

A-10



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

2009 FEB 11 AM 9:25

COUNTY OF SANTA BARBARA

Department Name: Public Works
Department No.: 054
For Agenda Of: February 24, 2009
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

0224.06 09.00161

TO: Board of Supervisors
FROM: Department Director Scott D. McGolpin, Public Works Department, 568-3010
Contact Info: Dacé B. Morgan, Deputy Director of Transportation, 568-3064
SUBJECT: Agreement for Reallocation of Funds for the Tepusquet Road Bridge, 5th Supervisorial District, County Project No.862248, Federal Project No. BRLKS-5951(098)

FEB 24 2009

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

Approve and execute an Agreement with the Santa Barbara County Association of Governments (SBCAG), for the Reallocation of Regional Surface Transportation Program Funds, in the amount of \$500,000 for the Tepusquet Road Bridge, Fifth Supervisorial District; County Project No. 862248.

Summary Text:

The Tepusquet Road Bridge project is being funded by the Federal Highway Bridge Program, the County General Fund, and a grant for \$500,000 from the California Wildlife Conservation Board (W.C.B.). In late December 2008, the County received a letter from the W.C.B. stating that the \$500,000 grant will not be available until the State's fiscal crisis is resolved. To prevent delays in construction, the Public Works Department is requesting the reallocation of \$500,000 in Regional Surface Transportation Program (RSTP) funds, currently programmed to a future-year County project, for use on the Tepusquet Bridge project.

If it necessary to draw down the RSTP funds, the County would repay SBCAG and the RSTP program as it receives the WCB grant funds. The repaid funds would be made available for use on the non-urbanized, unincorporated area street repair project that the RSTP funds are currently programmed to. Staff does not anticipate needing the funds for the street repair project until FY 10/11, by which time the RSTP program should be fully reimbursed.

Background:

The proposed project is to replace the existing low-water crossing on Tepusquet Road across the Sisquoc River with a multi-span bridge. The project is located approximately three miles east of the town of Sisquoc, between Foxen Canyon and Santa Maria Mesa Roads, in Santa Barbara County. The purpose of the bridge is to improve public safety by eliminating the interruption of vehicular service during the rainy season when the low-water crossing is impassible, and to eliminate negative impacts to the riparian corridor that are associated with reconstructing the low-water crossing following frequent wash outs. Significant cost savings are expected as well by eliminating the need to replace the low-water crossing following major flow events on the river.

In May 2008, the County Board of Supervisors submitted a letter to the SBCAG Board requesting Regional Measure D funds in the amount of \$500,000 to close a budget shortfall for construction of the Tepusquet Road Bridge project. During this time, Public Works applied for a \$500,000 grant from the W.C.B. and sought the Regional Measure D funding as a backstop to fill the budget shortfall and keep the project on schedule. We were successful in August 2008 in receiving \$500,000 W.C.B. grant; therefore, no Regional Measure D funds were needed for the project.

In late December 2008, County Public Works staff contacted SBCAG after being notified by the W.C.B. that the \$500,000 grant would not be available until the State's fiscal crisis is resolved. Staff from Public Works and SBCAG met to discuss the potential cash flow issues and to develop a plan to keep the project on schedule. A joint recommendation was developed to enter into an Agreement for the reallocation of Regional Surface Transportation Program Funds until the W.C.B. can issue payment on the approved grant.

The RSTP funds to be reallocated were originally programmed as a non-federal match on \$4.0 million in Federal Demonstration funds the County received to resurface various roads in the 24th Congressional District. The Demonstration and RSTP funds will be utilized over a five-year period. This means that a portion of RSTP funds scheduled to be used on the street repair project in the outer years of the five-year period could be loaned to the Tepusquet Bridge to ensure that full funding for construction is available. This would allow the bridge project to move forward without delays. Because funds for the street repair project are not anticipated to be needed until FY 10/11 loaning the RSTP funds for the Tepusquet project will not delay the county's road rehabilitation project. If the WCB grant funds are not available to the County by FY10/11 Measure A dollars will need to be programmed to backfill matching funds for the road rehabilitation project.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
RSTP			\$ 500,000.00
Total	\$ -	\$ -	\$ 500,000.00

Narrative:

Upon written request from the Director of Public Works, SBCAG shall transfer up to \$500,000 in RSTP funding from the County's programmed, Non-Urbanized area of the County Street Repair Project to assist in meeting the cash flow needs due to the delay of the W.C.B. grant. Repayment of the RSTP funds will be made to SBCAG within 60 days after the County receives reimbursement payment from the W.C.B.

Staffing Impacts:

Legal Positions:

None

FTEs:

None

Special Instructions:

Please forward a certified, stamped copy of the Minute Order approving this recommendation to Beverly Cross, Public Works – Transportation, Engineering Section, 568-3094.

Attachments:

Agreement for the Reallocation of Funds between the County of Santa Barbara and the Santa Barbara County Association of Governments

Authored by:

Charlie Elbert, Public Work Department, Engineering Project Manager, 568-3123

C/SE

CS

CC:

AGREEMENT FOR REALLOCATION OF FUNDS

**between the
County of Santa Barbara
and the
Santa Barbara County Association of Governments**

This agreement between the County of Santa Barbara (COUNTY) and the Santa Barbara County Association of Governments (SBCAG) is entered into by the governing Boards of the respective agencies.

