

Agenda Report

October 1, 2012

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: RESOLUTION AUTHORIZING DIRECTOR OF PUBLIC WORKS AND CITY ENGINEER TO CERTIFY CITY RIGHT-OF-WAY FOR CALTRANS ADMINISTERED TRANSPORTATION PROJECTS

RECOMMENDATION:

It is recommended that the City Council adopt a resolution authorizing the Director of Public Works and the City Engineer to certify City right-of-way documentation and other necessary documents for detailed procedural requirements for Caltrans administered transportation projects.

BACKGROUND:

The California Department of Transportation (Caltrans) administers City projects that receive federal and state funding. The City must comply with detailed procedural requirements put forth by Caltrans to receive reimbursement of costs, including review by environmental, utility, right-of-way, and other branches of Caltrans' District 7 office. Right-of-way review requires the City to certify that the City owns or controls the right-of-way necessary for construction projects. According to Caltrans' Right-of-Way Manual Section 17.08.14.11, the right-of-way certification should be submitted with a resolution by the governing body that authorizes execution of the document.

As an alternative, the City Council may adopt a resolution giving other responsible officials a blanket authority to execute right-of-way certifications. Certifications executed by this official would then be acceptable. In the past, the City Engineer has signed all right-of-way certifications as part of routine Caltrans documentation, even though the City Council had not formally granted this authority. This action will formally grant the Director of Public Works and City Engineer authority to certify City right-of-way and prevent delays in receiving project approvals and reimbursements.

COUNCIL POLICY CONSIDERATION:

This action is consistent with the City Council's goal to "Improve, maintain and enhance public facilities and infrastructure." It also supports the Public Facilities Element of the

General Plan by maintaining public facilities to enhance the quality of life of the community.

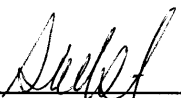
ENVIRONMENTAL ANALYSIS:

This is an administrative action and does not have an environmental impact. However, each project administered through Caltrans is required to undergo environmental review, and as such, a California Environmental Quality Act (CEQA) designation will be made for each applicable project.

FISCAL IMPACT:

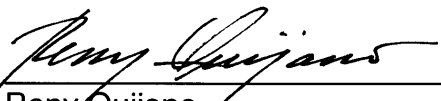
Authorization of the Director of Public Works and City Engineer to certify City right-of-way does not have any direct fiscal impact; however, granting this authorization allows the City to receive reimbursement in a timely manner.

Respectfully submitted,




SIOBHAN FOSTER
Director of Public Works

Prepared by:



Reny Quijano
Principal Engineer

Approved by:



MICHAEL J. BECK
City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
AUTHORIZING DIRECTOR OF PUBLIC WORKS OR CITY ENGINEER TO
CERTIFY CITY RIGHT-OF-WAY FOR CALTRANS ADMINISTERED
TRANSPORTATION PROJECTS**

IT IS HEREBY RESOLVED by the City Council of the City of Pasadena as follows:

1. Caltrans administers City construction projects funded fully or partially with federal or state funds, and as a requirement for reimbursement, the City must certify that the City owns or controls the right-of-way necessary for the construction of those projects; and
2. That the Director of Public Works or City Engineer is authorized and directed to certify City right-of-way for Caltrans administered transportation projects.

Adopted at the regular meeting of the City Council of the City of Pasadena on the _____ day of _____, 2012, by the following vote:

AYES:

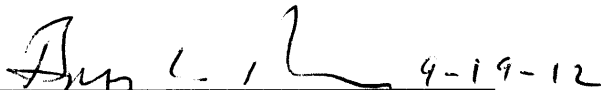
NOES:

ABSENT:

ABSTAIN:

MARK JOMSKY, City Clerk

Approved as to form:

 4-19-12

Brad L. Fuller
Assistant City Attorney