



County of Monterey

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

Legislation Details (With Board Report)

File #:	A 23-156	Name:	A1 Purchase Agreement with Merrill Jacks Ranch #2
Type:	BoS Agreement	Status:	Passed
File created:	4/27/2023	In control:	Board of Supervisors
On agenda:	5/2/2023	Final action:	5/2/2023
Title:	a. Approve an Amendment to the Agreement for Purchase of Real Property to purchase Permanent Roadway Easements, Permanent Utility Easements, and Temporary Construction Easements, (3.298 acres, 4.275 acres, and 5.175 acres, respectively) between the County of Monterey and Merrill Jacks Ranch #2, L.P., (APN's 203-041-004, 203-041-005, 207-041-011 and 203-051-016), in the amount of \$698,450 for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600, to transfer fee title in lieu of a permanent easement; and b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Amendment to the Agreement for Purchase of Real Property on behalf of the County. (ADDED VIA ADDENDA)		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Project Budget, 3. Attachment B - Location Map, 4. Attachment C - PA w/Merrill Jacks, 5. Attachment D - A1 to PA w/Merrill Jacks, 6. Completed Board Order Item No. 33.1

Date	Ver.	Action By	Action	Result
5/2/2023	1	Board of Supervisors		

a. Approve an Amendment to the Agreement for Purchase of Real Property to purchase Permanent Roadway Easements, Permanent Utility Easements, and Temporary Construction Easements, (3.298 acres, 4.275 acres, and 5.175 acres, respectively) between the County of Monterey and Merrill Jacks Ranch #2, L.P., (APN's 203-041-004, 203-041-005, 207-041-011 and 203-051-016), in the amount of \$698,450 for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600, to transfer fee title in lieu of a permanent easement; and
b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Amendment to the Agreement for Purchase of Real Property on behalf of the County. (ADDED VIA ADDENDA)

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

a. Approve an Amendment to the Agreement for Purchase of Real Property to purchase Permanent Roadway Easements, Permanent Utility Easements, and Temporary Construction Easements, (3.298 acres, 4.275 acres, and 5.175 acres, respectively) between the County of Monterey and Merrill Jacks Ranch #2, L.P., (APN's 203-041-004, 203-041-005, 207-041-011 and 203-051-016), in the amount of \$698,450 for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600, to transfer fee title in lieu of a permanent easement; and
b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Amendment to the Agreement for Purchase of Real Property on behalf of the County.

SUMMARY:

Approval of the amendment to 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 the County.

Merrill Jacks Ranch #2, L.P. (APN.s 203-041-004, 203-041-005, 207-041-011 and 203-051-016) is the third property owner for which negotiations have been completed. The owners have agreed to the County's purchase of Permanent Roadway Easements, Permanent Utility Easements, and Temporary Construction Easements, (3.298 acres, 4.275 acres, and 5.175 acres, respectively). The agreed just compensation for the easement was determined to be \$698,450 by Overland Pacific & Cutler, LLC

The Amendment to the Agreement for Purchase of Real Property will change the purchase of a Permanent Utility Easement into the purchase of fee simple title. Approval of the Amendment to the Agreement for Purchase of Real Property will result in no additional cost to the Project due to the permanent easement being functionally equivalent to the price for fee title.

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 \$77.7 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 \$6,554,715 are available for this Project phase in the Public Works FY 23 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 \$3.8 million. This phase of the Project is largely funded by the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) in the amount of \$1,794,146. 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: Enrique Saavedra, PE, Chief of Public Works, (831) 755-8970

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 - Purchase Agreement with Merrill Jacks Ranch #2 LP

Attachment D - Amendment to Purchase Agreement with Merrill Jacks Ranch #2 LP