



Legislation Details (With Text)

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Type:	Agenda Item	Status:	Approved
File created:	8/4/2021	In control:	Board of Supervisors
On agenda:	9/21/2021	Final action:	9/21/2021
Title:	<p>Department of Transportation recommending the Board consider the following for acquiring right of way for the Pony Express (Class 2 and Sidewalk), Capital Improvement Program Project number 97019 / 36109010:</p> <p>1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting Grant Deeds, Slope and Drainage Easements, and Public Utility Easements with Evan E. Bell and Lois E. Bell, Trustees, Bell Family Trust under agreement dated March 22, 2004, for Assessor's Parcel Numbers 009-180-008 and 009-180-013. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$28,400;</p> <p>2) Approve and authorize the Chair to sign the Certificates of Acceptance accepting the Easements from seller;</p> <p>3) 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</p> <p>4) Authorize the Department of Transportation Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties, if necessary.</p> <p>FUNDING: Active Transportation Program (ATP) (69.2%), Congestion Mitigation and Air Quality Program (24.5%), Transportation Development Act (3.9%), and Road Fund (2.4%). (Local, State, and Federal Funds).</p>		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. A - Approved CRS, 2. B - Acquisition Agreement, 3. C - Grant Deed and Certificate of Acceptance - 008, 4. D - Grant of TCE and Certificate of Acceptance -008, 5. E - Grant Deed and Certificate of Acceptance -013, 6. F - Grant of TCE and Certificate of Acceptance -013, 7. G - Vicinity Map, 8. Executed Acquisition Agreement, 9. Executed Certificate of Acceptances		

Date	Ver.	Action By	Action	Result
9/21/2021	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following for acquiring right of way for the Pony Express (Class 2 and Sidewalk), Capital Improvement Program Project number 97019 / 36109010:

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting Grant Deeds, Slope and Drainage Easements, and Public Utility Easements with Evan E. Bell and Lois E. Bell, Trustees, Bell Family Trust under agreement dated March 22, 2004, for Assessor's Parcel Numbers 009-180-008 and 009-180-013. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$28,400;
- 2) Approve and authorize the Chair to sign the Certificates of Acceptance accepting the Easements from seller;
- 3) 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

4) 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: Active Transportation Program (ATP) (69.2%), Congestion Mitigation and Air Quality Program (24.5%), Transportation Development Act (3.9%), and Road Fund (2.4%). (Local, State, and Federal Funds).

DISCUSSION/BACKGROUND

The Pony Express (Class 2 and Sidewalk) Project (Project) was added to the Capital Improvement Program (CIP) in 2019, and will construct bicycle and pedestrian improvements to Pony Express Trail from Sanders Drive to Sly Park Road in the community of Pollock Pines, CA.

Specific improvements include approximately 1.7 miles of Class 2 bicycle lanes on both sides of Pony Express Trail, 4600 linear feet of new and reconstructed asphalt pedestrian path on the south side of Pony Express Trail, Americans with Disabilities Act (ADA) improvements, crosswalks and signage with flashing beacons, and drainage improvements along Pony Express Trail within the Project limits. The right of way phase for the Project will impact seven (7) parcels held by five (5) property owners. This item would approve acquisition of two of these parcels.

Construction of the Project is anticipated to begin in 2022. The Project is included in the Department of Transportation's (Transportation) 2021 CIP.

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) December 17, 2019 (Item 54, Legistar 19-1750) - Project adopted as part of the 2019 CIP
- 2) March 16, 2021 (Item 17, Legistar 21-0258) - Transportation authorized to begin acquisition process on the Project

OTHER DEPARTMENT/AGENCY INVOLVEMENT

County Counsel has reviewed and approved the Acquisition Agreement.

CAO RECOMMENDATION/COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The total cost of the acquisition to be paid to the seller is \$28,400. There is no change to net County cost associated with this item. Funding for the Project is included in Transportation's 2021 CIP, which was approved by the Board on June 8, 2021 (Item 54, Legistar 21-0624). The Project is funded by a combination of 69.2% ATP Funds, 24.5% CMAQ Funds, 3.9% TDA funds, and 2.4% Road Fund. This project is included in the Fiscal Year 2021-22 budget.

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.

2) The Clerk of the Board will obtain the Chair's signature on the four (4) Certificates of Acceptance: two Grant Deeds for each of two parcels and two Grants of Public Utility Easement for each of two parcels.

3) The Clerk of the Board will return one (1) copy of the fully executed Acquisition Agreement to Transportation, attention to Lindsay Tallman, for final processing.

4) The Clerk of the Board will return the four (4) Original signed Certificates of Acceptance and their associated unrecorded Grants to Transportation, attention to Lindsay Tallman, for final processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation