

Approved by BOCC March 17, 2005

**Policies and Administrative Procedures  
of  
The Board of County Commissioners  
The County Assistance Road System (CARS) Program**

# **County Assistance Road System Program Policies**

## **GENERAL PROVISIONS**

### **101: GENERAL PURPOSE STATEMENT**

This Policy, adopted by the Board of County Commissioners for the County Assistance Road System (CARS) Program, is intended to promote interlocal co-operation between the County Government and the cities in the planning, maintenance, and construction of streets and associated roadway improvements in Johnson County and to establish a program structure through which the County Government may provide financial or other assistance to the cities in order to assure an adequate, safe and integrated transportation network in the County's developing and incorporated areas.

### **102: APPLICATION OF POLICY**

This Policy shall be effective and shall apply from the date of its adoption to all actions of the Board which relate to the expenditure of County's funds for the planning, maintenance, or construction of streets, associated roadway improvements or bridges located within Johnson County.

Nothing contained within this policy shall affect any interlocal agreement, bond authorization or issuance, tax levy or assessment, contract commitment or expenditure authorization which was approved and effective prior to the adoption of this Policy.

### **103: BOARD RESPONSIBILITIES**

The Board shall be responsible for establishing project eligibility for the program; for defining and approving terms, conditions, and qualifications for interlocal agreements; and for establishing and authorizing policies for the CARS Program.

The County Manager, under the direction and supervision of the Board, shall be responsible for establishing Administrative Procedures for the Public Works Department of the County to ensure, to the extent practical, consistent administration of CARS projects.

#### 104: POLICY REVIEW, REVISION, AND AUTHORITY

The Board shall review, at least annually, its CARS Program policy and administrative procedures and may change or supplement any of its policies or procedures.

This Policy is adopted pursuant to the authority of the Board of County Commissioners under K.S.A. 19-101 and other statutory provisions.

## **II. PROJECT ELIGIBILITY**

### 201: PROJECT REQUESTS

Any city located within Johnson County is eligible to participate in the CARS Program. All applicants must submit project requests in the form provided in the Administrative Procedures.

### 202: PROJECT CRITERIA

Projects shall be considered for inclusion in the CARS Program for financial or other assistance based upon the following criteria:

- A. The project is a proposed public improvement of a street, intersection, bridge, sidewalk or bikeway which is an integral part of the County's major or minor collector roadway system as designated by the Board., Minor collector routes must carry an Average Daily Traffic (ADT) of at least 3,500 vehicles in the urbanized area and 1,500 vehicles in the areas outside the urbanized area to be eligible for CARS participation and provide a direct connection between two major routes or a major route and a state highway.
- B. The project, upon completion, will produce one or more of the following results:
  - 1. Capacity (traffic flow) improvement;
  - 2. Bridge replacement projects;
  - 3. Major renovation of functionally or structurally deficient roadways, bridges, or intersections.
  - 4. Directly promote economic development;
  - 5. Improve traffic safety or access.

6. Major maintenance or renovation activities include reconstruction of an existing roadway, overlays 2” or more, mill and overlay, significant full depth patching, joint repair projects, significant curb repair projects, bridge deck replacements and guardrail repairs or upgrades.
7. Construction of sidewalks, bikeways, or streetlights adjacent to or integral with an eligible major or minor collector street.

#### 203: FISCAL YEAR PLAN

The Board shall annually adopt a Fiscal Year Plan for the CARS Program. No project shall be considered for County assistance under the CARS Program for any year unless the project is included in the Fiscal Year Plan for that year.

The Board shall approve specific, designated projects for inclusion in program funding for each fiscal year and shall establish the maximum expenditure authority for each approved project.

#### 204: CONTINUATION REQUESTS

Projects which cannot reasonably be completed during the fiscal year for which the project has been authorized or for which funding has been deferred by the Board for inclusion in any subsequent Fiscal Year Plan shall be considered continuation projects.

### III. FUNDING PROVISIONS

#### 301: FUNDING LEVEL

It is the policy of the Board to establish and maintain the CARS Program on a "pay-as-you-go" cash basis, without the use of debt-financing.

Funding levels for any Fiscal Year Plan shall be contingent upon the annual budget appropriation of the Board and all appropriations or expenditure authorizations shall be strictly contingent upon the availability of funds to the County.

### 302: FUNDING PARTICIPATION

The Board may provide financial assistance for eligible CARS projects, through interlocal agreements, in any amount up to but not exceeding fifty percent (50%) of the eligible, local share of the construction costs of the project. The eligible local share of such costs shall be defined in the Administrative Procedures.

In no event shall the County be obligated to pay any amount which exceeds the authorized expenditure authority or budget appropriation or for which funds are not available to the County.

### 303: USE OF FUNDS AND UNEXPENDED FUNDS

Funds authorized and appropriated as a part of any Fiscal Year Plan for any designated improvement project shall be expended only for eligible local share of construction costs of that specific project and for no other. However, the Board may, at its sole discretion, appropriate any unexpended funds for other eligible CARS projects.

Any funds which are authorized as an expenditure authority and appropriated for any project as a part of the Fiscal Year Plan and which are not expended for eligible project costs shall inure to and be credited for the benefit of the County, and no city or cities shall have any entitlement to the use or reappropriation of those unexpended funds.

## **IV. ADMINISTRATIVE PROVISIONS**

### 401: PROGRAM ADMINISTRATION

The CARS Program shall be managed by the Director of Infrastructure or his designees, and shall be administered in accordance with all applicable policies, procedures or directives of the Board.

The Director of Infrastructure shall have available monthly reports concerning the status of all ongoing projects.

### 402: INTERLOCAL AGREEMENTS

Interlocal Agreements shall be required and executed, in a form and content specified in the Administrative Procedures for all projects. The County shall not participate in the cost of any project for which an appropriate Agreement is not executed.

The Chairman of the Board of County Commissioners is authorized to execute Interlocal Agreements on behalf of the County, without separate action or approval of the Board, for any authorized and approved CARS project. All executed Interlocal Agreements shall be filed with the Board and noted upon the record in the Board's official Minutes and Journal.

#### 403: INDEMNIFICATION AND HOLD HARMLESS

The city administering any project approved and authorized under the CARS Program shall agree to indemnify and hold the County and its officials harmless for and from any costs or liabilities not expressly agreed to by the County or which result from actions or omissions of the city or its contractor or agents or which result from compliance with these Policies or the Administrative Procedures.