

Item #: **5-B1**

AGENDA ITEM SUMMARY

Submitted By: Engineering & Public Works
Submitted For: Roadway Production Division

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II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$ 79.4M	\$134.8M	\$ 45.5M	\$ 48.8M	\$ 98.2M
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	\$ 80.1M	\$135.6M	\$ 48.3M	\$ 49.5M	\$ 98.3M
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$.7M	\$.8M	\$ 2.8M	\$.7M	\$.1M.

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget?

Yes X

No _____

Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____ Various
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

The Five Year Road Program is funded from Gasoline Taxes and Impact Fees, including the interest on these two sources of funds.

C. Departmental Fiscal Review: adwhite

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

10-29-09 OFMB 10/29/09 10/29/09 10/29/09

Contract Dev. and Control 10/30/09 10/29/09

B. Approved as to Form
and Legal Sufficiency:

10/30/09
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

ORDINANCE NO. 2009-

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 85-40, AS AMENDED, ESTABLISHING AN AMENDED FIVE YEAR ROAD PROGRAM; PROVIDING FOR TITLE; PURPOSE; ADOPTION OF REVISED FIVE YEAR ROAD PROGRAM AND REVISED LIST OF PROJECTS CONTAINED IN EXHIBIT "A"; IMPLEMENTATION OF PROGRAM; MODIFICATION OF PROGRAM; FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND ORDINANCES; EFFECTIVE DATE.

WHEREAS, by Ordinance 85-40, the County established a Five Year Road Program setting forth the road projects to be funded, designed and constructed by the County within the next five years; and

WHEREAS, Ordinance 85-40 required annual updates of the road projects by December of each year and permits modifications of the Program no more than twice in a one year period; and

WHEREAS, the Board of County Commissioners annually updated Ordinance 85-40 by enacting Ordinances 87-24, 88-29, 89-36, 90-39, 91-43, 92-21, 93-31, 94-14, 94-28, 95-32, 96-2, 96-21, 96-43, 97-22, 97-39, 98-24, 99-3, 99-39, 2000-6, 2000-022, 2000-062, 2001-032, 2001-098, 2002-27, 2002-070, 2003-028, 2003-069, 2004-055, 2005-017, 2006-018, 2006-044, 2007-016, 2007-022, 2008-042 and 2009-022 by amending the attachment identified as Exhibit "A" to each of the Ordinances; and

WHEREAS, the Board has considered the funding and timing of road projects for the next five years as set forth in Exhibit "A" to Ordinance 2009-022 and desires to revise Exhibit "A" of Ordinance 2009-022 to reflect such changes; and

WHEREAS, the Board wishes to amend the Five Year Road Program Ordinance by amending Exhibit "A" and enacting a new Exhibit "A" to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
THAT:**

SECTION I

Ordinance 85-40, as amended by Ordinances 87-24, 88-29, 89-36, 90-39, 91-43, 92-21, 93-31, 94-14, 94-28, 95-32, 96-2, 96-21, 96-43, 97-22, 97-39, 98-24, 99-3, 99-39, 2000-6, 2000-022, 2000-062, 2001-032, 2001-098, 2002-27, 2002-070, 2003-028, 2003-069, 2004-055, 2005-017, 2006-018, 2006-044, 2007-016, 2007-022, 2008-042 and 2009-022, is hereby amended.

TITLE

This Ordinance shall be known as the "Palm Beach County Five Year Road Program Ordinance."

PURPOSE

The Palm Beach County Comprehensive Plan, Transportation Element, is designed to be used as a guide to meet existing and future ground transportation needs of the County including major roadways within incorporated municipalities. The Element analyzes the primary transportation network within the County to determine system deficiencies and identify improvements.

The Board of County Commissioners now desires to codify in this Ordinance a reasonably attainable Program of roadway construction for the next five years and match the construction of the projects with available funding. The further purpose of this Ordinance is to encourage the prioritization of projects, provide for better timing of right-of-way acquisition and provide improved planning for financial funding mechanisms.

