



## Legislation Details (With Text)

**File #:** ID#15-245    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 3/18/2015    **In control:** City Council  
**On agenda:** 4/9/2015    **Final action:** 4/9/2015  
**Title:** RESOLUTION - Authorizing the execution of certifications and assurances and the annual filing of applications for acceptance of and execution of all document and instruments related to the State of California Low Carbon Transit Operations Program  
**Sponsors:** Department of Transportation  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Reso Authorizing Grant Authority to Executive Grant Documents LCTOP.pdf

Date	Ver.	Action By	Action	Result
4/9/2015	1	City Council	adopted	Pass

## REPORT TO THE CITY COUNCIL

**April 9, 2015**

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Department of Transportation

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## SUBJECT

RESOLUTION - Authorizing the execution of certifications and assurances and the annual filing of applications for acceptance of and execution of all document and instruments related to the State of California Low Carbon Transit Operations Program

## RECOMMENDATION

Staff recommends Council approve a resolution authorizing the City Manager and/or the Director of Transportation to file annual grant applications and project proposals with the State of California and to execute and file all necessary funding documents on behalf of the City.

## EXECUTIVE SUMMARY

The Department of Transportation/Fresno Area Express (FAX) requests Council approval of the

attached resolution authorizing the City Manager and/or the Director of Transportation to execute and file required certifications and assurances, project proposals, grant approval documents, and other documents required by the State of California on behalf of the City. Approval of the attached resolution would reduce delays in receiving state funds by authorizing the City Manager and/or the Director of Transportation to execute and file annual grant documents in FY15 and each following fiscal year, provided the grant amounts and projects have been approved by Council in the annual budget resolution.

## **BACKGROUND**

FAX will annually submit project proposals to the State of California for available Low Carbon Transit Operations Program ("LCTOP") funding. These anticipated revenues and corresponding appropriations will be included in the department proposed budget each fiscal year, or the department will return to Council to request the appropriations.

In recent years, the department has aggressively pursued new sources of revenue, including transit specific grant funds through the Federal Transit Administration ("FTA"); Congestion Mitigation Air Quality ("CMAQ"); San Joaquin Valley Air Pollution Control District ("SJVAPCD"); and through the State of California. These funds provide for transit specific operating and capital expenditures. LCTOP funds can be anticipated in advance, and the revenues and appropriations will be included in the department proposed budget for Council approval each fiscal year.

The LCTOP is one of several programs of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. Approved projects in LCTOP will support new or expanded bus or rail services, expand intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service area includes disadvantaged communities, at least 50 percent of the total monies received shall be expended on projects that will benefit disadvantaged communities. Senate Bill 852 (Statutes of 2014) appropriates \$25 million (statewide) for LCTOP for 2014-15 and Senate Bill 862 continuously appropriates five percent of the annual auction proceeds in the Greenhouse Gas Reduction Fund for LCTOP beginning in 2015-16. Initial project proposals must be submitted by April 15, 2015, for the 2014-15 funding allocation. Future eligible projects are anticipated for submission to Caltrans annually. Additionally, to utilize LCTOP transit funds, the department will be required to prepare and submit semiannual financial and progress reports, and project closeout reports when appropriate.

In this initial 2014-15 proposal process the department is eligible for a \$249,311 allocation and plans to propose an expanded fixed-route service called Tripper service. The appropriations and revenue for the project are included in the department proposed FY16 budget. LCTOP funding will enable FAX to expand regular fixed-route service on routes that are highly impacted at certain peak times of day when residents are commuting to and from work, medical appointments, and other activities, and students and school personnel are commuting to and from school. During these peak times FAX buses are often at capacity and forced to leave riders at bus stops to wait for the next bus. This negatively impacts transit riders' travel plans. The Tripper service will add buses at those peak times, improving service for all FAX riders on those routes.

In FY05, Council approved a similar resolution relating to annual federal funding through the FTA. This has reduced delays in submitting and executing grant documents to the FTA that occur on an ongoing basis. It is anticipated the State of California will require a resolution each year with regard to the LCTOP transit funds. The attached resolution, along with Council annual approval of expenditure of grant funds during the annual budget process, will satisfy the state requirement.

The attached resolution has been reviewed by the City Attorney's Office. The resolution is consistent with transportation funding resolutions previously approved by Council, and authorizes the City Manager and/or the Director of Transportation to execute and file documents required by the State for LCTOP funding on behalf of the City of Fresno in FY15 and in each following fiscal year, provided the grant amounts have been approved in the annual budget resolution.

## **ENVIRONMENTAL FINDINGS**

This is not a "project" for the purpose of CEQA pursuant to CEQA Guidelines Section 15378.

## **LOCAL PREFERENCE**

Local preference was not considered because this is not a bid or award of a contract.

## **FISCAL IMPACT**

There is no impact to the General Fund from this action. There is no local match requirement for LCTOP funding. If the department will match (leverage) a particular project in future years, any local match funds will be identified in the annual budget or in amendments to the Annual Appropriations Resolution, as approved by Council.

Attachment:

Resolution Authorizing Grant Authority to Execute Grant Documents