

47. Approve the Measure R Program Supplement to Cooperative Agreement with the Tulare County Association of Governments, acting as the Local Transportation Authority, for an advance in an amount not to exceed the County of Tulare's projected Fiscal Year 24/25 Local Measure R revenue.



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: December 17, 2024 - REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Approve the Measure R Program Supplement for Advance of FY 24-25 Local Funds

REQUEST(S):

That the Board of Supervisors:

1. Approve the Measure R Program Supplement to Cooperative Agreement with the Tulare County Association of Governments, acting as the Local Transportation Authority, for an advance in an amount not to exceed the County of Tulare's projected Fiscal Year 24/25 Local Measure R revenue.
2. Authorize the Chair to sign the Agreement.
3. Direct the Resource Management Agency to provide a signed copy of the agreement to the Clerk of the Board.

SUMMARY:

On May 22, 2007, Tulare County (County) entered into an agreement (Tulare County Agreement No. 23149) with the Tulare County Association of Governments (TCAG) to utilize revenue collected under Measure R for local and regional transportation projects. The application of these funds to a particular project requires an agreement between the County and TCAG in the form of a Program Supplement.

The purpose of this Program Supplement is to receive a full advance of the estimated fiscal year 24/25 Local Measure R funds (approximately \$8 million). The County of Tulare's Local Measure R fund estimate is derived annually by TCAG for budgeting purposes and is based on projected tax receipts. The advance will be offset monthly throughout the 2024/25 fiscal year with actual Measure R Local allocations due to the County from TCAG. The March 2023 storms have created a tremendous need for cash to fund emergency and long-term recovery road repair projects. The advance of these

SUBJECT: Approve the Measure R Program Supplement for Advance of FY 24-25
Local Funds

DATE: December 17, 2024

funds will help to prevent cash flow constraints that could affect timely project delivery.

The following deviates from County contract protocol: the County signs first.

FISCAL IMPACT/FINANCING:

No net County cost to the General Fund.

The approximately \$8 million advance will be offset monthly throughout the 2024/25 fiscal year with actual Measure R Local allocations due to the County from TCAG. Project expenses described above related to recovery from the March storms are funded through the Road fund and are also expected to be heavily subsidized with Federal and State disaster assistance.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This project will enhance the safety and security of the public by facilitating and potentially expediting repair of the significant damages to the County's transportation infrastructure.

ADMINISTRATIVE SIGN-OFF:

/s/ Sherman Dix

Sherman Dix, CPA
Assistant Director – Fiscal Services

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachment: Attachment A – Program Supplement Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF Approve the Measure)
R Program Supplement for Advance of) Resolution No. 2024-1222
FY 24-25 Local Funds) Agreement No.
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approve the Measure R Program Supplement to Cooperative Agreement with the Tulare County Association of Governments, acting as the Local Transportation Authority, for an advance in an amount not to exceed the County of Tulare’s projected Fiscal Year 24/25 Local Measure R revenue.
2. Authorize the Chair to sign the Agreement.
3. Direct the Resource Management Agency to provide a signed copy of the agreement to the Clerk of the Board.

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

This Program Supplement ("Program Supplement") is made and entered into on _____, by and between the County of Tulare (the "SPONSOR") and the Tulare County Association of Governments, acting as the Local Transportation Authority (the "AUTHORITY").

This Program Supplement hereby incorporates the "Measure R Cooperative Agreement" for Measure R Expenditures that was entered into between the SPONSOR and AUTHORITY on May 22, 2007 and is subject to all terms and conditions thereof.

This Program Supplement is executed under authority of AUTHORITY'S Resolution No. _____, dated _____.

SPONSOR has requested and this Program Supplement allows SPONSOR to receive from AUTHORITY an advance of up to One (1) year of SPONSOR'S Local Measure R funds allocation, which amount shall be the based on the amount SPONSOR received in Local Measure R funds in fiscal year 24/25.

SPONSOR may only use the Local Measure R funds received by SPONSOR hereunder for projects as approved by SPONSOR and AUTHORITY and as shown on Attachment "A".

The Local Measure R funds received by SPONSOR hereunder shall be paid back to AUTHORITY on a monthly basis through ongoing reductions in allocations from the Measure R sales tax revenues otherwise payable to SPONSOR until fully repaid.

IN WITNESS WHEREOF, the undersigned Parties have executed this Program Supplement on the day and year first written above.

TULARE COUNTY TRANSPORTATION AUTHORITY

By: _____
Authority Executive Director

Attest: _____
Authority Finance Director

COUNTY OF TULARE

By: _____
Chair, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk of the Board
Of Supervisors of the County of Tulare

By: _____
Deputy Clerk

Approved as to Form:
County Counsel

By: Charles W. Felix
Deputy

Date: 12/3/24

Matter No: 20241774

MEASURE R PROGRAM SUPPLEMENT TO COOPERATIVE AGREEMENT

AUTHORITY Agreement No. _____

Attachment A

1. Emergency Repairs for damages sustained during historic March 2023 storm event:
 - a. In January and March of 2023, the County of Tulare experienced region wide transportation network damages.
 - b. These storms were declared a State and Federal disaster and emergency response, permanent repairs and debris removal activities are eligible for State and Federal funding.
 - c. Disaster repairs are currently estimated at over \$120,000,000.
 - d. Tulare County is aggressively repairing over 200 storm damaged locations to restore critical transportation infrastructure.
 - e. MR Local Program advance funds (approximately \$8,000,000) will be utilized to offset permanent and temporary funding shortfalls to allow acceleration of repairs.
 - f. Funds will be utilized as soon as they are made available and through June 2025 while FEMA and FHWA funding is pending.
 - g. As of October 1, 2024, Tulare County has expended approximately \$30,000,000 of local Road funds to perform emergency response and repairs related to this disaster.