



## Legislation Details (With Text)

**File #:** 17-0927      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 8/16/2017      **In control:** Board of Supervisors

**On agenda:** 4/10/2018      **Final action:** 4/10/2018

**Title:** Community Development Services, Department of Transportation, recommending the Board consider the following for acquiring right of way for the Silver Springs Parkway to Bass Lake Road (south segment) Project CIP 76108:

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting a Grant Deed, Grant of Slope and Drainage Easement, and a Temporary Construction Easement from Daniel Pierce, a married man, as his sole and separate property, as to an undivided 50% interest and Emily Duby-Pierce, a married woman, as her sole and separate property, as to an undivided 50% interest, together as tenants in common for Assessor's Parcel Number 115-030-15. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$86,300; and
- 2) Authorize the Department of Transportation Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, which are estimated to be \$2,500; and
- 3) Authorize the Department of Transportation Director or designee to extend the date of closure of escrow upon mutual agreement of both parties if necessary.

**FUNDING:** Developer Advanced TIM fees (52.6% - Local), Traffic Impact Mitigation Fees (14.9% - Local), Developer Funds (32.1% - Local), and Road Fund/Discretionary (.4% - Local).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet, 2. B - Acquisition Agreement, 3. C - Grant Deed with COA, 4. D - Grant of SDE with COA, 5. E - Grant of TCE with COA, 6. F - Vicinity Map, 7. Executed Acquisition Agreement, 8. Executed Certificates of Acceptance

Date	Ver.	Action By	Action	Result
4/10/2018	1	Board of Supervisors	Approved	Pass

Community Development Services, Department of Transportation, recommending the Board consider the following for acquiring right of way for the Silver Springs Parkway to Bass Lake Road (south segment) Project CIP 76108:

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting a Grant Deed, Grant of Slope and Drainage Easement, and a Temporary Construction Easement from Daniel Pierce, a married man, as his sole and separate property, as to an undivided 50% interest and Emily Duby-Pierce, a married woman, as her sole and separate property, as to an undivided 50% interest, together as tenants in common for Assessor's Parcel Number 115-030-15. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$86,300; and
- 2) Authorize the Department of Transportation Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, which are estimated to be \$2,500; and
- 3) Authorize the Department of Transportation Director or designee to extend the date of closure of

escrow upon mutual agreement of both parties if necessary.

**FUNDING:** Developer Advanced TIM fees (52.6% - Local), Traffic Impact Mitigation Fees (14.9% - Local), Developer Funds (32.1% - Local), and Road Fund/Discretionary (.4% - Local).

**DEPARTMENT RECOMMENDATION**

Community Development Services, Department of Transportation (Transportation) recommends the Board approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificates of Acceptance accepting a Grant Deed, Grant of Slope and Drainage Easement, and Temporary Construction Easement, from Daniel Pierce, a married man, as his sole and separate property, as to an undivided 50% interest and Emily Duby-Pierce, a married woman, as her sole and separate property, as to an undivided 50% interest, together as tenants in common, for the Silver Springs Parkway to Bass Lake Road (south segment) Project CIP 76108 (Project).

**DISCUSSION/BACKGROUND**

Transportation is currently in the Right of Way phase of the Project. The Project is located in the community of Rescue, approximately two miles north of US Highway 50 on Bass Lake Road. The proposed Project would construct a 0.25 mile divided two-lane roadway connecting the existing Silver Springs Parkway to Bass Lake Road. The Project would also realign and reconstruct Bass Lake Road approximately 800 feet south and 500 feet east of the proposed Silver Springs Parkway intersection and also includes: Class II bike lanes, concrete sidewalks on both sides, and a landscaped center median.

The Project is included in the 2017 Capital Improvement Program as adopted by the Board of Supervisors on June 27, 2017 (Item 25).

**ALTERNATIVES**

If the Acquisition Agreement is not approved, the County will not be able to acquire this necessary right of way for the proposed Project, and the Project will not proceed as planned.

**OTHER DEPARTMENT/AGENCY INVOLVEMENT**

County Counsel has reviewed and approved the Acquisition Agreement.

**CAO RECOMMENDATION/COMMENTS**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

The costs of the Fee and Easements is \$86,300. The costs for the title and escrow fees are estimated at \$2,500, for a total cost of \$88,800. Funding for the Right of Way acquisition process is budgeted in the Capital Improvement Program and will be provided by Developer Advanced TIM fees, Traffic Impact Mitigation Fees, Developer Funds, and Road Fund/Discretionary.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the corresponding Deeds.
- 2) The Clerk of the Board will return one (1) copy of the fully executed Acquisition Agreement to Transportation, attention to Jackie Cook for final processing.
- 3) The Clerk of the Board will return one (1) original of each signed Certificate of Acceptance to Transportation, attention to Jackie Cook, for final processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

Rafael Martinez, Director

Community Development Services, Department of Transportation