ADOPTION OF REVISED FIVE YEAR ROAD PROGRAM

The list of projects for the Five Year Road Program set forth in Exhibit "A," of Ordinance 85-40, as amended, is hereby modified as set forth in a new Exhibit "A", attached hereto and incorporated herein, and is hereby adopted as the Five Year Road Program. Exhibit "A" of Ordinance 2009-022 is hereby deleted and replaced with the new Exhibit "A", attached hereto.

IMPLEMENTATION OF PROGRAM

The County Administrator and the County Engineer are directed to implement the Five Year Road Program by taking such actions as are necessary to cause the construction of the roadway segments indicated on the Program, make periodic reports to the Board of County Commissioners with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the project to the Board of County Commissioners for consideration.

MODIFICATION OF PROGRAM

Each year prior to December, the Board of County Commissioners shall consider an amendment to this Ordinance modifying the list of projects contained on Exhibit "A" to create a viable list of funded projects for the succeeding five years. From time to time during each year, the Board of County Commissioners, by resolution, may shift funding within the program to promote the more efficient construction of the projects. Deletions, substitutions and additions of entire construction projects from Exhibit "A" may only be accomplished by Ordinance of the Board of County Commissioners. Deletions of projects may be accomplished no more frequently than twice a year.

FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT

This Ordinance shall not be construed to prevent the Board of County Commissioners from constructing other roadway improvements which are not listed on Exhibit "A," provided the projects are funded from sources which will not delete or delay projects included on Exhibit "A."

It is recognized that Exhibit "A" depicting limits of the various projects, length of projects, type of work, timetables and costs are approximations that will require modification and updating by the County Administrator based upon more detailed information and bidding results; provided that the following changes may only be made by the County Commission:

- (a) Changes that increase or decrease the total approved appropriations of the Program.
- (b) Changes requiring funding from a reserve account.
- (c) Changes increasing a Board approved project budget by more than five percent.
- (d) Changes which significantly affect the scope, nature, or phasing of a capital project.

REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provisions of this Ordinance are hereby repealed.

SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this _____ day of _____, 2009.

Clerk & Comptroller
Circuit Courts

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
John F. Koons, Chairman

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 2009.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Annual Update - Preliminary Reading - November 3, 2009

	FY 2010 PROJECTED	FY 2011 PROJECTED	FY 2012 PROJECTED	FY 2013 PROJECTED	FY 2014 PROJECTED	TOTAL PROJECTED
GASOLINE/DIESEL TAX - TOTAL (PALM BEACH COUNTY)	44,074,000	44,074,000	44,074,000	44,074,000	44,074,000	220,370,000
GASOLINE/DIESEL TAX - MASS TRANSIT (PALM TRAN SHARE)	11,691,000	11,691,000	11,691,000	11,691,000	11,691,000	58,455,000
GASOLINE/DIESEL TAX - MASS TRANSIT (TRANSFER FROM ENGINEERING SHARE)	14,500,000	14,500,000	14,500,000	14,500,000	14,500,000	72,500,000
GASOLINE/DIESEL TAX - ROADS (REMAINING ENGINEERING SHARE)	17,883,000	17,883,000	17,883,000	17,883,000	17,883,000	89,415,000
INTEREST EARNINGS	3,885,960	3,885,960	3,885,960	3,885,960	3,885,960	19,429,800
LESS 5% STATUTORY RESERVES	-1,813,448	-1,813,448	-1,813,448	-1,813,448	-1,813,448	-9,067,240
BOND PROCEEDS	0	37,000,000	0	0	50,000,000	87,000,000
MISCELLANEOUS	23,500,000 A	21,610,000 B	0	0	0	45,110,000
IMPACT FEES USED FOR PROJECTS	20,525,000	19,808,000	12,989,000	10,259,000	7,082,000	70,663,000
TOTAL CURRENT REVENUES	78,480,512	112,873,512	47,444,512	44,714,512	91,537,512	-375,050,560
BALANCES FORWARD	584,479	699,991	818,503	2,798,015	757,527	584,479
AVAILABLE RESERVES	1,000,000	22,000,000	0	2,000,000	6,000,000	31,000,000
TOTAL REVENUES	80,064,991	135,573,503	48,263,015	49,512,527	98,295,039	406,635,039
DEBT SERVICE	0	0	-2,960,000	-2,960,000	-2,960,000	-8,880,000
PROJECT COSTS AS PROPOSED	79,365,000	134,755,000	42,505,000	45,795,000	95,275,000	397,695,000
REVENUES LESS PROJECT COSTS	699,991	818,503	2,798,015	757,527	60,039	60,039

General note on interest projections:

Projections for interest earnings assume that average cash balances will approximate 3.0 times the current year revenue projections at an interest rate of 4.0%. Interest earnings on gas taxes are shown on this sheet. Interest earnings on impact fees remain within each impact fee area and are not shown above.

