



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

|                      |               |                      |   |
|----------------------|---------------|----------------------|---|
| <b>File #:</b>       | A 22-176      | <b>Name:</b>         | Approve A2 to the Agreement for purchase of Brown Real Property |
| <b>Type:</b>         | BoS Agreement | <b>Status:</b>       | Passed  |
| <b>File created:</b> | 4/12/2022     | <b>In control:</b>   | Board of Supervisors  |
| <b>On agenda:</b>    | 4/26/2022     | <b>Final action:</b> | 4/26/2022   |

**Title:** a. Approve Amendment No. 2 to the Agreement for Purchase of Real Property between County of Monterey and Gregory Neil Brown and Robin Lynn Brown, Trustees of the Greg and Lynn Brown Revocable Trust dated August 11, 2005 (APN 424-091-021), to amend the Temporary Construction Easement to begin on May 1, 2020 and end on May 1, 2024 for a period of four (4) years for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202; and  
 b. Authorize the Director of Public Works, Facilities & Parks to execute the Amendments to the Agreements for Purchase of Real Property on behalf of the County.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Location Map, 3. Attachment B - Project Budget, 4. Attachment C - Purchase Agreement Gregory Neil and Robin Lynn Brown, 5. Attachment D - A1 Gregory Neil and Robin Lynn Brown, 6. Attachment E - A2 Gregory Neil and Robin Lynn Brown, 7. Attachment F - TCE - Gregory and Lynn Brown Amnd No. 2, 8. Exhibit E to Attachment F - TCE Plat, 9. Completed Board Order Item No. 66

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 4/26/2022 | 1    | Board of Supervisors | approved | Pass   |

a. Approve Amendment No. 2 to the Agreement for Purchase of Real Property between County of Monterey and Gregory Neil Brown and Robin Lynn Brown, Trustees of the Greg and Lynn Brown Revocable Trust dated August 11, 2005 (APN 424-091-021), to amend the Temporary Construction Easement to begin on May 1, 2020 and end on May 1, 2024 for a period of four (4) years for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202; and  
 b. Authorize the Director of Public Works, Facilities & Parks to execute the Amendments to the Agreements for Purchase of Real Property on behalf of the County.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve Amendment No. 2 to the Agreement for Purchase of Real Property between County of Monterey and Gregory Neil Brown and Robin Lynn Brown, Trustees of the Greg and Lynn Brown Revocable Trust dated August 11, 2005 (APN 424-091-021), to amend the Temporary Construction Easement to begin on May 1, 2020 and end on May 1, 2024 for a period of four (4) years for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202; and  
 b. Authorize the Director of Public Works, Facilities & Parks to execute the Amendments to the Agreements for Purchase of Real Property on behalf of the County.

**SUMMARY/DISCUSSION:**

The County of Monterey Department of Public Works, Facilities and Parks (PWFP) is undergoing a project that will replace the existing single-lane Nacimiento Lake Drive Bridge with a new two (2) lane bridge. The project is located southwest of the community of Bradley, in southern Monterey County. The existing bridge was

determined to be seismically deficient, and this project will replace it under the State Seismic Retrofit program.

The Temporary Construction Easement (TCE) is needed for the purpose of providing access, staging, and use of equipment for the construction of the Nacimiento Lake Drive Bridge Replacement Project which includes the removal of the existing truss bridge. The Agreement for Purchase of Real Property with Gregory Neil Brown and Robin Lynn Brown was approved by the Board of Supervisors on March 26, 2019. Amendment No. 1 (A1) was approved by the Board of Supervisors on April 27, 2021. Under A1 the TCE began on May 1, 2020, and will end on May 1, 2022, for a period of two (2) years. Amendment No. 2 (A2) will revise the ending date of the TCE to May 1, 2024, which will add an additional two (2) years to the TCE.

The County started the construction of the Nacimiento Lake Drive Bridge Replacement project in May 2021 and has completed the construction of the bridge substructure. Construction of the project has been suspended during the winter months due to restrictions listed in the regulatory permits. The scheduled date of the beginning of the second season of the project is presently set for April 1, 2022 and the additional time for the TCE will be necessary to finish the project.

Bender Rosenthal Inc. under contract with the County conducted a waiver appraisal to determine the appraisal value of \$1,150 of the additional two (2) years of TCE. Approval of A2 to the Agreement for Purchase of Real Property with Gregory Neil Brown and Robin Lynn Brown will include the compensation of \$1,150 for the additional two (2) years of TCE.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and Auditor-Controller's Office have reviewed and approved the A2 as to form and fiscal provisions respectively.

FINANCING:

The total estimated project cost, including engineering, environmental, right-of-way and construction is \$11,281,277. The estimated cost to purchase the necessary right-of-way is \$467,789. The project is largely funded by the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) in the amount of \$8,938,325. The project is also funded by State Seismic Funds, and by the Road Fund. The cost of the two-year extension for the TCEs will be covered by HBP funds. There are sufficient appropriations adopted in the FY 2021-22 Road Fund 002, Appropriation Unit PFP004 budget to finance the construction and right-of-way phase of the Project.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project is to replace the existing seismically deficient Nacimiento Lake Drive Bridge with a new two (2) lane bridge that meets State standards. The recommended action supports the following Board of Supervisors' Strategic Initiative:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Douglas Poochigian, P.E., Civil Engineer, (831) 755-4888

Reviewed by: Tom Bonigut, P.E., Assistant Director of Public Works, Facilities and Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Location Map

Attachment B - Project Budget

Attachment C - Purchase Agreement with Gregory Neil Brown and Robin Lynn Brown

Attachment D - A1 Gregory Neil Brown and Robin Lynn Brown

Attachment E - A2 Gregory Neil Brown and Robin Lynn Brown

Attachment F - TCE 2 - Gregory Neil Brown and Robin Lynn Brown

Exhibit E to Attachment F - TCE Plat