



DATE: February 28, 2019

TO: Transportation Authority of Marin Board of Commissioner

FROM: Dianne Steinhauser, Executive Director
Bill Whitney, Principal Project Delivery Manager

SUBJECT: Approve Resolution Authorizing the Executive Director Certify Right-of-Way for TAM Sponsored Projects on the State Highway System (Action), Agenda Item No. 6h

RECOMMENDATION:

Approve Resolution authorizing the Executive Director certify right-of-way for TAM sponsored projects on the State Highway System. This Resolution will allow the Executive Director, or a Designee, to execute a Right-of-Way form in conformance with state and federal requirements.

DISCUSSION/ANALYSIS:

TAM has signed right-of-way certifications in the past on a project-by-project basis, such as the westbound I580 to northbound SR101 Connector, or the Marin Sonoma Narrows northbound carpool lane. TAM is in the process of executing a certification for the North-South Greenway Project in Central Marin. Caltrans has suggested that TAM approve a more generic resolution for the Greenway project, as well as future projects, that have minimal right-of-way activities or impacts. Minimal project activities include coordinating with utility companies to relocate facilities (including adjusting manhole covers to grade), and/or obtaining temporary construction easements necessary to build a project that requires activity outside the public right-of-way that does not require permanent property acquisition.

This resolution does not authorize approval of permanent property acquisition. If permanent acquisition is required in future projects a more detailed resolution and staff report will be brought to the Board for further explanation and request for approval.

FISCAL CONSIDERATION:

Compensation for relocating utility facilities and obtaining temporary construction easements are included and accounted for in the project budget.

NEXT STEPS:

Execute the current North-South Greenway Project Right-of-Way Certification and approve future project certifications as required.

ATTACHMENTS: Draft Resolution

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TAM RESOLUTION NO. 2019- _____

**RESOLUTION OF THE TRANSPORTATION AUTHORITY OF MARIN (TAM)
AUTHORIZING THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO CERTIFY RIGHT OF
WAY FOR TAM SPONSORED PROJECTS**

WHEREAS, The Transportation Authority of Marin (TAM) has, and will in the future, sponsor and/or act as the implementing agency on projects where the funding entity for the project will require that the agency go through a right of way certification process; and

WHEREAS, with regard to such projects, TAM must execute Right of Way Certification forms, signed by a designated employee, indicating compliance with appropriate Federal and State guidelines; and.

WHEREAS, the design elements of these projects will not generate any requirements for permanent right-of-way acquisitions;

WHEREAS, Right-of-way activities will be limited to utility coordination and obtaining temporary construction easements only.

NOW THEREFORE, BE IT RESOLVED that the TAM Board of Directors hereby authorizes the Executive Director, or designee, to execute all Right of Way Certification forms and applications on behalf of the TAM Board.

Regularly passed and adopted this 28th day of February 2019, by the following vote:

- AYES: Commissioners:
- NOES: Commissioners:
- ABSENT: Commissioners:

Judy Arnold, Chair
Transportation Authority of Marin

ATTEST:

Dianne Steinhauser
Executive Director

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