See Footnotes A & B on Page 2 of 6

Footnotes:

A FDOT (TRIP funds) up to \$5,400,596 for Construction of Jog Rd., S. of 45th St. to N. of 45th St. Reimbursement expected to be \$4,500,000 or 50% of \$9,000,000.

FDOT (Reimbursement) \$4,000,000 for S.R. 7, Okeechobee Blvd. to Northlake Blvd. PD&E Study.

FDOT (TRIP funds) up to \$6,286,595 & matching funds per Atlantic Ave. Agreement pending BCC approval for the construction of West Atlantic Ave., W. of Lyons Rd. to Starkey Rd.

Reimbursement expected to be \$4,000,000 or 50% of \$8,000,000.

FDOT - Federal Stimulus American Recovery & Reinvestment Act (ARRA) \$7,000,000 for construction of Military Tr., Clint Moore Rd. to Lake Worth Rd.

B FDOT (anticipates JPA) (SIS funds) \$1,720,000 for Construction of Blue Heron Blvd. & Congress Ave. Phase II .

FDOT (LAP funds) \$2,200,000 for Construction of Community Dr. & Military Tr. Intersection.

FDOT (SIS funds) \$1,600,000 & (TRIP funds) \$800,000 for Construction of Okeechobee Blvd., Australian Ave. to Tamarind Ave./Parker Ave.

FDOT (TRIP funds) up to \$12,020,000 for Construction of Jog Rd., Roebuck Rd. to S. of 45th St. Reimbursement expected to be \$10,350,000 or 50% of \$20,700,000.

FDOT (LAP Agreement) \$1,145,311 for Construction of Congress Ave. & Hypoluxo Rd.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Annual Update - Preliminary Reading - November 3, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2010		FY 2011		FY 2012		FY 2013		FY 2014	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
10th Ave. North	over Keller Canal	Bridge Improvements	150	D			930	C				
45th Street	Pinewood Ave. to US 1	0.4 mi, 4/5 L			750	R						
60th Street	W. of Royal Palm Beach Blvd. to S.R. 7 Extension	1.0 mi, 3 L			9,590	P						
Annual Contract Advertising	Countywide	Advertising	10	P	10	P	10	P	10	P	10	P
Australian Ave.	N. of I-95 to S. of Okeechobee Blvd.	0.5 mi, 6 L	1,230	C								
Belvedere Rd.	Haverhill Rd. and Military Tr.	Intersection Improvements			480	R			2,430	C		
Boca Rio Rd.	Palmetto Park Rd. to Boca Lago Blvd.	0.4 mi, 5 L	2,600	D/C								
Caroline Ave.	over L.W.D.D. L-3 Canal	Bridge Replacement	80	D			320	C				
Central Blvd.	Indiantown Rd.	Intersection Improvements	260	R	1,960	R	1,500	C				
Central Blvd.	Indiantown Rd. to Longshore Dr.	Intersection Improvements	100	R/M	1,200	R/M/C						
Clint Moore Rd.	Jog Rd. to Military Tr.	1.5 mi, 6 L	10	D	430	D	230	R	3,000	R/P		
* Community Dr.	Military Tr.	Intersection Improvements			2,290	C						
Computer Equipment	Staff support equipment for program	Equipment	180	P	180	P	180	P	180	P	180	P
* Congress Ave.	Hypoluxo Rd.	Intersection Improvements			1,560	C						
Congress Ave.	S. of Lantana Rd. to Lantana Rd.	0.3 mi, 6 L	3,750	C								
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L	1,500	D/R			800	R/M			2,570	P
CR 880 (Old SR 80)	Rehabilitation/Heavy Maintenance	Rehabilitation	500	C	500	C	500	C	500	C	500	C
Donald Ross Road	and I-95	Interchange Modifications	750	D					5,250	C		
Glades Area	R&R Throughout the Glades	Repair / Reconstruction	700	C	700	C	700	C	700	C	700	C
Hatton Hwy.	at H.G.W.C.D. E-2 Canal	Bridge Replacement	1,700	C								
Haverhill Rd.	Lantana Rd. to S. of L.W.D.D. L-14 Canal	0.8 mi, 4 L	320	D/R/M			500	R/M			3,040	C
Haverhill Rd.	S. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.2 mi, 5 L	1,000	D/R/M			1,300	R/M			8,660	C
Haverhill Rd.	Okeechobee Blvd.	Intersection Improvements									100	R
Haverhill Rd.	Dyer Blvd.	Intersection Improvements			1,460	C						

