



## Legislation Details (With Text)

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**File created:** 6/12/2020      **In control:** Board of Supervisors

**On agenda:** 7/21/2020      **Final action:** 7/21/2020

**Title:** Department of Transportation recommending the Board approve and authorize the Chair to sign the following adjustments to the agreements for post fiscal year budgeted revenue between El Dorado County Transportation Commission and El Dorado County:

- 1) Third Amendment to Agreement X15-6157(054) for Fiscal Year 2014-15 Regional Surface Transportation Program Exchange Funds;
- 2) First Amendment to Agreement X16-6157(058) for Fiscal Year 2015-16 Regional Surface Transportation Program Exchange Funds;
- 3) First Amendment to Agreement X17-6157(061) for Fiscal Year 2016-17 Regional Surface Transportation Program Exchange Funds; and
- 4) First Amendment to Agreement X18-6157(064) for Fiscal Year 2017-18 Regional Surface Transportation Program Exchange Funds.

**FUNDING:** Regional Surface Transportation Program Exchange Funds (State Funds).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Amendment Route Sheet, 2. B - RSTP - X15-6157 (054) THIRD AMENDMENT, 3. C - RSTP - X15-6157 (058) FIRST AMENDMENT, 4. D - RSTP - X17-6157 (061) FIRST AMENDMENT, 5. E - RSTP - X18-6157 (064) FIRST AMENDMENT, 6. F - Agmt X15-6157 (054)\_First\_Second, 7. G - Agmt X16-6157 (058), 8. H - Agmt X17-6157 (061), 9. I - Agmt X18-6157 (064), 10. J - STBGP Exchange Funding Summary, 11. Executed RSTP - X15-6157 (054) THIRD AMENDMENT, 12. Executed RSTP - X15-6157 (058) FIRST AMENDMENT, 13. Executed RSTP - X17-6157 (061) FIRST AMENDMENT, 14. Executed RSTP - X18-6157 (064) FIRST AMENDMENT

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 7/21/2020 | 1    | Board of Supervisors | Approved | Pass   |

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**FUNDING:** Regional Surface Transportation Program Exchange Funds (State Funds).

**DISCUSSION / BACKGROUND**

As authorized by Section 182.6(g) of the Streets and Highway Code, El Dorado County

Transportation Commission (EDCTC) has entered into Agreements X15-6157(054), X16-6157(058), X17-6157(061), and X18-6157(064) with the California Department of Transportation (Caltrans) to assign a defined portion of its annual Regional Surface Transportation Program (RSTP) Exchange Funds apportionment to Caltrans in exchange for Fiscal Year (FY) 2014-15, FY 2015-16, FY 2016-17, and FY 2017-18 nonfederal State Highway Account Funds. EDCTC is authorized to use these Exchange Funds to assist local agencies in promoting projects which otherwise qualify for RSTP funds. EDCTC is required to execute formal written agreements between EDCTC and RSTP Exchange Recipients and provide oversight of the program funds.

The EDCTC Board approved the following allocations and payments:

- 1) FY 2014-15 funds on December 3, 2015 for X15-6157(054);
- 2) FY 2015-16 funds on August 4, 2016 for X16-6157(058);
- 3) FY 2016-17 funds on August 3, 2017 for X17-6157(061); and
- 4) FY 2017-18 funds on November 1, 2018 for X18-6157(064).

These funds were calculated per the formula-based distribution policy adopted by EDCTC on February 3, 2011. The expiration date of the funds is five (5) years from the date funds are allocated by the EDCTC. If the funds are not spent before the expiration date, usually due to delays in the project's environmental approvals, the County loses the funds. Funds can be moved to other projects in order that they are expended prior to expiration.

On November 17, 2015, Legistar 15-1092, Item 24, the Board approved Agreements X14-6157(050) and X15-6157(054) for FY 2013-14 and FY 2014-15 RSTP Exchange Funds allocating a total of \$849,358 for the County's use. These funds included \$349,358 for Bucks Bar Road at North Fork Cosumnes River-Bridge Replacement (Bucks Bar Bridge), Capital Improvement Program (CIP) 77116; \$300,000 for County-wide road rehabilitation and maintenance materials and activities; and, \$200,000 for the Newtown Road at South Fork of Weber Creek-Bridge Replacement (Newtown Bridge), CIP 77122.

