

CALIFORNIA TRANSPORTATION COMMISSION

**Delegation of Authority to
the Department of Transportation for
Sub-allocation and Adjustment of Right-of-Way Projects
Programmed in the STIP and SHOPP**

**Resolution G-01-09
Replacing Resolution G-91-1**

- 1.1 WHEREAS, the California Transportation Commission (Commission), pursuant to Government Code Section 7 and 14512, may request that the Department of Transportation (Department) perform such work as the Commission deems necessary to carry out its duties and responsibilities; and
- 1.2 WHEREAS, the Commission, pursuant to Government Code Section 14533, is authorized to allocate funds for transportation projects programmed in the State Transportation Improvement Program (STIP), and the State Highway Operation and Protection Program (SHOPP); and
- 1.3 WHEREAS, frequent adjustment of allotments are necessary to allow for orderly acquisition, relocation and clearance of right-of-way thereby accomplishing the right-of-way capital plan in the most effective and efficient manner as well as meeting construction schedules; and
- 1.4 WHEREAS, funds can only be allocated for acquisitions when such acquisitions comply with environmental laws; and
- 1.5 WHEREAS, it is desirable to reduce Commission workload by minimizing the number of routine financial resolutions being processed.
- 2.1 NOW THEREFORE BE IT RESOLVED, that annually (in June) the Department will present its right-of-way capital plan for the upcoming fiscal year to the Commission for review and acceptance. The plan will be supported by a project list that at a minimum will include the following information:
 1. Project description and identification of source programming document.
 2. Caltrans district, county, route and post mile.
 3. Caltrans expenditure authorization number (EA) and planning programming number (PPNO).
 4. Planned right-of-way expenditure for the project included in the right-of-way capital plan for the upcoming fiscal year.
 5. Total programmed right-of-way capital expenditure for the project.

- 2.2 BE IT FURTHER RESOLVED, that the Commission will make a yearly allocation for the total right-of-way capital plan (without project level allocations), and must approve any revisions to the total allocation required during the year; and
- 2.3 BE IT FURTHER RESOLVED, that the Director of the Department of Transportation is hereby authorized to sub-allocate and adjust funds to individual projects for the acquisition of right-of-way, relocation of utilities, and other necessary related right-of-way activities; and
- 2.4 BE IT FURTHER RESOLVED, that notwithstanding the above limitations, the Director of Transportation is authorized to allot funds for acquisition of hardship and protection parcels when, in his/her opinion, circumstances warrant such acquisitions; and
- 2.5 BE IT FURTHER RESOLVED, that the Department will report quarterly on right-of-way expenditures in the context of the capital plan, including expenditures and significant advancement or delay of right-of-way acquisition for large projects (\$2 million or more in right-of-way capital) included in the right-of-way capital plan; and
- 2.6 BE IT FURTHER RESOLVED, that for any project with significant right-of-way acquisition delay the Department will include a statement of impact to the delivery of the construction phase of the project; and
- 2.7 BE IT FURTHER RESOLVED, that annually after the conclusion of the budget year, based on the Department's official book closing statement, the Department will report the actual Right of Way Capital Program level encumbrance status compared to the allocated amounts.