



## Legislation Text

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**File #:** 16-0197, **Version:** 1

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Community Development Agency, Transportation Division, recommending the Board consider the following for the Hollow Oak Road Drainage Project CIP 72369:

- 1) Approve and authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes, Addendum #1, and the Certificate of Acceptance for the related documents from Joseph P. Williams, JR. also shown of record as Joseph P. Williams, Trustee of the Williams Family Living Trust dated September 19, 1991 for Assessor's Parcel Number 119-090-17;
- 2) Authorize the Community Development Agency 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; and
- 3) Authorize the Community Development Agency Director, or designee, to extend the date of closure of escrow upon mutual agreement of both parties if necessary.

**FUNDING:** This Project is funded through the Bass Lake Hills Public Facilities Financing Plan (72%) and Regional Surface Transportation Program (28%).

### **DEPARTMENT RECOMMENDATION**

The Community Development Agency, Transportation Division (Transportation) recommends that the Board Chair sign the Easement Acquisition Agreement for Public Purposes for the Hollow Oak Road Drainage Project CIP No. 72369 (Project). The easement acquisition is necessary for construction of the Project.

### **DISCUSSION/BACKGROUND**

Transportation has completed negotiations with Mr. Williams for the Project which will mitigate and repair drainage along Hollow Oak Road at the subject parcel.

The Project is subject to the California Environmental Quality Act (CEQA). The CEQA Categorical Exemption was filed on February 2, 2011. Construction is anticipated to begin summer 2016.

The Board previously approved Transportation staff to negotiate with the above listed property owner/s to acquire the necessary land rights for the Project in closed session on January 12, 2016 (Item No. 33). The subject agreement falls within that negotiating authority.

### **ALTERNATIVES**

An alternative would be to not authorize purchase of the subject property, thereby not authorize continuation of the approved and budgetted CIP project.

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

County Counsel approved.

### **CAO RECOMMENDATION**

Chief Administrative Office concurs with staffs recommendations.

### **FINANCIAL IMPACT**

The cost of the easement is \$15,300. The cost for the title and escrow fees are estimated at \$2,500, for a total estimated cost of \$17,800. Funding for the Right of Way acquisition process is budgeted in the adopted 2015 Capital Improvement Program and is provided by the Bass Lake Hills Public Facilities Financing Plan and Regional Surface Transportation Program. Sufficient appropriations are included in the current year budget; therefore a Budget Transfer will not be required to complete the requested actions.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) originals of the Easement Acquisition Agreement for public purposes, Adendum #1, and the Certificate of Acceptance for the Grant of Drainage Easement.
- 2) The Clerk of the Board will return one (1) copy of the fully executed Easement Acquisition Agreement and Addendum #1, to the Transportation Division, Andrew Gaber, for final processing.
- 3) The Clerk of the Board will return one (1) original signed Certificate of Acceptance to the Transportation Division, Andrew Gaber, for final processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

### **CONTACT**

Andrew S. Gaber, Deputy Director  
Development/Right of Way/Environmental  
Transportation Division, Community Development Agency