

**RESOLUTION NO. 2020-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
AUTHORIZING THE CITY MANAGER TO  
FILE THE REGIONAL SURFACE  
TRANSPORTATION PROGRAM (RSTP)  
EXCHANGE FUNDS CLAIM FOR FISCAL  
YEAR 2019-2020**

WHEREAS, the Merced County Association of Governments (MCAG) 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;

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 (MPOs);

WHEREAS, MCAG is the designated MPO for Merced County;

WHEREAS, the Annual RSTP Exchange Program fund apportionment is an ESTIMATE and subject to change during the fiscal year (FY) due to many Federal Surface Transportation Bill variables including the annual appropriations act as well as other Congressional action (i.e. rescissions);

WHEREAS, a FINAL RSTP Exchange apportionment amount is published at the end of the FY 19/20 and can be different than the ESTIMATE RSTP Exchange apportionment figure;

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

WHEREAS, MCAG applies a RSTP population based distribution formula using current Department of Finance (DOF) population estimates (May 2020) to the RSTP apportionment to determine the amount of RSTP Exchange funds to be distribution to MCAG member jurisdictions;

WHEREAS, the City of Merced has an ESTIMATE RSTP Exchange Program fund apportionment amount available to claim in FY 19/20 is \$77,731;

WHEREAS, payment of the ESTIMATE RSTP Exchange fund claim will be subject to all conditions specified in the fully executed standard contract agreement between MCAG and Caltrans, as well as the MCAG 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, 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.

WHEREAS, if the FINAL RSTP Exchange apportionment figure is higher for FY 19/20 than the ESTIMATE RSTP Exchange apportionment figure, Caltrans would have to revise the RSTP Exchange Standard Agreement contract with the higher RSTP figure before MCAG could instruct the Merced County Auditor Controller's Officer to distribute a greater amount of RSTP Exchange Program funds to member agencies, than identified in this resolution;

WHEREAS, if the FINAL RSTP Exchange apportionment figure is lower for FY 19/20 than the ESTIMATE RSTP Exchange apportionment amount, Caltrans does not have to revise the RSTP Exchange contract with the lower amount before MCAG could recalculate the available RSTP Exchange Program funds using the same population-based formula and then instruct the Merced County Auditor Controller's Officer to distribute the lower FY 19/20 FINAL RSTP Exchange Program fund amount to member agencies;

WHEREAS, the City of Merced has established special gas tax street improvement fund as a requirement to receive the RSTP Exchange Program funds; and

WHEREAS, it is deemed in the best interest of the City of Merced the City Manager is authorized to sign the FY 19/20 RSTP Exchange Program fund claim form and to submit said claim form to MCAG for processing.

NOW, THEREFORE, be it resolved that the City Manager of Merced is authorized and directed to sign and file the above described FY 19/20 RSTP Exchange Program fund claim on behalf of the City of Merced in the amount of \$77,731.

PASSED AND ADOPTED by the City Council of the City of Merced  
at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2020 by the  
following called vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

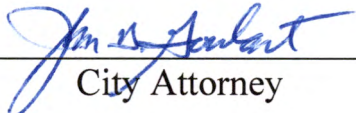
\_\_\_\_\_  
Mayor

ATTEST:  
STEPHANIE DIETZ, ACTING CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 8-25-20  
City Attorney Date