

RESOLUTION NO. 2024-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA AUTHORIZING THE CITY MANAGER TO
FILE A REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) EXCHANGE FOR STATE HIGHWAY
ACCOUNT FUNDS CLAIM FOR FISCAL YEAR 2023-24**

WHEREAS, the Tulare County Association of Governments (TCAG) and the California Department of Transportation (Caltrans) have entered into a Standard Agreement contract to exchange unobligated balances of federal Regional Surface Transportation Program (RSTP) funds with non-federal State Highway Account funds; and

WHEREAS, Caltrans Division of Programming releases a 5-year ESTIMATE of RSTP Exchange Program apportionments for inclusion in the Federal Transportation Improvement Program (FTIP) Programming document every 2-years to California Metropolitan Planning Organizations (MPO's); and

WHEREAS, TCAG is the designated MPO for Tulare County; and

WHEREAS, the Annual RSTP Exchange Program fund apportionment is an ESTIMATE and subject to change during the Fiscal Year 2023-24 due to many Federal Surface Transportation Bill variables including the annual Appropriations Act as well as other Congressional action (i.e rescissions); and

WHEREAS, the FINAL RSTP Exchange apportionment amount is published at the end of Fiscal Year 2023-24 and can be different than the ESTIMATE of RSTP Exchange apportionment figure; and

WHEREAS, Annually, Caltrans sends TCAG a Standard Agreement contract that includes an RSTP Exchange Program apportionment figure; and

WHEREAS, TCAG applies a population-based distribution formula using current Department of Finance (DOF) population estimates (January 2024) to the RSTP apportionment to determine the amount of RSTP Exchange funds to be distributed to TCAG member jurisdictions; and

WHEREAS, the ESTIMATE of RSTP Exchange Program fund apportionment amount available to claim in Fiscal Year 2023-24 for the City of Visalia is \$889,030; and

WHEREAS, Payment of the ESTIMATE of RSTP Exchange fund claim will be subject to all conditions specified in the fully executed standard contract agreement between TCAG and Caltrans, as well as the TCAG RSTP Exchange Claim form requirements: Projects to be funded with this claim are only those projects that are defined under Sections 133(b) and 133(c) of Title 23 of the United States Code and Article XIX of the California State Constitution, implemented in accordance with the requirements of Section 182.6(d)(1) of the Streets and Highways Code; and

WHEREAS, if the FINAL RSTP Exchange apportionment figure is higher for Fiscal Year 2023-24 than the ESTIMATE of RSTP Exchange apportionment figure, Caltrans would have to revise the RSTP Exchange Standard Agreement contract with the higher RSTP figure before TCAG could instruct the Tulare County Auditor Controller's Office to distribute a greater amount of RSTP Exchange Program funds to member agencies, than identified in this resolution; and

WHEREAS, if the FINAL RSTP Exchange apportionment figure is lower for Fiscal Year 2023-24 than the ESTIMATE of RSTP Exchange apportionment amount, Caltrans does not have to revise the RSTP Exchange contract with the lower amount before TCAG could recalculate the available RSTP Exchange Program funds using the same population-based formula and then instruct the Tulare County Auditor-Controller's Office to distribute the lower Fiscal Year 2023-24 FINAL RSTP Exchange Program fund amount to member agencies; and

WHEREAS, the CITY OF VISALIA has established special gas tax street improvement funds as a requirement to receive the RSTP Exchange Program funds: and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Visalia that the City Manager is hereby authorized to sign the above-described Fiscal Year 2023-24 RSTP Exchange Program fund claim on behalf of the City of Visalia in the amount of \$889,030

PASSED AND ADOPTED by the City Council of the City of Visalia State of California this _____ day of _____, 2024, by the following vote: