



## Board Report

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**File #: RES 23-079, Version: 1**

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- a. Approve and authorize the Director of Public Works, Facilities and Parks (PWFP) to execute a Grant Agreement with Silicon Valley Community Foundation (SVCF), a California Nonprofit Corporation, for rehabilitation of East Carmel Valley Road from Milepost 13.9 to Milepost 16.6;
- b. Adopt a Resolution to:
- i. Add the rehabilitation of East Carmel Valley Road from Milepost 13.9 to Milepost 16.6 to the Road Fund Annual Work Plan for Fiscal Year 2022-23 and the 5-Year Capital Improvement Program;
  - ii. Find that the proposed project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Section 15301 (Class 1 - Existing Facilities) because it is to perform repair and maintenance of an existing road with no expansion of an existing use;
  - iii. Authorize the Auditor-Controller to amend the Fiscal Year 2022-23 Road Fund adopted budget, Fund 002, Appropriation Unit PFP004, to increase appropriations by \$290,000 financed by Road Fund, fund balance (\$145,000 from 002-3044-MSRX and \$145,000 from 002-3044-SB1) (4/5ths vote required); and
  - iv. Authorize the Auditor-Controller's Office to incorporate approved budget modifications to the FY 2022-23 Budget, and the County Administrative Office to add \$3,335,000 in appropriations to the FY 2023-24 Recommended Budget financed by a contribution from Fox Creek Farms LLC of \$2,900,000 and Road Fund, fund balance of \$435,000 (\$217,500 from 002-3044-MSRX and \$217,500 from 002-3044-SB1) (4/5ths vote required). (ADDED VIA ADDENDA)

**PROPOSED CEQA ACTION:** Find that the proposed project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Section 15301 (Class 1 - Existing Facilities) because it is to perform repair and maintenance of an existing road with no expansion of an existing use.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Public Works, Facilities and Parks (PWFP) to execute a Grant Agreement with Silicon Valley Community Foundation (SVCF), a California Nonprofit Corporation, for rehabilitation of East Carmel Valley Road from Milepost 13.9 to Milepost 16.6;
- b. Adopt a Resolution to:
- i. Add the rehabilitation of East Carmel Valley Road from Milepost 13.9 to Milepost 16.6 to the Road Fund Annual Work Plan for Fiscal Year 2022-23 and the 5-Year Capital Improvement Program;
  - ii. Find that the proposed project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Section 15301 (Class 1 - Existing Facilities) because it is to perform repair and maintenance of an existing road with no expansion of an existing use;
  - iii. Authorize the Auditor-Controller to amend the Fiscal Year 2022-23 Road Fund adopted budget, Fund 002, Appropriation Unit PFP004, to increase appropriations by \$290,000 financed by Road Fund, fund balance (\$145,000 from 002-3044-MSRX and \$145,000 from 002-3044-SB1) (4/5ths vote required);
  - iv. Authorize the Auditor-Controller's Office to incorporate approved budget modifications to the FY 2022-23 Budget, and the County Administrative Office to add \$3,335,000 in appropriations to the FY 2023-24 Adopted Budget financed by a contribution from Fox Creek Farms LLC of \$2,900,000 and Road Fund,

fund balance of \$435,000 (\$217,500 from 002-3044-MSRX and \$217,500 from 002-3044-SB1) (4/5ths vote required).

SUMMARY/DISCUSSION

The portion of East Carmel Valley Road from Milepost (MP) 13.9 to 16.6 is in very poor/failed condition based on the most recent pavement condition assessment (see Attachment A for location map). Recognizing that County road rehabilitation needs greatly exceed available funding, FCF has offered funding to assist the County in rehabilitating this segment of East Carmel Valley Road. The funding would be provided via a grant from a donor advised fund of SVCF made in honor of Fox Creek Farms LLC. Specifically, SVCF would contribute \$2.9 million toward this rehabilitation project, which will fund 100% of the estimated construction contract cost based on the current engineer's estimate for the project. The County need only fund design and construction management activities as it would for other road projects. This is estimated at 25% of the \$2.9 million construction cost, or \$725,000. The Road Fund has available fund balance for this expense. With SVCF's significant contribution, staff would ensure that project construction begins after the Labor Day holiday in early September of this year. PWWP would manage the project just as with other road rehabilitation projects.

The ongoing Pavement Management Program of the County considers various strategies for prolonging and preserving pavement. Some include vacating low volume roads; another is the Public-Private Partnership (PPP) approach, whereby private property owners who are willing to pay at least 50% of the total road treatment project cost may have their project now elevated in priority in the Annual Work Program for Road Fund and 5-year Capital Improvement Plan. While this has been discussed in the past at the committee and Board levels, this proposed agreement with SVCF represents the first application of this option. A Grant Agreement between the County and SVCF has been prepared to memorialize this contribution and related terms. The proposed agreement is provided in Attachment B. Staff appreciates SVCF's and FCF's initiative and willingness to partner with the County and provide significant financial assistance to help improve the condition of the County's roads.

CEQA COMPLIANCE:

Approval of the funding agreement is not subject to the CEQA. PWWP will file a Notice of Exemption for the road rehabilitation project. The project has been determined to be categorically exempt (Class 1) because it is to perform repair and maintenance of an existing road with no expansion of an existing use (See CEQA Guidelines, California Code of Regulations (CCR) Section 15301 Existing Facilities).

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's office have reviewed and approved the proposed Agreement as to form and fiscal provisions, respectively. This item is scheduled to be submitted to the Capital Improvement Committee for its May 8, 2023 meeting. Due to the short timeline for initiating this work, PWWP asked to bypass the Budget Committee so that this could be presented to the Board of Supervisors at its May 16, 2023 meeting.

FINANCING:

SVCF will provide \$2.9 million to fund project construction. The County Road Fund (Fund 002) will provide funding for staff time to develop the design and manage the construction contract (estimated at \$725,000). The design phase will begin in Fiscal Year (FY) 2022-23, with construction starting in FY 2023-24. The Board is asked to approve increasing appropriations in FY 2022-23 by \$290,000 and FY 2023-24 by \$3,335,000, financed by the \$2.9 million contribution from SVCF and \$725,000 from Measure X and SB 1 fund balance.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project will pave approximately 2.7 miles of County maintained road to extend the pavement life. The recommended action supports the following Board of Supervisors' Strategic initiatives:

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

Prepared by: Tom Bonigut, PE, Assistant Director of Public Works, Facilities and Parks,  
(831) 755-4831

Reviewed by: Jessica Cordiero-Martinez, Finance Manager III

Reviewed by: Enrique Saavedra, PE, Chief of Public Works

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

Attachments:

Attachment A - Location Map

Attachment B - Grant Funding Agreement

Attachment C - Resolution