

Memorandum

TAB 127

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 2.5i - **REVISED**
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Division of Budgets

Subject: **FINANCIAL ALLOCATION FOR FISCAL YEAR 2010-11 RIGHT OF WAY LUMP SUM.
RESOLUTION FM-09-05**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following Resolution allocating a lump sum of \$219,373,000 for Right of Way (R/W) capital outlay funds for Fiscal Year (FY) 2010-11.

ISSUE:

Each year the Department is required to obtain an annual R/W capital allocation from the Commission before it can deliver the R/W needs for programmed projects in the Project Delivery Plan. The approval of this Resolution will provide the Department the ability to deliver its R/W commitments for FY 2010-11.

BACKGROUND:

Resolution G-01-09 requires the Department to annually present its R/W capital expenditure plan to the Commission for review and acceptance. The Resolution states that the plan will be supported by a project list that includes at a minimum, project description, source programming document, district, county, route, post mile, expenditure authorization, planning programming number, planned R/W expenditure, and total programmed R/W capital.

The FY 2010-11 R/W Capital Outlay Expenditure Plan is consistent with the Department's State Highway Operation and Protection Program (SHOPP) and State Transportation Improvement Program (STIP) documents, as approved by the Commission, and it includes the specific categories of Post Certification expenditures, Damage to Property Settlements as well as estimated Project Development Capital.

Separate line items for Pre-Project Mitigation costs and cost of the re-purchase of previously sold excess land under Government Code Section 54235, et seq., commonly referred to as the Roberti Bill, for violations of terms of the purchase agreement between the Department and the purchaser are also shown as part of the R/W allocation.

Consistent with Resolution G-01-09, the Department reviewed with Commission staff the proposed list of projects that comprise the requested FY 2010-11 R/W capital allocation.

RESOLUTION FM-09-05:

Resolved, that the amount of \$219,373,000 be allocated from the Budget Acts of 2009 and 2010, Items 2660-301-0042, 2660-301-0890, 2660-302-0042, 2660-302-0890, and 2660-303-0042 as a lump sum for right of way capital expenditures for Fiscal Year 2010-11.

FY 2010-11 ESTIMATE OF FUNDS FOR R/W ALLOCATION

(Dollars x 1,000)

RESOLUTION FM 09-05

	SHOPP	STIP	STIP (Rev)	TOTAL	TOTAL (Rev)
Capital Projects	\$46,567	\$107,666	\$103,728	\$154,233	\$150,295
Specific Categories:					
Post Certification	\$6,799	\$32,512	\$34,299	\$39,311	\$41,098
Damage to Property (Inverse)	\$9,622	\$15,207	\$17,358	\$24,829	\$26,980
Project Development	\$0	\$1,000	\$1,000	\$1,000	\$1,000
Total Specific Categories	\$16,421	\$48,719	\$52,657	\$65,140	\$69,078
Pre-Project Mitigation	0	0	0	0	0
Roberti Re-Purchase	0	0	0	0	0
Total Right of Way	\$62,988	\$156,385	\$156,385	\$219,373	\$219,373