



Legislation Details (With Board Report)

File #: A 20-514 **Name:** Agreement to Purchase Real Property btw County of Monterey and Yuki Nojo, LLC

Type: BoS Agreement **Status:** Passed - RMA Administration

File created: 11/30/2020 **In control:** Board of Supervisors

On agenda: 1/12/2021 **Final action:** 1/12/2021

Title: a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement, (3.372 acres, and 0.325 acres respectively) between the County of Monterey and Yuki Nojo, LLC., (APN 207-032-004), in the amount of \$331,690 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 a Permanent Roadway Easement, and a Temporary Construction 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 - Purchase Agreement Yuki MGP Digital Counterpart 10-29-20, 5. Attachment D- Easement Deed Yuki Nojo, LLC, 6. Completed Board Order Item No. 38

Date	Ver.	Action By	Action	Result
1/12/2021	1	Board of Supervisors	approved - rma administration	Pass

a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement, (3.372 acres, and 0.325 acres respectively) between the County of Monterey and Yuki Nojo, LLC., (APN 207-032-004), in the amount of \$331,690 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 a Permanent Roadway Easement, and a Temporary Construction 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.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement, (3.372 acres, and 0.325 acres respectively) between County of Monterey and Yuki Nojo, LLC, (APN 207-032-004), in the amount of \$331,690 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 to execute the Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction 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 acceptance and recordation of the Permanent Roadway Easement deed 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 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 primary purpose of the Project 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 (4) lanes resulted from the need to provide further carrying capacity between the Salinas area and the Monterey Peninsula. The need for the widening was further articulated in the Regional Transportation Plans developed by the Transportation Agency for Monterey County (TAMC) for the region as well as the Fort Ord Reuse planning documents. Furthermore, On June 24, 2015 the Transportation Agency of Monterey County (TAMC) Board adopted the Marina-Salinas Multimodal Corridor Conceptual Plan that included the all all-weather crossing as well as 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 intersection of Reservation Road/Davis Road by replacing the existing signal with a roundabout. The improvements to the Reservation Road/Davis Road intersection are a mitigation requirement 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 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 in 2017. The EIR Addendum was filed in May 2020.

A total of seventeen (17) easements from 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 the Monterey County.

The Yuki Nojo, LLC, (APN 207-032-004), parcel is the first parcel for which negotiations have been completed. The owners have agreed to the County's purchase of a permanent roadway easement and temporary construction easement, (3.372 acres, and 0.325 acres respectively). The agreed just compensation for the easement was determined to be \$331,690 by Overland Pacific & Cutler, LLC.

The Project is scheduled for construction for Fall 2021, 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 Manager has reviewed and approved the Agreement for Purchase of

Real Property and related deeds as to form and legality.

FINANCING:

The estimated total cost of the Project, including engineering, environmental, right-of-way and construction, is \$74.2 million. The Project is currently unfunded in the amount of \$23.6 million. Staff is actively pursuing additional funding sources to fully fund the Project prior to the initiation of the construction phase. In the event that full funding is not obtained for the Project by the time the final design has been completed, staff is analyzing options of phasing the construction of the Project.

Funding from a variety of Federal, State and local revenue has been authorized for the design and right-of-way portion of the Project. There is no planned General Fund contribution for this Project. Sufficient appropriations of \$1,303,154 are available for this Project phase in the RMA-Public Works Annual Work Program for FY 2020-21 Budget for Fund 002, Unit 8195.

The total estimated project cost for the right-of-way phase of the Project is estimated at \$3.79 million. This phase of the Project is largely funded by the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) in the amount of \$1,788,645. The Project is also funded by Local Funds \$1,841,810 comprised of funds from the Regional Surface Transportation Program (RSTP) and development impact fees. There are sufficient appropriations adopted in the FY 2020-21 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 traffic needs. The recommended action supports the following Board of Supervisors' Strategic Initiative:

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

Prepared by: Enrique Saavedra, P.E., Sr. Civil Engineer, (831) 755-8970

Reviewed by: Shawne Ellerbee, Assistant Director of Community Services

Approved by: Randell Ishii, M.S., P.E., P.T.O.E., Director of Public Works, Facilities, and Parks

The following attachments on file with the Clerk to the Board:

Attachment A - Project Budget

Attachment B - Location Map

Attachment C - Purchase Agreement with Yuki Nojo, LLC.

Attachment D - Easement Deed Yuki Nojo, LLC.