



# CITY OF LONG BEACH

# C-16

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

July 24, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt the attached resolution authorizing the City Manager, or designee, to execute Local Programs Assistance Right-of-Way Certifications to Caltrans for selected, federally funded roadway construction projects. (Citywide)

## DISCUSSION

In concert with the Federal Highway Administration, Caltrans has begun requiring the execution of full Right-of-Way Certification documents for all roadway projects using federal funds, even for projects not requiring the acquisition of additional Right-of-Way. In accordance with Caltrans current procedures, the Right-of-Way Certification must be executed by a responsible official given authority to so do by the governing board of the local agency submitting the Certification.

Council is being requested to authorize the City Manager, or his/her designee (e.g., the Director of Public Works, the City Engineer, or the Assistant City Engineer) to execute Right-of-Way certificates. City Council's authorization to sign Right-of-way Certificates is requested only for roadway construction projects that do not require the acquisition of any additional Right-of-Way.

This matter was reviewed by Deputy City Attorney Linda Trang on July 5, 2012 and by Budget Management Officer Victoria Bell on July 3, 2012.

## TIMING CONSIDERATIONS

City Council action on this matter is requested on July 24, 2012, in order to provide for the timely execution of documents required by Caltrans for approval of projects for federal funding.

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FISCAL IMPACT

There is no fiscal impact as a result of the recommendation and no local job impact associated with the recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

MPC::dm  
P:\CL\Caltrans ROW Cert Auth.doc

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

1 RESOLUTION NO.  
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH AUTHORIZING THE CITY  
5 MANAGER, OR HIS/HER DESIGNEE, TO EXECUTE  
6 LOCAL PROGRAMS ASSISTANCE RIGHT-OF-WAY  
7 CERTIFICATIONS TO CALTRANS FOR SELECTED,  
8 FEDERALLY FUNDED ROADWAY CONSTRUCTION  
9 PROJECTS  
10

11 WHEREAS, the California Department of Transportation ("Caltrans") is the  
12 administrator of state and federal funds that flow to cities; and

13 WHEREAS, in concert with the Federal Highway Administration, Caltrans  
14 has begun requiring the execution of full Right-of-Way Certification documents for all  
15 roadway projects using federal funds;

16 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
17 follows:

18 Section 1. The above recitals are true and correct and are incorporated  
19 herein by this reference.

20 Section 2. The City is eligible to receive Federal and/or State funding for  
21 certain transportation projects through Caltrans.

22 Section 3. Right-of-Way Certification documents must be executed by an  
23 official given authority to do so by the governing board of the local agency submitting the  
24 Certification.

25 Section 4. The City Manager, or his/her designee ( e.g., the Director of  
26 Public Works, the City Engineer or the Assistant City Engineer), is authorized to execute  
27 Local Programs Assistance Right-of-Way Certifications to Caltrans for selected, federally  
28 funded roadway construction projects.

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Section 5. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Clerk

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664