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Annual Update - Preliminary Reading - November 3, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2010		FY 2011		FY 2012		FY 2013		FY 2014	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Hypoluxo Rd.	I-95	Intersection Improvements	310	C								
* Intersection Program	Countywide	Design, R/W & Construction	4,200	D/R/C	5,360	D/R/C	1,430	D/R/C	250	D/R/C	250	D/R/C
* Intracoastal Crossings	Countywide	Bascule Bridge Rehab./Replacement	2,000	S/D/R/M/C	37,000	S/D/R/M/C	1,000	S/D/R/M/C	1,000	S/D/R/M/C	1,000	S/D/R/M/C
* Jog Rd.	Roebuck Rd. to S. of 45th Street	1.9 mi, 4 L	2,000	R/M	20,700	R/M/C						
Jog Rd.	N. of S.R. 710 to N. of Florida's Turnpike Entr.	0.7 mi, 2/4 L	1,000	D/R/M	1,500	R/M	5,540	M/C				
Lantana Rd.	High Ridge Rd. to Southbound I-95	0.2 mi, 3 L	360	C								
Lyons Rd.	S. of L.W.D.D. L-11 Canal to N. of L.W.D.D. L-10 Canal	1.0 mi, 2 L	660	R/M			1,000	R/M			2,810	P
Lyons Rd.	Lantana Rd. to Lake Worth Rd.	2.0 mi, 4 L	500	D			1,870	R/M			5,000	R/M/P
* Military Tr.	Clint Moore Rd. to Lake Worth Rd.	Milling, Resurfacing & Safety Improv.	7,000	C								
Northlake Blvd.	Seminole Pratt Whitney Rd. to Coconut Blvd.	3.4 mi, 4 L									2,000	R/M
Okeechobee Blvd.	Church St.	Intersection Improvements									200	S/D
* Okeechobee Blvd.	Australian Ave. to Tamarind Ave./Parker Ave.	0.2 mi, 8 L			3,200	C						
Okeechobee Blvd.	W. of E Rd. to E. of Folsom Rd.	1.3 mi, 4/6 L									100	R/M
Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L	500	D/R/M					3,000	C		
Palmetto Park Rd.	Lyons Rd. to 0.7 mi. W. of Powerline Rd.	1.9 mi, 8 L							10	D	800	S/D/R
Palmetto Park Rd.	0.7 mi. W. of Powerline Rd. to 0.5 mi. W. of Military Tr.	1.7 mi, 8 L	500	D/R/M			500	R/M	5,140	P		
* Palmetto Park Rd.	0.5 mi. W. of Military Tr. To I-95	1.0 mi, 8 L				7,590	C					
Pathway Program	Countywide	Pathways	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R
Reserve-Beautification	Unincorporated Area, O.T.I.S. Program	Design & Construction	1,000	D/C	1,000	D/C	1,000	D/C	1,000	D/C	1,000	D/C
Reserve-Plans/Align.	Countywide	Study, Design & Mitigation	200	S/D/M	200	S/D/M	200	S/D/M	200	S/D/M	200	S/D/M
Reserve-R/W	Countywide	Land Acquisition	200	R	200	R	200	R	200	R	200	R
Reserve-Traffic Calming	Countywide	Minor Improvements	15	D/C	15	D/C	15	D/C	15	D/C	15	D/C
Reserve-Traffic Signals	Countywide	Mast Arms	600	D/C	600	D/C	600	D/C	600	D/C	600	D/C

