



Legislation Details (With Board Report)

File #: A 23-413 **Name:** Approve Agreement to Purchase of Real Property
Type: BoS Agreement **Status:** Passed
File created: 8/15/2023 **In control:** Board of Supervisors
On agenda: 8/29/2023 **Final action:** 8/29/2023

Title: a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, Permanent Utility Easement, and Temporary Construction Easement (3.802 acres, 0.455 acre and 1.237 acres respectively) between the County of Monterey and Storm Ranches Et al., interest as to Parcel 3, APN 207-042-007, in the amount of \$315,903, for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600; and b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase Permanent Roadway Easement.
c. Authorize the Director of Public Works, Facilities, and Parks or their designee to accept the Permanent Roadway Easement and execute the Certificate of Acceptance and Consent to Recordation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Project Budget, 3. Attachment B - Location Map, 4. Attachment C - Agreement for Purchase of Real Property, 5. Completed Board Order Item No. 46

Date	Ver.	Action By	Action	Result
8/29/2023	1	Board of Supervisors		

a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, Permanent Utility Easement, and Temporary Construction Easement (3.802 acres, 0.455 acre and 1.237 acres respectively) between the County of Monterey and Storm Ranches Et al., interest as to Parcel 3, APN 207-042-007, in the amount of \$315,903, for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600; and
b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase Permanent Roadway Easement.
c. Authorize the Director of Public Works, Facilities, and Parks or their designee to accept the Permanent Roadway Easement and execute the Certificate of Acceptance and Consent to Recordation.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, Permanent Utility Easement, and Temporary Construction Easement (3.802 acres, 0.455 acre and 1.237 acres respectively) between the County of Monterey and Storm Ranches Et al., interest as to Parcel 3, APN 207-042-007, in the amount of \$315,903, for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600; and
b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase Permanent Roadway Easement.
c. Authorize the Director of Public Works, Facilities, and Parks or their designee to accept the Permanent Roadway Easement and execute the Certificate of Acceptance and Consent to Recordation.

SUMMARY:

Approval of the Agreement for Purchase of Real Property and recording of the related deeds are necessary to secure the additional right-of-way to construct the Davis Road Bridge Replacement and Road Widening Project.

DISCUSSION:

The Public Works, Facilities, and Parks Department (PWFP) is working on the right-of-way phase of the Davis Road Bridge Replacement and Road Widening Project. The Project consists of replacing the existing two-lane, low-level Davis Road Bridge (Bridge No. 44C-0068) over the Salinas River with a longer bridge that meets current American Association of State Highway and Transportation Officials (AASHTO) requirements. The existing Davis Road Bridge is located approximately two (2) miles south of the City of Salinas. The Project also proposes to widen Davis Road from two (2) lanes to four (4) lanes for approximately 2.1 miles between Blanco Road on the north and Reservation Road on the south.

The Project's primary purpose is to construct an all-weather crossing over the Salinas River on Davis Road. The current river crossing is a low-level crossing that is overtopped during larger flows of the Salinas River. The concept of widening Davis Road to four-lanes resulted from the need to provide further carrying capacity between the Salinas area and the Monterey Peninsula. The need for widening was further articulated in the Regional Transportation Plans developed by the Transportation Agency for Monterey County (TAMC) for the region and the Fort Ord Reuse planning documents. Furthermore, on June 24, 2015, the TAMC Board adopted the Marina-Salinas Multimodal Corridor Conceptual Plan that included the all-weather crossing and the four-laning on Davis Road between Reservation Road and Blanco Road. To further the multimodal aspect of the corridor, the Project proposes to provide class II bike lanes along Davis Road, and a bus queue-at the intersection of Blanco and Davis Roads. The Project will also reconstruct the intersections of Reservation Road/Davis Road by replacing the existing signal with a roundabout. The Reservation Road/Davis Road intersection improvements are mitigation requirements to offset the additional traffic from the East Garrison Development.

On July 11, 2016, The Board of Supervisors certified the Environmental Impact Report (EIR) for the Project and directed the former Resource Management Agency (RMA) to proceed with the Project's final design and related activities to be able to construct the Project. An EIR Addendum for the Project was prepared to amend the Project design details to incorporate design modifications following the Value Analysis Study Report prepared in 2017. The EIR Addendum was filed and approved by Caltrans on May 8, 2020.

Easements from a total of sixteen (16) adjacent properties are necessary for the construction of the Project. Overland Pacific & Cutler, LLC has appraised all the easements for compensatory value and offers presented to the affected property owners. Overland Pacific & Cutler, LLC is also conducting the right-of-way negotiations with the property owners on behalf of Monterey County.

Storm Ranches; a California General Partnership, as to an undivided 25% interest; John W. Black, also known as John William Black, sole Trustee for the benefit of James R. Black, under the Will of Jeanette J. Black, deceased, as to an undivided 25% interest; Sandra C. Storm, Trustee of the Exemption Trust under the 1988 Storm Revocable Trust UDT dated April 15, 1988, as to an undivided 8.334% interest; Maurine Babicky, as her separate property, as to an undivided 8.333% interest; Constance Geritz, as her separate property, as to an undivided 8.333% interest; Trudy Haversat, also known as Gertrude Haversat, Trustee of the 2018 Breschini - Haversat Revocable Trust dated March 23, 2018, as to an undivided 20% interest; and Thomas Storm Breschini, as his separate property, as to an undivided 5% interest, APN 207-033-007, is the eighth property owner for which negotiations have been completed. The owners have agreed to the County's purchase of Permanent Roadway Easement, (3.803 acres). The agreed just compensation for the easement was determined to be \$315,903 by Overland Pacific & Cutler, LLC.

The Project is scheduled for construction for Fall 2024, following the acquisition of all the easements and issuance of the regulatory permits for the Project.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management has reviewed and approved the Agreement for Purchase of Real Property and related deeds as to form.

FINANCING:

The Project's estimated total cost, including engineering, environmental, right-of-way and construction, is \$79.9 million. The Project is currently unfunded in the amount of \$23.9 million. Staff is actively pursuing additional funding sources to fully fund the Project before initiating the construction phase. If full funding is not obtained for the Project by the time final design has been completed, staff will analyze options for phasing the Project's construction.

Funding from various Federal, State and local revenue sources has been authorized for the design and right-of-way portion of the Project. Sufficient appropriations of \$1,855,737 are available for this Project phase in the Public Works FY 24 Annual Work Program for Road Fund, Fund 002, Unit 8558. Therefore, there is no planned General Fund contribution for this Project.

The total estimated project cost for the right-of-way phase of the Project is estimated at \$8.7 million. This phase of the Project is largely funded by the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) in the amount of \$2,110,555. The Project is also funded by Local Funds comprised of funds from the Regional Surface Transportation Program (RSTP) and development impact fees. There are sufficient appropriations adopted in the FY 2023-2024 Road Fund 002 to finance the right-of-way phase of the project.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will replace the existing seismically deficient Davis Road Bridge with a new four (4) lane bridge that meets AASHTO and Caltrans Design Standards and widen the road to four-lanes to meet the traffic needs. The recommended action supports the following Board of Supervisors' Strategic Initiatives:

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

Prepared by: Kyle Oyama, Project Manager II, (831) 755-5090

Reviewed by: Tom Bonigut, PE, Asst. 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 in file with the Clerk of the Board:

- Attachment A - Project Budget
- Attachment B - Location Map
- Attachment C - Agreement