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STAFF REPORT

SUBJECT: Federal Transit Administration Resolution

MEETING DATE: March 16, 2006

AGENDA ITEM: 7D

STAFF CONTACT: John Asuncion

RECOMMENDATION:

Adopt a resolution authorizing the Executive Director to execute and file the annual Certification and Assurances form with the Federal Transit Administration (FTA) on behalf of SBCAG.

DISCUSSION:

The Federal Transit Administration (FTA) requires SBCAG to annually execute and file a "Certification and Assurances" form whereby SBCAG agrees that it will comply with applicable federal statutes and regulations in carrying out its duties as an FTA grantee. Transit agencies in Santa Barbara County are dependent upon SBCAG's executing the form so that they can receive federal transit funds.

Attached is the Certification and Assurances form for 2006, including the list of categories in federal statute and regulation that SBCAG self-certifies it must comply with, marked with an "X". Staff recommends that the Board adopt a resolution, also attached, authorizing the Executive Director to execute and file the annual Certification and Assurances form with the Federal Transit Administration (FTA).

COMMITTEE REVIEW: None

Member Agencies

Buellton ■ Carpinteria ■ Goleta ■ Guadalupe ■ Lompoc ■ Santa Barbara ■ Santa Maria ■ Solvang ■ Santa Barbara County

FEDERAL FISCAL YEAR 2006 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Name and Relationship of Authorized Representative: JAMES M. KEMP, EXECUTIVE DIRECTOR

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and directives applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2006.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2006.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, 'Program Fraud Civil Remedies,' 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature _____ Date: _____

Name JAMES M. KEMP, EXECUTIVE DIRECTOR
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature _____ Date: _____

Name KEVIN E. READY, SR. DEPUTY COUNTY COUNSEL
Attorney for Applicant

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

**FEDERAL FISCAL YEAR 2006 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

Name of Applicant: Santa Barbara County Association of Governments

The Applicant agrees to comply with applicable requirements of Categories 01-16

OR

The Applicant agrees to comply with the applicable requirements of the following categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required of Each Applicant.	<u>X</u>
02.	Lobbying	<u>X</u>
03.	Private Mass Transportation Companies	<u>X</u>
04.	Public Hearing	<u>X</u>
05.	Acquisition of Rolling Stock	<u>NA</u>
06.	Bus Testing	<u>NA</u>
07.	Charter Service Agreement	<u>NA</u>
08.	School Transportation Agreement	<u>NA</u>
09.	Demand Responsive Service	<u>NA</u>
10.	Alcohol Misuse and Prohibited Drug Use	<u>X</u>
11.	Interest and Other Financing Costs	<u>X</u>
12.	Intelligent Transportation Systems	<u>X</u>
13.	Urbanized Area, JARC, and Clean Fuels Programs	<u>X</u>
14.	Elderly and Persons with Disabilities Program	<u>X</u>
15.	Nonurbanized Area Formula Program	<u>X</u>
16.	State Infrastructure Bank Program	<u>X</u>

(Both sides of this Signature Page must be appropriately completed and signed where indicated.)

RESOLUTION OF THE SANTA BARBARA
COUNTY ASSOCIATION OF GOVERNMENTS

AUTHORIZING THE EXECUTIVE DIRECTOR)
TO EXECUTE AND FILE THE ANNUAL)
CERTIFICATION AND ASSURANCES WITH)
THE FEDERAL TRANSIT ADMINISTRATION)

RESOLUTION NO. 06-08

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS:

1. The Executive Director or his/her designee is authorized to execute and file application for Federal assistance on behalf of the Santa Barbara County Association of Governments with the Federal Transit Administration for Federal Assistance authorized by 49.U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.
2. The Executive Director or his/her designee is authorized to execute and file with its application the annual certification as assurances and other document the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. The Executive Director or his/her designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Santa Barbara County Association of Governments

PASSED AND ADOPTED this 16th day of March 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Kemp
Executive Director
Santa Barbara County
Association of Governments

Joe Centeno
Chair
Santa Barbara County
Association of Governments

APPROVED AS TO FORM:

Kevin E. Ready, Sr.
Deputy County Counsel