



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: A 17-356, Version: 1

Approve and Authorize the Resource Management Agency Director to execute the Measure X Master Programs Funding Agreement between the Transportation Agency of Monterey County ("TAMC") and County of Monterey.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the Resource Management Agency Director to execute the Measure X Master Programs Funding Agreement between the Transportation Agency of Monterey County and County of Monterey.

SUMMARY/DISCUSSION:

On December 6, 2016, the Monterey County Board of Elections certified that Measure X passed with 67.71% of the vote. Sales tax established by this measure started being collected on April 1, 2017 and revenues will be available to the jurisdictions by September 2017.

With the passage of Measure X by the voters of Monterey County, Transportation Agency of Monterey County (TAMC) staff has been working to develop the organizational framework and agreement necessary to implement the measure in advance of revenues being available by September 2017. As required by the implementing ordinance, each city and the County of Monterey must enter into a funding agreement with the TAMC. That agreement is to include enforcement procedures, designed to reassure the public that tax revenues are spent in accordance with the ballot language. The agreement, as approved by the TAMC Board on May 24, 2017, is included as Attachment A.

Under the agreement, the expenditure of Measure X revenues by the cities or the County will be subject to verification and an annual independent audit reviewed by TAMC. Failure by a jurisdiction to meet any of the conditions will result in the suspension of the distribution of funds to the deficient city/county. Resumption of funding distribution to the deficient city/county will resume only after full repayment for any misuse, and confirmation of compliance with the funding agreement by TAMC.

In order to confirm compliance with the tax sharing agreement, each jurisdiction will submit a package of documents by December 31st of each year, starting December 31, 2018. The documents will then be reviewed by TAMC staff and the Citizens Oversight Committee, as well as be presented to the TAMC Board. That package of documents includes:

- Annual Independent Audit: The local jurisdiction shall complete an independent audit of the jurisdiction's financial statements for the prior fiscal year ended June 30th of Measure X funds received and expended.
- Annual Program Compliance Report: The Annual Program Compliance Report describes the efforts taken by the jurisdiction to comply with the requirements for the receipt and use of Measure X funds by detailing the expenditures and transportation improvements that occurred during the prior fiscal year.
- Maintenance of Effort Report: A report to be certified by each jurisdiction verifying that Measure X funds received by the reporting jurisdiction have been used to augment, and not supplant, local resources spent in the fiscal year. The first report will be due by August 31, 2017.

- Measure X Five Year CIP: A Capital Improvement Program looking forward for the next five (5) years that specifically references projects anticipated to be funded by Measure X. The first report will be due by August 31, 2017.
- Pavement Management Report: A report on the pavement conditions of the local jurisdiction, using the standardized Pavement Condition Index.

This agreement and any subordinate documents do not constitute an entitlement for development, such development being the subject of other actions by public entities or of permits to be sought at later times. The approval of this agreement is not intended to, and shall not be interpreted to, constitute a commitment by the County to undertake or commence construction of any project prior to the completion of all environmental review which may be required under CEQA. Any specific project approvals shall become effective if and only after such applications have been considered following the conduct of all legally required procedures, including without limitation, all required environmental review processes and all other applicable governmental approvals.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the Agreements as to form.

FINANCING:

Staff anticipates Measure X will provide approximately \$6.2 million in new revenue for FY 2017-18. Since Measure X is a new funding source, RMA prudently chose to budget only a portion of the estimated new revenue. The FY 2017-18 adopted Road Fund 002, Appropriation Unit RMA012 budget includes \$1 million in estimated Measure X funds. If funding comes in as anticipated, staff will return to the Board to request appropriating additional revenue for projects. Where possible, staff intends to use these funds as leverage/match for federal and/or state grants to maximize funding.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This item supports the Board's efforts to provide adequate infrastructure by insuring the County has access to its share of funding generated by Measure X.

Check the related Board of Supervisors Strategic Initiatives:

- ☐ Economic Development
- ☐ Administration
- ☐ Health & Human Services
- ☒ Infrastructure
- ☐ Public Safety

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Reviewed by: Enrique Saavedra, Acting Chief of Roads and Bridges
Approved by: Carl P. Holm, AICP, RMA Director

The following attachment is on file with the Clerk of the Board:

Attachment A - Measure X Master Programs Funding Agreement between the Transportation Agency of Monterey County and County of Monterey