The RSTP Agreement allows for an amended project list. On June 28, 2016, Legistar 15-1092, Item 30, the First Amendment for X14-6157(050) and X15-6157(054) was approved by the Board. This First Amendment decreased funding for the Bucks Bar Bridge by \$334,901.46; increased funding for the Newtown Bridge by \$173,933; and, increased the U.S. 50/Camino Area Safety (Camino Safety Project), CIP 71319 by \$160,968.46. Funding for the Bucks Bar Bridge was available from Traffic Impact Mitigation (TIM) fees.

On May 21, 2019, Legistar 19-0524, Item 17, the Second Amendment was approved by the Board amending the project list for X14-6157(050). This Second Amendment decreases funding to \$73,076.41 for the Camino Safety Project and increases funding to \$338,706.05 for Road Rehabilitation and Maintenance Projects. This Second Amendment also amends the project list for X15-6157(054) by decreasing funding to \$0.00 for the Camino Safety Project and increasing funding for Newtown Bridge to \$373,933.00. It also allocates \$49,186.00 for Intersection Safety/Sight Triangle Improvement, CIP 72197.

This Third Amendment amends the project list for Agreement X15-6157(054) by decreasing funding to \$0.00 for Newtown Bridge and \$0.00 for Intersection Safety/Sight Triangle Improvement, and increasing funding to \$311,706.92 for the Diamond Springs Parkway - Phase 1A - SR-49 Realignment (Diamond Springs Parkway), CIP 72375.

On June 28, 2016, Legistar 16-0591, Item 34, Agreement X16-6157(058) was approved by the Board. This First Amendment to Agreement X16-6157(058) amends the project list by decreasing funding to \$0.00 for the Green Valley Road at Mound Springs Creek-Bridge Replacement (Mound Springs Creek Bridge), CIP 77136; \$0.00 for Green Valley Road at Indian Creek-Bridge Replacement (Indian Creek Bridge), CIP 77127; \$0.00 for the Camino Safety Project; and, increasing funding to \$317,824.51 for the Diamond Springs Parkway.

On June 27, 2017, Legistar 17-0604, Item 33, Agreement X17-6157(061) was approved by the Board. This First Amendment to Agreement X17-6157(061) also amends the project list by decreasing funding to \$0.00 for the Mound Springs Creek Bridge; \$0.00 for the Indian Creek Bridge; \$0.00 for the Newtown Bridge; and, increasing funding to \$455,350 for the Diamond Springs Parkway.

On September 11, 2018, Legistar 18-1248, Item 20, Agreement X18-6157(064) was approved by the Board. This First Amendment to Agreement X18-6157(064) also amends the project list by decreasing funding to \$0.00 for the Camino Safety Project; \$0.00 for the Indian Creek Bridge; \$0.00 for the Newtown Bridge; \$0.00 for the Mound Springs Creek Bridge; and, increasing funding to \$504,013.00 for the Diamond Springs Parkway.

Upon approval of these amendments, the Diamond Springs Parkway project will surrender equal amounts of Tribe Funds to backfill unused RSTP funds on projects with decreased RSTP revenue. The funding adjustments to these projects will be included in the next CIP update.

## **ALTERNATIVES**

The Board could choose not to approve the Third Amendment and First Amendments and the project funding list would not change; however, the funding allocated to the revised project list and not spent by the expiration date of the agreements will need to be repaid to EDCTC.

## **PRIOR BOARD ACTION**

See Discussion / Background Section above.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

EDCTC and County Counsel have reviewed and approved the Third Amendment and First Amendments.

## **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

## **FINANCIAL IMPACT**

Approval of the Third Amendment and First Amendments will reallocate funding to eligible projects in order to use funding prior to the respective expiration dates. There is no decrease in the total amount of funding for the agreements or for any of the projects, and there is no use of General Fund or change to net County cost associated with this item.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the Third Amendment and each of the First Amendments.
- 2) The Clerk of the Board will forward the two (2) partially-executed originals of the Amendments to Transportation, Fairlane Engineering, and attention to Matt Smeltzer, for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

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Department of Transportation