

# Memorandum

**TAB 148**

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 27-28, 2012

Reference No.: 2.5j.  
**REPLACEMENT ITEM**  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

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Division Chief  
Division of Budgets

Subject: **FINANCIAL ALLOCATION FOR FISCAL YEAR 2012-13 RIGHT OF WAY LUMP SUM RESOLUTION FM-11-05**

**RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following Resolution allocating a lump sum of \$227,040,000 for Right of Way (R/W) capital outlay funds for Fiscal Year (FY) 2012-13.

**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 2012-13.

**FY 2012-13 Estimate of Funds Allocated for R/W Commitments  
(Dollars x 1,000)**

	<b>Total</b>
<b>Capital Projects</b>	
STIP	99,484.00
SHOPP	41,549.00
<b>Specific Categories</b>	
Post-Certification	64,621.00
Damage to Property (Inverse)	20,386.00
Hardships	-
Project Development	1,000.00
<b>Pre-Project Mitigation</b>	-
<b>Roberti Re-Purchase</b>	-
<b>Total Right of Way</b>	<b>\$ 227,040.00</b>

**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 2012-13 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 (Inverse Condemnation) 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 2012-13 R/W capital allocation.

Attachment A breaks down the lump-sum Capital allocated by fund source and State Budget FY appropriation.

**RESOLUTION:**

Resolved, that \$227,040,000 be allocated from the Budget Acts of 2012 and 2013, Items 2660-301-0042, 2660-301-0890, 2660-302-0042, and 2660-302-0890 for the FY 2012-13 Right of Way Capital Lump Sum.

**FY 2012-13 Right of Way Capital Lump Sum Request**  
*(Dollars x 1,000)*

<b>Program</b>	<b>Fund Source</b>	<b>FY 11-12 Interim Budget Authority</b>	<b>FY 12-13 Budget Authority</b>	<b>Total R/W Lump Sum Allocation</b>
STIP	SHA - 301-0042	12,800	93,865	106,665
	Federal - 301-0890	5,657	41,485	47,142
	<b>Sub-total STIP</b>	<b>\$ 18,457</b>	<b>\$ 135,350</b>	<b>\$ 153,807</b>
SHOPP	SHA - 302-0042	6,048	44,351	50,399
	Federal - 302-0890	2,740	20,094	22,834
	<b>Sub-total SHOPP</b>	<b>\$ 8,788</b>	<b>\$ 64,445</b>	<b>\$ 73,233</b>
<b>Total</b>	<b>R/W Capital</b>	<b>\$ 27,245</b>	<b>\$ 199,795</b>	<b>\$ 227,040</b>

REPLACEMENT ITEM