



County of Monterey

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

Board Report

File #: A 20-301, **Version:** 1

- a. Approve Amendment No. 1 to the Agreement for Purchase of Real Property between County of Monterey and Don Keith Johnston and Susan J. Johnston, Husband and Wife as Joint Tenants (APN 424-091-019 and APN 424-091-020), to amend the Temporary Construction Easement to begin on May 1, 2020 for the construction of Nacimientto Lake Drive Bridge Project, Project No. 2202; and
- b. Authorize the RMA Director to execute Amendment No. 1 to the Agreement for Purchase of Real Property on behalf of the County.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 1 to the Agreement for Purchase of Real Property between County of Monterey and Don Keith Johnston and Susan J. Johnston, Husband and Wife as Joint Tenants (APN 424-091-019 & APN 424-091-020), to amend the Temporary Construction Easement to begin on May 1, 2020 for the construction of Nacimientto Lake Drive Bridge Project, Project No. 2202; and
- b. Authorize the RMA Director to execute Amendment No. 1 to the Agreement for Purchase of Real Property on behalf of the County.

SUMMARY:

Approval of Amendment No. 1 to the Agreement for Purchase of Real Property between the County of Monterey and Don Keith Johnston and Susan J. Johnston will revise the start date of the Temporary Construction Easement from the date of the County's initial deposit of the funds into escrow on March 27, 2018, to May 1, 2020. The change in dates in the Agreement is at no additional cost to the County.

DISCUSSION:

The Resource Management Agency (RMA) is working on replacing the existing one (1) lane Nacimientto 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 is programmed to be replaced under the State Seismic Retrofit program.

The Temporary Construction Easement is needed for the purpose of providing access and use of equipment for the construction of the Nacimientto Lake Drive Bridge Replacement Project. The Agreement for Purchase of Real Property with Keith Johnston and Susan J. Johnston was approved by the Board of Supervisors on December 5, 2017. Under the Agreement the Temporary Construction Easement began on the date of the County's deposit of the full purchase price into escrow which was on March 27, 2018, and then continued for two (2) years.

The County has not used the Temporary Construction Easement at this time due to the delay in the start of the project. The scheduled date of the beginning of the project is presently scheduled for August 2020 and the Temporary Construction Easement will be necessary on that date through the two-year period stated in the Agreement.

The Amendment to the Agreement for Purchase of Real Property will change the beginning date of the Temporary Construction Easement from the date of the County's deposit of the full purchase price into escrow

on March 27, 2018 to May 1, 2020. Keith Johnston and Susan J. Johnston have agreed to the date change in the Agreement at no additional cost to the County.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved Amendment No. 1 to the Agreement for Purchase of Real Property as to form.

FINANCING:

The total estimated project cost, including engineering, environmental, right-of-way and construction is \$9,822,461. The estimated cost to purchase the necessary right-of-way is \$30,126. The project is largely funded by the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) in the amount of \$8,746,367. The project is also funded by State Seismic Funds and Measure X. There are sufficient appropriations adopted in the FY 2020-21 Road Fund 002, Appropriation Unit RMA012 budget to finance the 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

Approved by: Randy Ishii, M.S., P.E., P.T.O.E., RMA - Chief of Public Works

Approved by: Carl P. Holm, AICP, RMA Director

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

Attachment A - Project Budget

Attachment B - Location Map

Attachment C - Purchase Agreement with Don Keith Johnston and Susan J. Johnston

Attachment D - Amendment to Purchase Agreement with Don Keith Johnston and Susan J. Johnston