

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 24-25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.5m, Action Item

Prepared By: KC Handren, Chief
Division of Budgets

Subject: **FISCAL YEAR 2020-21 RIGHT OF WAY ANNUAL ALLOCATION
RESOLUTION FM-19-07**

ISSUE:

Should the California Transportation Commission (Commission) approve the suggested annual allocation for Right of Way (R/W) capital outlay for Fiscal Year 2020-21?

RECOMMENDATION:

The California Department of Transportation (Department) recommends the Commission approve Resolution FM-19-07 to allocate an annual allocation of \$137,000,000 for R/W capital outlay funds for 2020-21.

BACKGROUND:

Each year, the Department is required to obtain a R/W capital annual allocation from the Commission before it can deliver the R/W needs for programmed projects in the Project Delivery Plan. The R/W capital annual allocation is used for State Highway Operation and Protection Program (SHOPP) and State Transportation Improvement Program (STIP) projects with R/W capital programming of \$10,000,000 or less. Projects with SHOPP or STIP R/W capital programming of \$10,000,000 or more will be individually allocated by the Commission. Additionally, the annual allocation is broken into the specific categories of costs prior to environmental clearance or Project Approval and Environmental Document (pre-PA&ED), costs exceeding programming (post-certification), inverse condemnation costs, and the Coordinated Border Infrastructure Program (CBI). The approval of this resolution will provide the Department the ability to deliver its R/W commitments for 2020-21.

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**FISCAL YEAR 2020-21 R/W CAPITAL ANNUAL ALLOCATION SUMMARY
 (Dollars x 1,000)**

Capital Projects	Total FY Annual Allocation Requested
STIP Capital Costs	\$23,668
STIP Pre-PA&ED Costs ^{1 2}	\$12
STIP Post-Certification Costs ²	\$2,785
STIP Inverse Costs ²	\$25
Subtotal STIP	\$26,490
SHOPP Capital Costs	\$83,457
SHOPP Pre-PA&ED Costs ^{1 2}	\$1,698
SHOPP Post-Certification Costs ²	\$6,977
SHOPP Inverse Costs ²	\$2,618
Subtotal SHOPP	\$94,750
Coordinated Border Infrastructure (CBI)	\$15,760
Total Right of Way	\$137,000

Resolution G-19-01 requires the Department to present annually its R/W capital annual allocation 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: district, county, route, expenditure authorization, planning programming number, project description, source programming document, year of R/W capital programming, total SHOPP and STIP programmed amount R/W capital, total SHOPP and STIP R/W capital commitments to date, and planned and actual R/W capital SHOPP and STIP expenditures for the fiscal year.

The 2020-21 R/W capital annual allocation plan is consistent with each fiscal year’s Budget Act, as well as the SHOPP and STIP documents, approved by the Commission. It also includes the CBI.

Consistent with Resolution G-19-01, the Department reviewed with Commission staff the proposed list of projects that comprise the requested 2020-21 R/W capital annual allocation. The Department will report to the Commission on a quarterly basis the status of the project list, including any projects added, and the balance of the annual allocation.

¹ Pre-PA&ED expenditures are limited to 5 percent of the total annual allocation.

² The 2020 STIP Fund Estimate identified \$7 million in unprogrammed R/W capital costs. Reclassifying STIP post-certification costs as programmed after county share adjustments are made at Construction Contract Acceptance and excluding emergency openings and inverse costs on programmed projects, this plan stays within the previously identified amounts.

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The chart below breaks down the R/W capital annual allocation by fund source and state budget fiscal year appropriation.

FINANCIAL RESOLUTION:

Resolved, that \$137,000,000 be allocated from the Budget Act of 2020, Budget Act Items 2660-301-0042, 2660-301-0890, 2660-302-0042, and 2660-302-0890 for the 2020-21 Right of Way Capital Annual Allocation.

Program	Fund Source	FY 2020-21 Budget Authority (in thousands)
STIP	SHA-21301-0042	\$25,491
STIP	Federal-21301F-0890	\$9,669
	Sub-total STIP	\$35,160
SHOPP	SHA-21302-0042	\$61,978
SHOPP	Federal-21302F-0890	\$24,102
	Sub-total SHOPP	\$86,080
CBI	Federal-21302F-0890	\$15,760
	Total	\$137,000

A copy of the detailed [R/W Capital Plan](#) is available online.

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