

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Auditor-Controller

BOARD AGENDA # \*B-1

Urgent

Routine

AGENDA DATE December 4, 2007

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of the Allocation of Funds Received from the Department of Transportation to Various Agencies as Prescribed by the Streets and Highway Code Provisions

STAFF RECOMMENDATIONS:

1. Allocate \$7,593.05 for payment of possessory interest tax bill (ASMT 860-000-576) in accordance with Section 104.13(C) of the California Streets and Highways Code.
2. Allocate \$1,581.60 to the City of Modesto in accordance with Section 104.10 of the California Streets and Highways Code.
3. Allocate \$534.60 to the City of Ceres in accordance with Section 104.10 of the California Streets and Highways Code.

- Staff Recommendations Continued on Page 2 -

FISCAL IMPACT:

Stanislaus County has received an allocation of \$28,099.07 of Highway Property Rental Revenue for Fiscal Year 2007-2008. Consistent with the California Streets and Highways Code, this revenue will be allocated in the following manner: \$7,593.05 for payment of possessory interest tax bill (\$1,396.52 of which will be received by the General Fund); \$1,581.60 to the City of Modesto, \$534.60 to the City of Ceres, and \$18,389.82 to the County Road Fund.

BOARD ACTION AS FOLLOWS:

No. 2007-927

On motion of Supervisor Mayfield, Seconded by Supervisor Grover  
and approved by the following vote,

Ayes: Supervisors: Mayfield, Grover, Monteith, DeMartini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of the Allocation of Funds Received from the Department of Transportation to Various Agencies as Prescribed by the Streets and Highway Code Provisions

STAFF RECOMMENDATIONS, Continued

4. Allocate \$18,389.82 to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highways Code limiting its spending to mass transit or streets and highways purposes.

DISCUSSION

The State Department of Transportation acquires real property for present and future state highway purposes. Real property acquired for future needs is leased until needed for proposed projects. Disposition of lease revenues is governed by Sections 104.6, 104.10, and 104.13 of the California Streets and Highways Code. Basically, 24% of the lease revenue is forwarded to the County to be distributed by the Board of Supervisors. The local revenue must first be used to pay possessory interest tax bills against the property (Section 104.13), and cities are entitled to one-half the revenues generated within their jurisdiction (Section 104.10). The only other restriction is stated in Section 104.10, "the money received ... shall be expended only for purposes authorized by Article XIX of the California Constitution." In our opinion, this limits the use of the money to mass transit and streets and highway purposes.

As mentioned above, the discretionary portion of this revenue is to be used for transportation purposes. That would limit distribution to those agencies (county and cities) that provide transportation services. Because this discretionary portion is not material, we recommend distribution solely to the County.

POLICY ISSUES

Approval of this request furthers the Board Priorities of a Strong Local Economy and Effective Partnerships. Section 104.10 of the California Streets and Highways Code requires allocation of these funds to be determined by the Board of Supervisors.

STAFFING IMPACT

Activities related to this allocation are ongoing functions. No new activities or staffing commitments are proposed.

Information received from the State Dept. of Transportation

TENANCY #	LOCATION	CITY	BOOK	PAGE	PARCEL	PRIMARY TRA	COUNTY SHARE	INC CITY
014418-0001-01	7449 GILBERT ROAD	OAKDALE	006	83	27	084	1,396.44	
013812-0001-02	7560 GILBERT ROAD	OAKDALE	006	83	40	084	4,093.43	
013812-0001-03	7560 GILBERT ROAD	OAKDALE	006	83	40	084	483.84	
013909-0001-01	7337 GILBERT ROAD	OAKDALE	006	83	32	084	1,872.00	
014395-0001-01	14590 ORANGE BLOSSOM RD	OAKDALE	002	029	061	084	5,760.00	
014403-00001-01	9950 FRANKHEIMER	OAKDALE	002	053	009	084	3,396.00	
014-417-0001-01	7537 GILBERT ROAD	OAKDALE	006	83	32	084	1,152.00	
005005-0001-02	NW CORN MAZE & GATES RD	MODESTO	012	44	13	064	288.00	
005281-0001-02	615 EMERALD AVE	MODESTO	029	18	26	002	388.80	388.80
005285-0002-07	2524 KANSAS AVE	MODESTO	081	37	45	002	960.00	960.00
005807-0003-05	N CARPENTER RD	MODESTO	029	18	25	002	432.00	432.00
005809-0001-02	1600 KANSAS AVE	MODESTO	007	39	11	002	1,382.40	1,382.40
005810-0001-01	1601 ELM AVENUE	MODESTO	007	39	12	080	24.00	
005821-0001-02	1716 KANSAS AVENUE	MODESTO	007	39	?	080	24.00	
005822-0001-04	1724 KANSAS AVE	MODESTO	007	39	40	080	24.00	
005871-0001-02	KANSAS AVE	MODESTO	007	24	04	085	24.00	
005876-0001-03	KANSAS & DAKOTA RD	MODESTO	081	31	13	064	114.00	
005877-0001-03	NW CORNER KANSAS & DAKOTA F	MODESTO	081	30	25	064	243.60	
005878-0002-04	4130 KANSAS AVE	MODESTO	007	22	06	085	2,887.68	
005881-0001-04	KANSAS BETW CLARK & DAKOTA	MODESTO	081	30	08	064	156.00	
005882-0001-03	KANSAS & CLARK RD	MODESTO	007	22	21	097	139.68	
005914-0001-06	NORTH OF MAZE AT TEXAS RD	MODESTO	012	37	01	064	480.00	
005917-0001-03	KANSAS NORTH OF MAZE	MODESTO	012	39	15	064	153.60	
005918-0001-01	HWY 132 AT HART RD	MODESTO	012	38	09	064	328.80	
005919-0001-01	HART RD	MODESTO	012	39	13	064	134.40	
005922-0004-02	737 HART RD	MODESTO	012	42	16	064	150.00	
005924-0001-03	HWY 132 BETW HART & BUTLER	MODESTO	012	40	05	064	30.00	
005925-0001-01	HWY 132 BETW HART & BUTLER	MODESTO	012	42	03	064	295.20	
005927-0001-01	HWY 132 WEST OF BUTLER RD	MODESTO	012	60	03	064	158.40	
009675-0001-02	NORTHSIDE HWY 132	MODESTO	012	40	05	064	57.60	
014729-0001-01	2311 CENTRAL AVE	CERES	127	11	10	001	600.00	600.00
014731-0002-01	2317 CENTRAL AVE	CERES	127	11	13	001	109.20	109.20
014738-0002-01	2009 E. WHITMORE AVE.	CERES	127	11	04	001	360.00	360.00
<b>TOTAL</b>							<b>28,099.07</b>	<b>4,232.40</b>

Information obtained from the County Property Tax System

<u>Unsecured Property Taxes Due for FY 07/08:</u>	<u>Inst. amt.</u>	<u>Delinquent</u>	<u>TRA</u>	<u>Tax Rate</u>
860-000-576-000	6,809.91	783.14	002-001	1.070857
<b>TOTAL</b>	<b>6,809.91</b>	<b>783.14</b>		
			<b>Cnty Gen Apport Factor</b>	<b>11.00%</b>
			<b>% of Delinq to Cnty Gen</b>	<b>89.00%</b>

DISBURSEMENT OF STATE DOT FUNDS

Fiscal Year 06/07

<u>Total Remittance from D.O.T.</u>		28,099.07
<u>1. Allocation for payment of Possessory Interest Tax Bills</u>		
Unsecured	7,593.05	
Supplemental Unsecured	<u>0.00</u>	
Total		7,593.05
<u>2. Allocation to cities (50% of revenues generated within their jurisdiction)</u>		
Modesto		1,581.60
Ceres		534.60
<u>3. Allocation to County Road Fund (Remainder)</u>		18,389.82

1. Request warrant payable to Gordon Ford, Treasurer/Tax Collector to pay taxes
2. JV to appropriate city
3. JV to Fund/Org 6273.0064100 Account 40400

Portion of possessory interest tax bills that County General Fund will receive

Amount of General Tax	6,809.91	
Gen Tax % of total tax rate	<u>0.933831501</u>	
Distributable Gen Tax	6,359.31	
County Gen Apport Factor	<u>0.11</u>	
Gen Fund Portion of Gen Tax		699.52
Amount of Delinquent Tax	783.14	
County Gen Del Factor	<u>0.89</u>	
		<u>696.99</u>
TOTAL		1,396.52

# STANISLAUS COUNTY DEPOSIT PERMIT



BATCH KEYPED BY My  
 BATCH DATE 10/15 BATCH NO 6069

DEPOSIT NUMBER: DP - **180440**

AUDITOR'S DATE: 10-15-07

DEPOSITING SECTION: Measures

DEPOSITING SECTION NUMBER:

LINE	AMOUNT		FUND	ORG	ACCNT	GL PROJ	LOCATN	MISC	OTHER	DESCRIPTION
	DOLLARS	CENTS								
1	28,099	07	6812	64100	40400					24% payment DOT
2										Right of Way Rental 06/07
3										
4										
5										
6										
7										
8										
9										
10										

28099 07 TOTAL

I APPROVE DEPOSIT OF THE ABOVE MONIES IN THE COUNTY TREASURY.

REMARKS: Transportation

NO. OF BILLS	AMOUNT
@ 100	
@ 50	
@ 20	
@ 10	
@ 5	
@ 2	
@ 1	
COIN	
TOTAL CASH	
1 CHECKS	<u>28099.07</u>
TOTAL	

COUNTY AUDITOR-CONTROLLER

BY: [Signature]  
DEPUTY

MONIES LISTED ABOVE HAVE BEEN RECEIVED IN THE COUNTY TREASURY.

COUNTY TREASURER

BY: [Signature]  
DEPUTY

DELIVERED BY: MS

I HEREBY CERTIFY THAT THE TOTAL AMOUNT LISTED ABOVE REPRESENTS COLLECTIONS RECEIVED BY ME FOR THE ABOVE NAMED FUND DURING THE

PERIOD OF 10/15 07 20 07 INCL.

DEPARTMENT HEAD BY \_\_\_\_\_

WHITE COPY - RETURN THIS RECEIPT TO THE COUNTY AUDITOR-CONTROLLER.  
 CANARY COPY - TREASURER TO RETAIN THIS COPY.  
 PINK COPY - DEPOSITOR WILL RECEIVE THIS COPY FROM THE TREASURER.