

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

DEPT: Public Works *mlm*

BOARD AGENDA # \*C-2

Urgent  Routine

AGENDA DATE June 2, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of the Public Transit Agreement between Stanislaus Council of Governments and the County of Stanislaus

STAFF RECOMMENDATIONS:

1. Approve the Public Transit Agreement between Stanislaus Council of Governments and the County of Stanislaus.
2. Authorize the Chairman of the Board to execute the Agreement.

FISCAL IMPACT:

During Fiscal Year 2014-2015, Stanislaus Regional Transit received approximately \$490,000 of Federal Transit Administration funding from Stanislaus Council of Governments (StanCOG). Approval of this agreement will support program requirements as part of ongoing funding eligibility.

BOARD ACTION AS FOLLOWS:

No. 2015-242

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

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:

ATTEST:

*Christine Ferraro*  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

# Approval of the Public Transit Agreement between Stanislaus Council of Governments and the County of Stanislaus

## **DISCUSSION:**

StanCOG, a joint powers authority established in 1971 to address regional transportation issues, is designated by the Federal Transit Administration (FTA) to receive federal transit funds. Composed of a council of city and county governments including the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and the County of Stanislaus, StanCOG is responsible for developing and updating a variety of transportation plans and for allocating the federal and state funds for implementation.

This agreement specifically focuses on the cooperative planning and decision making for distribution of the federal transit funds in Stanislaus County. It outlines the responsibilities of StanCOG and the County to develop, adopt, amend and maintain the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) in Stanislaus County.

Recent communication from the Federal Highway Administration and Federal Transit Administration recommended formal agreements between StanCOG and their partnering agencies. Public Works is requesting approval of the Public Transit Agreement to set forth the basic structure for cooperative planning and decision making between the County of Stanislaus and StanCOG for the purpose of distributing and utilizing federal transit funds in the Stanislaus region.

## **POLICY ISSUES:**

Approval of the Public Transit Agreement with StanCOG supports the Board's priorities of Effective Partnerships and A Well Planned Infrastructure through the cooperative planning efforts between the agencies.

## **STAFFING IMPACT:**

Existing staff in Public Works will continue to support the functions of this Agreement.

## **CONTACT PERSON:**

Matt Machado, Public Works Director. Telephone: 209-525-4153.

## **ATTACHMENT:**

Public Transit Agreement

## PUBLIC TRANSIT AGREEMENT

This Public Transit Agreement (“Agreement”) entered into in the City of Modesto, County of Stanislaus, State of California, this 2nd day of June, 2015, is by and between the COUNTY OF STANISLAUS, a municipal corporation of the State of California, hereinafter referred to as COUNTY, and the Stanislaus Council of Governments, a joint powers authority established under California Government Code section 6500 et seq., hereinafter referred to as STANCOG.

### RECITALS

- A. STANCOG has been designated by the Federal Transit Administration (FTA) to receive federal transit funds, which are made available to the Stanislaus region.
- B. COUNTY wishes to make application for such funds for use in its transit program.
- C. COUNTY must enter into an agreement with STANCOG to become a recipient for such funds.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties hereto mutually agree as follows:

### AGREEMENT

1. Purpose. The purpose of this Agreement is to set forth the basic structure for cooperative planning and decision making between the COUNTY and STANCOG for the purpose of distributing and utilizing federal transit funds in Stanislaus County. It does not apply to the apportionment, allocation, and payment of Transportation Development Act (TDA) revenues, which are addressed in other documents.
2. Term. Upon execution, this document shall remain in effect until modified by agreement of both parties.
3. Regional Transportation Plan. STANCOG agrees to prepare, adopt, and maintain, as required, a Regional Transportation Plan (RTP). STANCOG and COUNTY agree to work cooperatively in the preparation and refinement of the RTP through the conduct of, and participation in, multi-modal strategies, monitoring, and transportation studies and the development of policies and performance criteria. The COUNTY agrees to be primarily responsible for the refinement of transit corridors identified in the RTP and within its area of jurisdiction. The COUNTY agrees to adopt by reference the relevant portions of the RTP.
4. Short Range Transit Plan. The COUNTY agrees to prepare, adopt, and maintain, as required, a Short Range Transit Plan consistent with the Regional Transportation Plan. This document will provide the planning basis for projects submitted by the County of Stanislaus to STANCOG for inclusion in the Federal Transportation Improvement Program (FTIP).
5. Overall Work Program.
  - a. In accordance with state and federal requirements, STANCOG annually prepares, adopts, and updates an Overall Work Program (OWP) describing regional planning activities and studies. The OWP relates regionally significant planning activities of the state, STANCOG, the

COUNTY and other participating local government agencies in an integrated, comprehensive program document.

b. The COUNTY agrees to annually prepare and submit to STANCOG for inclusion in the OWP the description of regionally significant, transportation-related planning work intended to be carried out by the COUNTY.

6. Federal Transportation Improvement Program. STANCOG is responsible for the periodic development, adoption, and amendment of a Federal Transportation Improvement Program (FTIP). STANCOG agrees that the FTIP will be prepared cooperatively on a fair and equitable basis with the COUNTY and all public agencies eligible to receive funding. STANCOG agrees to include in the FTIP those projects recommended by the COUNTY which relate to discretionary transit funds made available directly to the COUNTY subject to a finding by STANCOG of consistency with the Regional Transportation Plan. STANCOG shall not endorse any COUNTY transit projects to which the COUNTY is opposed. As described by FTA Circular 9030.1E, STANCOG's FTIP public participation and approval process will satisfy the requirements for public participation under Section 5307.

7. Regional Transit Coordination. STANCOG and the COUNTY agree to work cooperatively with each other and with the other transit operators and participating local government agencies in ensuring the provision of coordinated, region-wide transit services. Such coordination should include transfer and pass policies, transit information and marketing, schedule and service coordination, data needs to meet periodic reporting and collection requirements, and other activities as required.

8. Allocation Disputes. If a dispute regarding the allocation of funds arises between the COUNTY and STANCOG, the two agencies shall negotiate in good faith to resolve the dispute. If such negotiation does not result in resolving the differences, the STANCOG Policy Board shall resolve the dispute and allocate the funds accordingly.

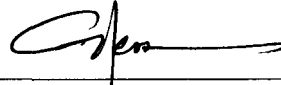
**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by and through their respective officers thereunto duly authorized.

**COUNTY OF STANISLAUS,**  
a municipal corporation

By:   
Terrance Withrow, Chairman

Date: 6/2/15

**STANISLAUS COUNCIL OF  
GOVERNMENTS**

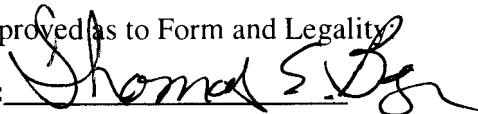
By:   
Carlos P. Yamzon,  
StanCOG Executive Director

Date: 11 July 20, 2015

Attest:

By:   
Christine Ferraro Tallman  
Clerk of the Board

Approved as to Form and Legality

By:   
Thomas E. Boze, Deputy County Counsel