

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 7, 2013

Reference No.: 2.8d.(4)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **POST FACT REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER 13-21**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) to approve a post fact extension to the period of project development expenditure to December 31, 2013, for East State Connector Road, State Route 299 to State Route 3 project in the county of Trinity (County).

ISSUE:

On June 30, 2010, the Commission approved Resolution FP-09-63 allocating \$1,650,000 for Right of Way for the East State Connector Road, State Route 299 to State Route 3 project.

The County has experienced delays in acquiring all of the property required to construct the project. The County anticipates submitting the appraisals to the County Board of Supervisors on April 9, 2013. The offers to property owners will be made on April 10, 2013 with a six-week period to May 22, 2013, to either accept or reject the offers. The County does not expect any of the property owners to reject the offers that would cause the County to use the Eminent Domain process. However, one property owner is recently deceased and the estate is unsettled. The inheriting property owners may get their own appraisals and negotiate. These complications may delay acceptance of the County's offers. Should all the offers be accepted by May 22, 2013, the Board could accept them on June 11, 2013, and escrow would commence. The County is requesting an 18-month extension to December 31, 2013, to ensure completion of all R/W expenditures and any further unforeseen circumstances that may occur.

BACKGROUND:

Current STIP Guidelines stipulate that funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.