAIMANT ASSURANCES: (initial sections which apply)

J.K.

A. Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with required certification statement, to the RTPA and to the State Controller, pursuant to PUC 99245 and 21 Cal. Code of Regulations Section 8864 for the prior fiscal year (project year minus two). Claimant assures that this audit requirement will be completed for the current fiscal year (project year minus one).

J.K.

B. Claimant certifies that it has submitted a State Controller Report, in conformance with the uniform system of accounts and records, to the RTPA, and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Beginning with the 1979-80 fiscal year, claimant assures that this report will be audited by an Independent CPA. Claimant assures that this report will be completed for the current fiscal year (project year minus one)

The undersigned hereby certifies that the above statements are true and correct.
Please print and sign after completing form

Signature/Print Name:

Title/Agency:

Date:

Joe Ramirez
City Manager, City of Firebaugh
11/8/10