



Legislation Details (With Text)

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File created: 8/2/2016 **In control:** Board of Supervisors

On agenda: 3/7/2017 **Final action:** 3/7/2017

Title: Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project, CIP 72375 and the Diamond Springs Parkway - Phase 1B - Project, CIP 72334, and the property identified as Assessor's Parcel Number 051-250-65 (formerly 051-250-12) in Placerville:

- 1) Adopt and authorize the Chair to sign Resolution 040-2017 to accept the revised Irrevocable Offer of Dedication 16-0005 from Lawrence E. and Jacqueline Abel, for road right of way and public utilities easements and authorize the Chair to sign the Certificate of Acceptance;
- 2) Adopt and authorize the Chair to sign Resolution 041-2017 to accept the revised Irrevocable Offer of Dedication 16-0006 from Lawrence E. and Jacqueline Abel, for public service easement and temporary construction easement and authorize the Chair to sign the Certificate of Acceptance; and
- 3) Adopt and authorize the Chair to sign Resolution 042-2017 to accept the revised Irrevocable Offer of Dedication 16-0007 from Lawrence E. and Jacqueline Abel, for right of way and public utilities easement and authorize the Chair to sign the Certificate of Acceptance.

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2A - Approved CRS 3-7-17, 2. 2B - Revised Reso, IOD 16-0005, COA 3-7-17, 3. 2C - Revised Reso, IOD 16-0006, COA 3-7-17, 4. 2D - Revised Reso, IOD 16-0007, COA 3-7-17, 5. 2E - Recorded Reso IOD COA 153-2016 3-7-17, 6. 2F - Recorded Reso IOD COA 154-2016 3-7-17, 7. 2G - Recorded Reso IOD COA 155-2016 3-7-17, 8. A - CRS 9-27-16, 9. B - Resolution, IOD 16-0005, and COA 9-27-16, 10. C - Resolution, IOD 16-0006, and COA 9-27-16, 11. D - Resolution, IOD 16-0007, and COA 9-27-16, 12. E - Vicinity Map 9-27-16, 13. Executed Recorded Resolution 153-2016 (9-27-16), 14. Executed Recorded Resolution 154-2016 (9-27-16), 15. Executed Recorded Resolution 155-2016 (9-27-16)

Date	Ver.	Action By	Action	Result
3/7/2017	2	Board of Supervisors	Approved	Pass
9/27/2016	1	Board of Supervisors	Approved	Pass

Community Development Agency, Transportation Division, recommending the Board consider the following pertaining to the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project, CIP 72375 and the Diamond Springs Parkway - Phase 1B - Project, CIP 72334, and the property identified as Assessor's Parcel Number 051-250-65 (formerly 051-250-12) in Placerville:

- 1) Adopt and authorize the Chair to sign Resolution **040-2017** to accept the revised Irrevocable Offer of Dedication 16-0005 from Lawrence E. and Jacqueline Abel, for road right of way and public utilities easements and authorize the Chair to sign the Certificate of Acceptance;
- 2) Adopt and authorize the Chair to sign Resolution **041-2017** to accept the revised Irrevocable Offer of Dedication 16-0006 from Lawrence E. and Jacqueline Abel, for public service easement and temporary construction easement and authorize the Chair to sign the Certificate of Acceptance; and
- 3) Adopt and authorize the Chair to sign Resolution **042-2017** to accept the revised Irrevocable Offer of Dedication 16-0007 from Lawrence E. and Jacqueline Abel, for right of way and public utilities

easement and authorize the Chair to sign the Certificate of Acceptance.

FUNDING: N/A

DEPARTMENT RECOMMENDATION

Community Development Agency, Transportation Division (Transportation), recommending the Board adopt Resolutions accepting the Irrevocable Offers of Dedication (IODs) from Lawrence E. and Jacqueline Abel (the Abels), which now include corrected Plat and Legal Descriptions for securing road right of way and temporary construction and public utilities easements, necessary for development of the Diamond Springs Parkway Project, Phase 1A and Phase 1B.

DISCUSSION / BACKGROUND

On May 25, 2010 (Item 29), the Board approved the Consent to Making of IODs from Larry and Jacqueline Abel, in relation to the future Diamond Springs Parkway.

On May 3, 2016 (Item 23), a Supplement to the Environmental Impact Report (SEIR) for the Diamond Springs Parkway, Phase 1B, was approved thereby establishing the final design alignment for this Phase. The County now requires acceptance of updated IODs in order to proceed with construction of the Parkway, with Phase 1A anticipated to start in 2017 and Phase 1B anticipated to start in 2020/2021.

On September 27, 2016 (Item 13) the Board adopted and approved Resolutions 153-2016, 154-2016, and 155-2016, accepting IODs 16-0005, 16-0006, and 16-0007 from the Abels. Included with each approved IOD were the original Plat and Legal Descriptions describing the dedicated property areas. Transportation has since determined that incorrect Plat and Legal Descriptions were inadvertently attached to each of the accepted IODs.

Transportation staff has reviewed these replacement Resolutions and IODs and confirms that the attached Plat and Legal Descriptions are now correct, and that they will provide the necessary dedicated property to meet the SEIR's final alignment requirements for each Project Phase. The total areas to be dedicated are not greater than that which was granted with approval of the September 2016 Resolutions.

Ultimately, the right of way secured for Phase 1A will be transferred to the State Department of Transportation (Caltrans). If the Plat and Legal Descriptions remain incorrect, Caltrans will not accept the right of way for that Phase of the Parkway Project.

ALTERNATIVES

- 1) The Board could choose to not replace the Resolutions and IODs, resulting in right of way that does not meet the requirements of the SEIR's final Parkway design alignment, and would prevent Caltrans from accepting the right of way and Project Phase 1A.
- 2) The Board could choose to revisit the approval of the SEIR, and modify the final design alignment in keeping with the property currently dedicated under the September approved Resolutions and IODs; by doing so the ability to fully improve traffic circulation and safety through and around the historic town of Diamond Springs could be reduced.
- 3) The Board could choose to cancel the Parkway Project, which would result in the County losing \$1 million in State Highway Operation and Protection Program funds that were allocated to Phase 1A last year.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved the Resolutions to Accept IOD 16-0005, 16-0006, and 16-0007.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no fiscal impact or change to net County cost associated with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on each of the Resolutions and Certificates of Acceptance.
- 2) The Clerk of the Board will forward the authorized documents for recording to the County Recorder's Office.
- 3) The Clerk of the Board will forward a copy of the executed documents to the Community Development Agency, Transportation Division, Attn: Andrew Gaber.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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Transportation Division
Community Development Agency