

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 7-8, 2010

Reference No.: 2.1c.(10) - **REVISED**
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **PROPOSITION 1B LETTERS OF NO PREJUDICE**
RESOLUTION LONP1B-A-0910-003

CTC ACTION TAKEN: The California Transportation Commission approved the request for Proposition 1B Letters of No Prejudice for the San Diego Association of Governments' Blue Line LRV and Aerial Cabling projects. The LONP request for the City of Citrus Heights was not approved, as the project was voted off the Delivered List.

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve three Letters of No Prejudice (LONP), available under Assembly Bill (AB) 672, for the three projects identified on the attached spreadsheet.

ISSUE:

Due to the unavailability of Proposition 1B funds, the City of Citrus Heights is requesting AB 672 authority to substitute Traffic Light Synchronization Program (TLSP) funds with other funds for construction of a programmed project in order to keep the project on schedule.

The City of Citrus Heights project will improve traffic flow, reduce delay and improve air quality on the Antelope Road corridor.

Due to unavailability of Proposition 1B funds, the San Diego Association of Governments (SANDAG) is requesting AB 672 authority to substitute State Local Partnership Program (SLPP) and Trade Corridor Improvement Fund (TCIF) funds with other funds for completion of programmed projects in order to keep the project on schedule.

The SLPP project will purchase new low-floor vehicles for the Blue Line Light Rail corridor as part of a larger effort to improve the capacity and function of the rail system in San Diego. The TCIF project will construct aerial cabling as a part of a larger effort to improve the efficiency and capacity of the South Line and the Blue Line. A concurrent environmental action is requested for the Commission to approve the aerial cabling project for future consideration of funding.

The agencies further request that the projects remain on the Delivered But Not Allocated List for consideration when additional Proposition 1B bond funds become available. ~~However, SANDAG has not~~

~~submitted a request for funding of the aerial cabling project and therefore it is not on the Delivered List.~~
The request for funding of the aerial cabling project from SANDAG is pending.

BACKGROUND

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity, to seek approval of a LONP. If approved by the Commission, the LONP allows the applicant agencies to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the SLPP and the TCIF and the TLSP in the future.

RESOLUTION LONP1B-A-0910-003:

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for three projects programmed in, or otherwise funded from, the Proposition 1B State/Local Partnership Program (SLPP) and the Trade Corridor Improvement Fund (TCIF) and the Traffic Light Synchronization Program (TLSP) in accordance with the attached project list; and

Be it Further Resolved, that each agency understands that they proceed its own risk, as reimbursement is dependent on future availability of SLPP and TCIF and TLSP funding; and

Be it Further Resolved, that the project component covered by an approved LONP should be ready to proceed to contract award (or equivalent) once the LONP is approved; and

Be it Further Resolved, that the agency shall report to the Department within four months following LONP approval on progress in executing agreements and third-party contracts needed to execute the work.

Attachment

REQUESTS FOR LETTERS OF NO PREJUDICE
(ASSEMBLY BILL 672)

Reference No: 2.1c.(10) - REVISED
April 7 - 8, 2010
Attachment

Program	Delivered List Number	Project ID Number	Agency	Project	Total Project Cost	LONP Amount	Alternate Fund Source
TLSP	74	6746	City of Citrus Heights	TLSP Phase III Antelope Road	\$ 102,000	\$ 102,000	Measure A
SLPP	97 96		San Diego Association of Governments (SANDAG)	Blue Line Light Rail Vehicles	\$ 233,000,000	\$ 31,907,000	TransNet
TCIF	Not Yet Requested	75	San Diego Association of Governments (SANDAG)	Aerial Cabling Phase of Southline Rail Improvement	\$ 10,500,000	\$ 10,500,000	TransNet
Totals					\$ 243,602,000	\$ 73,606,000	
					\$ 243,500,000	\$ 41,597,000	