



February 10, 2009

AGENDA ITEM NO.
COUNCIL MEETING
APPROVED BY

DEPARTMENT DIRECTOR
CITY MANAGER

**FROM:** PATRICK N. WIEMILLER, Director   
Public Works Department

**BY:** SCOTT L. MOZIER, PE, City Engineer/Assistant Director   
Public Works Department

**SUBJECT:** ADOPT A RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR AND ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA TRANSPORTATION COMMISSION ADOPTED STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) AND AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE.

**KEY RESULT AREA**

One Fresno

**RECOMMENDATIONS**

Staff recommends that the City Council adopt a resolution authorizing the submission of applications for and acceptance grant funds from the California Transportation Commission adopted State-Local Partnership Program (SLPP) and authorizing the execution of documents by the Public Works Director or his designee.

**EXECUTIVE SUMMARY**

The *Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006* was approved by California voters as Proposition 1B on November 7, 2006 and authorized \$1 billion to be deposited in the State-Local Partnership Program (SLPP) Account available to the California Transportation Commission (CTC) to allocate funds to eligible transportation projects. Government Code Section 8879.71 requires the CTC to distribute funds from each annual appropriation to the SLPP Account between the Voter-Approved Taxes and Fees Subaccount (95%) and the Uniform Developer Fees Subaccount (5%). The Department of Public Works has identified projects to submit for the Competitive Grant Program to Match Uniform Developer Fees adopted by the City in 2007 as the "Traffic Signal Mitigation Impact Fee" account which meets the criteria adopted by the CTC for the 5% competitive funds. All project application submittals are due to the CTC by February 15, 2009.

## **KEY OBJECTIVE BALANCE**

The resolution balances the three Key Objectives of Customer Satisfaction, Employee Satisfaction and Prudent Financial Management. Customer Satisfaction is achieved through identifying and promoting projects that will directly benefit the citizens of Fresno. Employee satisfaction is achieved by planning and developing projects that will facilitate local and regional transportation and/or infrastructure improvements. Prudent Financial Management is achieved by utilizing grant funds to facilitate improvements of public transportation facilities and maximizing City resources to the furthest extent possible.

## **BACKGROUND**

The *Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006* was approved by California voters as Proposition 1B on November 7, 2006 and includes a \$1 billion State-Local Partnership Program (SLPP) Account available to the California Transportation Commission (CTC) to allocate funds to eligible transportation projects. SB 88 and AB 193 (2007) were enacted for the Bond Act and designated the CTC as the administrative agency for the SLPP Account. Government Code Section 8879.71 requires the CTC to distribute funds from each annual appropriation to the SLPP Account between the Voter-Approved Taxes and Fees Subaccount (95%) and the Uniform Developer Fees Subaccount (5%). The Department of Public Works has identified projects to submit for the Competitive Grant Program to Match Uniform Developer Fees adopted by the City as the "Traffic Signal Mitigation Impact Fee" account which meets the criteria adopted by the CTC for the 5% competitive funds.

The Department of Public Works has identified two projects to submit as the strongest candidate projects to compete for the SLPP funding:

- Install a traffic signal light and widen the Herndon Ave northbound off-ramp at State Route 99; and
- Install a traffic signal light at the northbound State Route 99 off-ramp to Ventura Avenue intersection.

The project candidates were evaluated on the ability to meet the SLPP Guidelines competitively which also qualifies for the City of Fresno's Traffic Signal Mitigation Impact Fee account funds, and the CTC will give consideration to the following criteria:

- Geographic balance and to demonstrated project cost-effectiveness;
- Projects that can commence construction earlier;
- Projects that leverage more uniform developer fees per program dollar; and
- Demonstrate air quality improvements including reduced vehicle miles traveled.

## **FISCAL IMPACT**

Matching funds for these projects will be provided through the City of Fresno's Traffic Signal Mitigation Impact Fee Account funds and there will be no impacts to the general fund.

Attachments: Resolution

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

ADOPT A RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR AND ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA TRANSPORTATION COMMISSION ADOPTED STATE-LOCAL PARTNERSHIP PROGRAM (SLPP) AND AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE

WHEREAS, the California Transportation Commission is accepting project applications from eligible local agencies to the State-Local Partnership Program (SLPP); and

WHEREAS, the applicant's governing body certifies by resolution approval of the applications and program participation; and

WHEREAS, the City of Fresno will participate in the SLPP process to implement eligible transportation improvements that also qualify for the City of Fresno's Traffic Signal Mitigation Impact Fee; and

WHEREAS, the City has identified significant projects that meet the SLPP Guidelines and program requirements; and

WHEREAS, the City of Fresno will enter into an agreement with the State of California for development of the Projects; and

WHEREAS, the City has FY 2008-2009 and FY 2009-2010 appropriations available to meet the program matching requirements.

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NOW, THEREFORE, BE IT IS RESOLVED, by the Council of the City of Fresno as follows:

1. The Council approves the application for and acceptance of grant funding from the State of California SLPP Program for the Projects and participation therein, consistent with constitutional and local law requirements and this resolution.

2. The Council certifies, consistent with constitutional and local law requirements and this resolution that the City has or will have sufficient funds to provide the local match and to operate and maintain the Projects.

3. The Council certifies that the City has reviewed, understands and, to the extent consistent with all constitutional and local law requirements and this resolution, agrees to the provisions contained in the application and program guidelines, manual and related documents.

4. The Council Appoints and authorizes the Department of Public Works Director or his or her designee as the agent for the City of Fresno to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on which may be necessary for the completion of the aforementioned Projects, subject to prior approval as to form by the City Attorney's Office.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the \_\_\_th day of February, 2009.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2009

Mayor Approval/No Return: \_\_\_\_\_, 2009

Mayor Veto: \_\_\_\_\_, 2009

Council Override Vote: \_\_\_\_\_, 2009

REBECCA E. KLISCH  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By:   
Kathryn C. Phelan, Deputy City Attorney

Date: 2/4, 2009

KCP:bf [47972bfs/RESO] 02/04/09