



Legislation Details (With Text)

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Title: Transportation Department recommending the Board authorize the Director of Transportation to sign and submit a "Letter of No Prejudice" request for the Durock Road/Business Drive Intersection Signalization Project 73354; said Project was awarded a \$710,000 State and Local Partnership Program (SLPP) grant. The "Letter of No Prejudice" would allow the use of Zones 1-7 Traffic Impact Mitigation Fee funds in lieu of the SLPP funds to allow the County to advance the construction process that would otherwise be delayed pending the sale of Proposition 1B bonds.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-Letter of No Prejudice Guidelines.PDF, 2. B-Letter of No Prejudice Submittal Durock Road

Date	Ver.	Action By	Action	Result
3/23/2010	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending the Board authorize the Director of Transportation to sign and submit a "Letter of No Prejudice" request for the Durock Road/Business Drive Intersection Signalization Project 73354; said Project was awarded a \$710,000 State and Local Partnership Program (SLPP) grant. The "Letter of No Prejudice" would allow the use of Zones 1-7 Traffic Impact Mitigation Fee funds in lieu of the SLPP funds to allow the County to advance the construction process that would otherwise be delayed pending the sale of Proposition 1B bonds.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program.

Fiscal Impact/Change to Net County Cost:

There is no net cost to the County General Fund associated with this agenda item. This project is included in the FY 2009-10 budget and the 2009 CIP.

Reason for Recommendation:

Durock Road/Business Drive Intersection Signalization Project is included in the 2009 CIP and the approved budget for Fiscal Year 2009-10 with Zones 1 - 7 Traffic Impact Mitigation Fees funding the project.

Durock Road/Business Drive Intersection Signalization Project was awarded a \$710,000 State and Local Partnership Program (SLPP) grant on October 15, 2009. SLPP grant funds are allocated from the sale of Proposition 1B bonds. Caltrans anticipates that the next bond sale will take place in April 2010, but other fiscal factors could delay the offering, such as not having a balanced State budget.

Assembly Bill 672, signed by the Governor on October 11, 2009, authorizes approval of a Letter of No Prejudice (LONP) for projects programmed or otherwise approved for funding from Proposition 1B

programs. The LONP provides a method by which the local agency can expend its own funds to advance the project and incur reimbursable expenses for any component of a program project prior to actual allocation of Proposition 1B funds. By using the LONP method the "Applicants proceed at their own risk as reimbursement of the LONP is dependent on availability of Proposition 1B funds". State LONP Guidelines are attached.

Since the Durock Road/Business Drive Intersection Signalization Project was originally programmed with funding from the TIM fees and included in the budget there is no financial risk to the County if the SLPP funds are not received, only a potential for benefit if the SLPP funding is realized.

Action to be taken following Board approval:

1. Board Clerk to provide a certified minute order to the Department.
2. The Department will submit a LONP request for the Durock Road/Business Drive Intersection Signalization Project.

Contact: James W. Ware, P.E.,
Director of Transportation