



## Legislation Details (With Text)

**File #:** 19-1158      **Version:** 1

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

**File created:** 7/22/2019      **In control:** Board of Supervisors

**On agenda:** 9/10/2019      **Final action:** 9/10/2019

**Title:** Department of Transportation recommending the Board consider the following for acquiring right of way for the Industrial Drive/Missouri Flat Road-Signalization Project CIP 73366/36105053 (Project):

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting a Grant Deed, Temporary Construction Easement, and Public Utility Easement from Irene Mazzoni, a single woman, for Assessor's Parcel Number 329-260-01. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$31,500;
- 2) Authorize the Director of Transportation, 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 Director of Transportation, or designee to extend the date of closure of escrow upon mutual agreement of both parties if necessary.

**FUNDING:** Tribe Funds (14%), General Fund (54%), and Accumulative Capital Outlay Funds (32%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Blue Routing Sheet, 2. B - Acquisition Agreement, 3. C - Grant Deed + COA, 4. D - Temporary Construction Esmt + COA, 5. E - Public Utility Esmt + COA, 6. F - Vicinity Map, 7. Executed Agreement, 8. Executed Grant of Temporary Construction Easement, 9. Executed Grant Deed, 10. Executed Grant of Public Utility Easement

Date	Ver.	Action By	Action	Result
9/10/2019	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following for acquiring right of way for the Industrial Drive/Missouri Flat Road-Signalization Project CIP 73366/36105053 (Project):

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**FUNDING:** Tribe Funds (14%), General Fund (54%), and Accumulative Capital Outlay Funds (32%).

**DISCUSSION/BACKGROUND**

Construction of the Sheriff's new Public Safety Facility requires installation of a traffic signal at the Industrial Drive/Missouri Flat Road intersection to accommodate traffic utilizing the facility.

Intersection improvements include installation of a traffic signal controller and cabinet, detector loops, and widening of both Missouri Flat Road and Industrial Drive to accommodate turn lanes.

Missouri Flat Road will be widened north and south of the intersection for right and left turn lanes. Industrial Drive will also be realigned slightly to the south and widened to accommodate a left turn lane and improve sight distance at the intersection. Concrete curb ramps will be constructed to Americans with Disabilities Act standards at three of the intersection legs along with crosswalks to accommodate pedestrians along Missouri Flat Road and Industrial Drive. The roadway pavement sections of Missouri Flat Road and Industrial Drive will also be reconstructed within the Project limits.

The Department of Transportation (Transportation) is currently in the Right of Way phase of the Project.

The Project is included in Transportation's 2018 Capital Improvement Program, which was approved by the Board on June 26, 2018 (Item 61).

### **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.

### **PRIOR BOARD ACTION**

- 1) March 8, 2016, 14-0133, Certified Final Environmental Impact Report adopted for the Public Safety Facility Project
- 2) June 26, 2018, 18-0616, 2018 Capital Improvement Program Book adopted, includes Project
- 3) October 16, 2018, 18-1493, Addendum to the Certified Final Environmental Impact Report for the Public Safety Facility Project
- 4) March 12, 2019, 19-0375, Transportation approved to begin right-of-way negotiations with Sellers
- 5) July 16, 2019, 19-0890, Easement Acquisition Agreement and Temporary Construction Easement approved by the Board

### **OTHER DEPARTMENT/AGENCY INVOLVEMENT**

County Counsel

### **CAO RECOMMENDATION/COMMENTS**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

Costs for this project have been divided among several funding sources. As part of the Fiscal Year 2018-19 Budget, the Board allocated \$1,241,000 in General Fund for the intersection due to the need for improvements at the Public Safety Facility. \$750,000 was allocated in Accumulative Capital Outlay funding. Transportation recommended that \$159,000 in Tribe Agreement funding be used for the remaining costs. Following initial approval of the source of funding, in FY 2018-19, the cost for the Industrial intersection increased by \$155,000 due to the addition of traffic signal communication conduit, future Intelligent Traffic System (ITS) communication conduit, and future broadband communication conduit. The project cost estimate change amount was noted in the 4/22/19 agenda, Legistar 19-0522, and the increase in Tribe Agreement funding to \$313,908 was approved on July 16, 2019 (Legistar Item 19-0890).

The cost of the Easements is \$31,500. The costs for the title and escrow fees are estimated at

\$2,500, for a total cost of \$34,000. The Project is planned to span until Fiscal Year 2020-21. \$165,000 revenue was included in the 2018-19 budget from Accumulative Capital Outlay (ACO) to cover FY 2018-19 costs and \$147,500 is budgeted from ACO to cover FY 2019-20 costs. In the future years the Transportation budget requests will include remaining expenses.

### **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 Right of Way, for final processing.
- 3) The Clerk of the Board will return one (1) original of each signed Certificate of Acceptance to Transportation, attention to Right of Way, for final processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation