

# DEPARTMENT of PUBLIC WORKS

County of Lassen



**LARRY MILLAR, Director**  
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B-1  
2018/365

December 18, 2018

TO: Board of Supervisors

FROM: Larry Millar, Public Works

SUBJECT: Resolution authorizing the Public Works Director or the County Administrative Officer to perform Right of Way functions for various Public Works Construction Projects.

RECOMMENDATION: That the Board of Supervisor's adopts Resolution No. 18-\_\_\_ which authorizes the Director of Public Works or the County Administrative Officer to: 1) Approve Appraisals 2) Establish Just Compensation 3) Negotiate for the Acquisition of Right of Way 4) Execute Right of Way Contracts 5) Approve Administrative Settlements 6) Sign Right of Way Certifications for various Public Works construction projects.

DISCUSSION: The County needs to certify right of way on various maintenance and construction projects located throughout the County and in addition needs to acquire right of way, from time to time, for various construction projects. These projects include bridge replacement projects, road rehabilitation projects, and emergency repair projects.

By authorizing the Director of Public Works or the Administrative Officer to be able to perform these right of way functions (approve appraisals, establish just compensation, negotiate for the acquisition of right of way, execute right of way contracts, approve administrative settlements, and sign right of way certifications) the County will be able to proceed with various maintenance and construction projects.

The County will be following all State and Federal requirements during this process and Caltrans District 2 staff will be providing oversight and guidance. Caltrans, District 2 will be pre-qualifying the County for completing the acquisition phase for needed Right of Way for projects similar to how it has in the past on various construction projects. Appraisals will be completed through a qualified consultant.

Any parcel acquisition in excess of \$50,000 will be coming back to the Board of Supervisors for approval and will be following the public publishing requirements of Government. Code 25350.

ALTERNATIVE: Not Approve

FINANCIAL IMPACT: To be determined on a project-by-project basis. Funding will be from the Road Budget utilizing Fund 122-1221 (Road Maintenance) or Fund 122-1222 (Road Construction).

OTHER AGENCY INVOLVEMENT: Caltrans

DEPARTMENT APPROVAL: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Larry D. Millar", is written over a horizontal line.

**RESOLUTION 18 - \_\_\_\_\_**

GENERAL RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR OR THE COUNTY ADMINISTRATIVE OFFICER TO APPROVE APPRAISALS, ESTABLISH JUST COMPENSATION, NEGOTIATE FOR THE ACQUISITION FOR RIGHT OF WAY, EXECUTE RIGHT OF WAY CONTRACTS, APPROVE ADMINISTRATIVE SETTLEMENTS, AND SIGN RIGHT OF WAY CERTIFICATIONS FOR VARIOUS PUBLIC WORKS CONSTRUCTION PROJECTS

WHEREAS, Lassen County, from time to time, needs to acquire right of way for various Public Works construction projects; and

WHEREAS, the Federal Uniform Act (49 CFR 24) contains basic requirements for the acquisition of real property, one of which is that a written appraisal establishing just compensation must be approved prior to the initiation of negotiations; and

WHEREAS, Lassen County may be required to negotiate with property owners for purchase settlements per the Caltrans right of way guidelines, and

WHEREAS, Lassen County will need to enter into a Right of Way Contract with each property owner for the acquisition of the required right of way.

WHEREAS, Lassen County will be required to certify right of way for various maintenance and construction projects.

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Board of Supervisors that the Public Works Director or the County Administrative Officer be, and hereby are, authorized to approve appraisals, establish just compensation, negotiate for the acquisition of right of way, execute right of way contracts, approve administrative settlements, and sign right of way certifications for various Public Works construction projects on behalf of Lassen County.

The foregoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 18th day of December, 2018 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of Supervisors  
County of Lassen, State of California

ATTEST  
JULIE BUSTAMANTE  
Clerk of the Board

BY: \_\_\_\_\_  
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by said Board of Supervisors at a regular meeting thereof held on the 18th day of December, 2018.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen  
Board of Supervisors