

Date: _____ December 20, 2007

Committee Meeting Date: _____ N/A

Board Meeting Date: _____ January 3, 2008

BOARD MEMORANDUM

ACTION ITEM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Michael T. Burns
General Manager

FROM: John H. Ristow
Chief CMA Officer

SUBJECT: Resolution to Authorize the General Manager to Execute Grant-Related
Agreements with the California Department of Transportation for Federal and
State Funds

Policy-Related Action: No

Government Code Section 84308 Applies: No

RECOMMENDATION:

Adopt a resolution authorizing the General Manager to execute - with the California Department of Transportation (Caltrans) – all Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto and all other necessary agreements and documents to accept and use Federal and State funds.

BACKGROUND:

VTA is eligible to receive federal and/or state funding for certain transportation projects through the California Department of Transportation (Caltrans). Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements and their amendments and all other agreements and documents - need to be executed with Caltrans before certain federal and/or state funds can be claimed, accepted and used.

Caltrans procedure, as outlined in Chapter 4, Caltrans Local Assistance Procedures Manual, allows local agencies to adopt a resolution authorizing an individual, (such as the General Manager) to execute all specified types of agreements as they occur.

The Caltrans Local Assistance Procedures Manual (LAPM) describes the various processes,

procedures, documents, authorizations, approvals and certifications which are required to receive Federal and/or state funds for many types of local transportation projects. It is based on federal and state law, regulations, and guidelines and operating practices.

DISCUSSION:

Caltrans has recently provided to VTA, for execution, an updated Master Agreement for administering Federal-Aid projects. However, the GM does not have authority to sign it without board action. The new Master Agreement applies to projects such as the design of the I-880/I-280/Stevens Creek Interchange project, which recently received approval to proceed using FHWA funds.

Caltrans updates its Master Agreements (both Federal and State Aid) with local agencies periodically as the need arises to address changes in Federal and State laws, regulations, policies, and procedures.

It should be noted that Federal funds administered through the Federal Transit Administration (FTA) are handled through processes and procedures other than those described here. The recommended action does not change FTA funds.

ALTERNATIVES:

The VTA Board could choose to approve each Program Supplement Agreement; Fund Exchange Agreement; Fund Transfer Agreement and any amendments thereto for each phase of each project funded with Federal or state funds through Caltrans; and to approve each Master Agreement with Caltrans. However, these agreements contain standard clauses reflecting how government business is conducted so there is no reason for the VTA Board to review or approve each one separately. It would be reasonable and more efficient to delegate such responsibility to the General Manager.

FISCAL IMPACT:

There is no fiscal impact relating to this action.

Resolution No. _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY AUTHORIZING
THE GENERAL MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION (CALTRANS) TO CLAIM, ACCEPT AND
USE FEDERAL AND STATE FUNDS**

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) is eligible to receive federal and state funds for certain transportation projects through the California Department of Transportation (Caltrans); and

WHEREAS, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, and other agreements and documents need to be executed with Caltrans before such funds can be claimed, accepted and used; and

WHEREAS, VTA wishes to delegate authority to the General Manager to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and Fund Transfer Agreements and their amendments and all other necessary agreements and documents on behalf of VTA with Caltrans so that federal and state transportation funding can be claimed, accepted and used;

NOW, THEREFORE BE IT RESOLVED that the General Manager is hereby authorized on behalf of VTA to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements, any amendments thereto, and any other necessary agreements and documents with the California Department of Transportation.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on January 3, 2008 by the following vote:

AYES:

NOES:

ABSENT:

Liz Kniss, Chairperson
Board of Directors

ATTEST:

Maria Marinos, Secretary
Board of Directors

APPROVED AS TO FORM:

Suzanne Gifford, Counsel