

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2007

Reference No.: 2.5g.  
Action Item

From: CINDY McKIM  
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Subject: **AUGMENTATION TO ANNUAL RIGHT OF WAY LUMP SUM ALLOCATION  
RESOLUTION FM-06-03, AMENDING RESOLUTIONS FM-06-01 AND FM-05-05**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the Resolution below to augment the Fiscal Year (FY) 2006-07 lump sum Right of Way (R/W) capital allocation of \$269,000,000, with Border Infrastructure Program (BIP) funds for \$33,000,000. Senate Bill (SB) 1282 authorizes the Department to program, allocate and expend BIP funds in the same manner as other federal transportation capital funds in the State Transportation Improvement Program (STIP).

## **ISSUE:**

STIP Amendment 06S-015 (item 2.1a) includes \$80,000,000 in BIP funding for the R/W phase for the San Diego 905 Otay Mesa project. Of the \$80,000,000, \$33,000,000 will be expended in FY 2006-07 to augment the R/W capital allocation and will be shown as a separate line item on the R/W capital allocation plan.

## **BACKGROUND:**

Capital costs for right of way have steadily increased over the past three to five years, consistent with the general rise in land values in the San Diego area. As a result, the cost of right of way acquisition for the Route 905 Otay Mesa project has increased beyond available funding. In addition to the general increase in land values, zoning changes have affected potential land values. The Department and the San Diego Association of Governments are proposing to use BIP funds to fund right of way.

## **RESOLUTION:**

Resolved, that the amount of \$33,000,000 in BIP funds for the San Diego 905 Otay Mesa project to be augmented to the lump sum R/W capital allocation of \$269,000,000 for a total of \$302,000,000, to be allocated from the Budget Act of 2006, Budget Act Items 2660-301-0042 and 2660-301-0890, as a lump sum for R/W capital outlay expenditures for FY 2006-07.

**FY 2006-07 ESTIMATE OF FUNDS ALLOCATED FOR RIGHT-OF-WAY  
(Dollars in Thousands)**

	<b>ORIGINAL ALLOCATION (FM-06-01)</b>	<b>BIP AUGMENTATION</b>	<b>REVISED ALLOCATION</b>
<b>Capital Projects</b>			
STIP	\$93,000	\$0	\$93,000
BIP		\$33,000	\$33,000
SHOPP	<u>\$59,000</u>	<u>\$0</u>	<u>\$59,000</u>
Total Capital Projects	\$152,000	\$33,000	\$185,000
<b><u>Specific Categories:</u></b>			
Minor Projects	\$0	\$0	\$0
Post Certifications	\$28,000	\$0	\$28,000
Damage to Property (Inverse Condemnations)	\$88,000	\$0	\$88,000
Project Development Capital	<u>\$1,000</u>	<u>\$0</u>	<u>\$1,000</u>
Total Specific Categories	\$117,000	\$0	\$117,000
<b><u>Pre-project Mitigation:</u></b>	\$0	\$0	\$0
<b><u>Total Right of Way</u></b>	<b>\$269,000</b>	<b>\$33,000</b>	<b>\$302,000</b>