Whereas, SBCAG receives Regional Surface Transportation Program apportionments made available to Santa Barbara County for allocation to transportation projects in accordance with Section 182.6 of the Streets and Highways Code; and

Whereas, SBCAG programmed \$921,000 in Regional STP to a project in FY 06/07 entitled, Non-urbanized area of the County – Street repair/various locations (CO24); and

Whereas, COUNTY was awarded five hundred thousand dollars (\$500,000) from the State Wildlife Conservation Board (WCB) for construction of the Tepusquet Bridge (PROJECT); and

Whereas, the Department of Finance issued a directive to state agencies on December 17, 2008 that restricts the ability of the Wildlife Conservation Board to make disbursements pursuant to the agreement between WCB and COUNTY; and

Whereas, COUNTY's other funding sources for PROJECT include \$800,000 from the County General Fund and \$8.4 million from the federal Highway Bridge Program; and

Whereas, COUNTY desires to have the ability to reallocate a portion of COUNTY's RSTP apportionment to project CO24 to ensure that full funding for construction of the PROJECT is available at the time it awards a construction contract, in approximately February 2009; and

Whereas, the funds in project CO24 are to be used by COUNTY as a match for Federal Demonstration funds secured by COUNTY used for resurfacing various roads in the 24th Congressional District. The COUNTY will receive the Demonstration funds from the State of California acting on behalf of the Federal Government over a five year period, and therefore does not anticipate needing these matching funds from SBCAG until FY10/11; and

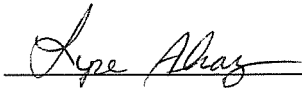
Whereas, COUNTY intends to use funds to address a cash flow deficiency that it projects may emerge on the project if the WCB reimbursements are delayed beyond the last quarter of FY 08/09.

Now therefore, the parties do agree as follows:

1. Upon written request of COUNTY's Public Works Director, SBCAG shall transfer up to \$500,000 in Regional Surface Transportation Program (STP) funding from the County's programmed, Non-Urbanized area of the County Street Repair Project (CO24) to assist the County in meeting cash flow needs due to the anticipated delay of the WCB grant reimbursement beyond the last quarter of FY 08/09. Request for the transfer may be made if, in the opinion of COUNTY, COUNTY's other available project funds are insufficient for the completion of PROJECT. No interest will be charged to COUNTY on the reallocated funds.

2. COUNTY shall repay funds to the RSTP fund account held by SBCAG within 60 days after COUNTY receives each reimbursement payment from WCB.
3. SBCAG shall make repaid funds from COUNTY available to COUNTY for the Non-urbanized area of the County – Street Repair Project (CO24) as payments are received by SBCAG.
4. Amendments to this reallocation agreement may be entered into by mutual written agreement of the governing Boards of the COUNTY and SBCAG. Such amendments shall be binding on the parties and shall be effective as of the date specified in the amendment.
5. In the event the WCB grant is reduced or eliminated by the State of California or COUNTY is otherwise unable prior to FY 10/11 to repay the RSTP funds borrowed, SBCAG shall reduce the amount of RSTP funding programmed for project CO24 by a like amount. Alternatively, the parties may mutually agree upon replenishment of the re-allocated RSTP funds from another source.

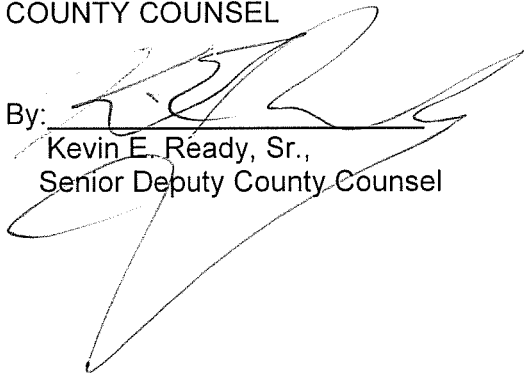
Made and entered into on this 15th day of January, 2009.



Chair, SBCAG

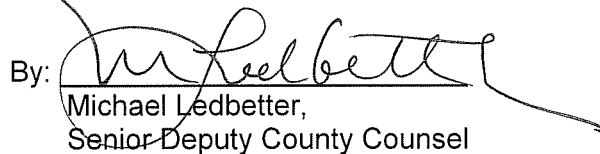
Joe Centeno, Chair
Santa Barbara County Board of Supervisors

APPROVED AS TO FORM
FOR SBCAG:
DENNIS MARSHALL,
COUNTY COUNSEL

By: 

Kevin E. Ready, Sr.,
Senior Deputy County Counsel

APPROVED AS TO FORM
FOR COUNTY OF SANTA BARBARA:
DENNIS MARSHAL,
COUNTY COUNSEL

By: 

Michael Ledbetter,
Senior Deputy County Counsel

APPROVED AS TO ACCOUNTING
ROBERT W. GEIS
AUDITOR CONTROLLER

By: 