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Annual Update - Preliminary Reading - November 3, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2010		FY 2011		FY 2012		FY 2013		FY 2014	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Roebuck Rd.	S.R. 7 to Jog Rd.	3.0 mi, 4 L									50,000	M/C
S.R. 7 Extension	Persimmon Blvd. to 60th St.	1.0 mi, 2/4 L			5,730	C						
Seminole Pratt Whitney Rd.	SR 80 to S. of Okeechobee Blvd.	1.4 mi, 4 L	5,600	C								
Seminole Pratt Whitney Rd.	S. of Okeechobee Blvd. to N. of Sycamore Dr.	2.8 mi, 4 L	7,000	C								
Seminole Pratt Whitney Rd.	M Canal to Orange Blvd.	1.3 mi, 4 L	500	R/M	5,110	R/C						
Seminole Pratt Whitney Rd.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4 L									100	R/M
Seminole Pratt Whitney Rd.	Northlake Blvd.	Intersection Improvements									100	R/M
Seminole Pratt Whitney Rd.	Northlake Blvd. to Bee Line Hwy.	6.9 mi, 2/4 L									100	R/M
Silver Beach Rd.	E. of Congress Ave. to Old Dixie Hwy.	0.9 mi, 2 L & 3 L			3,380	C						
Street Lighting	Countywide	Street Lighting	1,600	D/C	1,600	D/C	1,600	D/C	1,600	D/C	1,600	D/C
Streetscape	Countywide	Operation & Maintenance	2,320	B	2,440	B	2,560	B	2,690	B	2,820	B
Transfer to Mass Transit	Countywide	Subsidy	14,500	P	14,500	P	14,500	P	14,500	P	7,200	P
Transfer to Rd. Maintenance	Countywide	Maintenance	2,000	P	2,000	P	2,000	P	2,000	P	1,900	P
* West Atlantic Ave.	W. of Lyons Rd. to Starkey Rd.	0.8 mi, 4/6 L	8,000	C								
Woolbright Rd.	I-95	Intersection Improvements	440	C								

TOTALS

79,365

134,755

42,505

45,795

95,275

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

FOOTNOTES TO LINE ITEMS CONTAINED IN THE PLAN

Annual Update - Preliminary Reading - November 3, 2009

COMMUNITY DR. AND MILITARY TR. INTERSECTION IMPROVEMENTS: Anticipates Florida Department of Transportation (LAP) funds towards the construction.

CONGRESS AVE. AND HYPOLUXO RD. INTERSECTION IMPROVEMENTS: Anticipates Florida Department of Transportation (LAP) funds towards the construction.

INTERSECTION PROGRAM: Anticipates Joint Participation Agreement with Florida Department of Transportation for: Blue Heron Blvd. and Congress Ave. (Phase II);
S.R. 7 and Southern Blvd. Anticipates Developer funds for: Congress Ave. and Park Ave.; Forest Hill Blvd. and Jog Rd.

INTRACOASTAL CROSSINGS: Includes Ocean Ave., NE 8th St./George Bush Blvd. and Camino Real/Boca Club W.

JOG RD. - ROEBUCK RD. TO S. OF 45TH ST.: Anticipates Florida Department of Transportation (TRIP) funds towards the construction.

MILITARY TR. - CLINT MOORE RD. LAKE WORTH RD.: Anticipates Florida Department of Transportation (ARRA) funds towards the construction.

OKEECHOBEE BLVD. - AUSTRALIAN AVE. TO TAMARIND AVE./PARKER AVE.: Anticipates Florida Department of Transportation (SIS & TRIP) funds towards the construction.

PALMETTO PARK RD. - 0.5 MI. W. OF MILITARY TR. TO I-95.: Anticipates Florida Department of Transportation (CIGP) funds towards the construction.

WEST ATLANTIC AVE. - W. OF LYONS RD. TO STARKEY RD.: Anticipates Florida Department of Transportation (TRIP) funds and Developer funds towards the construction.