



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services/Public Works
Department No.: 063(GS)/054(PW)
For Agenda Of: April 3, 2012
Placement: Departmental
Estimated Tme: 15 minutes
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director Bob Nisbet, Director of General Services, 560-1011
Scott McGolpin, Director of Public Works, 568-3010
Contact Info: Paddy Langlands, Assistant Director of General Services, 568-3096
Eric Pearson, Interim Deputy Director - Transportation, 568-3064
SUBJECT: Union Valley Parkway Extension Phase 3 (Walmart Stores, Inc.) Acquisition, Fourth Supervisorial District, County Project No. 863011

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form:

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to adopt the Resolution of Necessity to acquire real property (road easements) for the Union Valley Parkway (UVP) Phase 3 Project on property owned by Walmart Stores, Inc. and identified on portions of County Assessor Parcel Numbers: 107-250-011, 107-250-012, and 107-250-013, in the unincorporated area of Orcutt, and located on the east side of Orcutt Road and State Highway 135, south of Foster Road and west of Hummel Drive in the Fourth Supervisorial District; and
- b) Accept the Planning Commission's report showing that the acquisition of the proposed right-of-way (easements) are consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402; and
- c) Find that pursuant to the California Environment Quality Act (CEQA) Section 15162, the Union Valley Parkway Environmental Impact Report approved by the Board on October 13, 2009, was sent to the State Clearinghouse (05-463800), no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore no new environmental document is required.

Summary Text:

The Resolution of Necessity encompasses the acquisition of road easements on property owned by Walmart Stores, Inc. for the Union Valley Parkway Phase 3 Project (see attached UVP Corridor – Planned Segments). It is in the public interest and necessary to acquire these easements to complete this Phase and to ultimately create a direct line for the traveling public from Blosser Road to US 101 once the corridor is complete. Upon adoption of this Resolution, County Counsel and Special Legal Counsel shall commence with the necessary condemnation proceeding in Superior Court.

There are two remaining projects needed to complete the Union Valley Parkway corridor from US 101 (eastern terminus) to Blosser Road (western terminus):

- UVP Interchange Project (Caltrans and County jurisdiction): US 101 to Boardwalk Lane
- UVP Extension Project (Phase 3) (Caltans and County jurisdiction): Hummel Drive to SR 135

All other projects along the corridor have been completed and are ready for the connection to US 101.

The construction schedule for the two remaining projects is as follows:

	Begin	End
UVP Extension Project (Phase 3)	March 2013	November 2013
UVP Interchange Project	October 2012	December 2013

Proceeding under eminent domain authority is necessary at this time to meet critical project milestones and the schedule outlined above.

The County has envisioned the UVP corridor as an east to west connection since the mid-1960's. It is described as a key roadway link in both the City of Santa Maria's Circulation Plan and the County's Orcutt Community Plan.

Based on an agreement with the City of Santa Maria, the County is responsible for the right-of-way acquisition associated with the UVP Extension Project (Phase 3). This includes negotiating permanent easements and if needed, temporary rights-of-entry with adjacent property owners to facilitate the construction of the improvements. All necessary easements and rights-of-entry have been secured except for those needed through Walmart Stores, Inc. parcels. The parcels include: APN 107-250-11, APN 107-250-12, and APN 107-250-13 (see attached Affected Parcels).

Background:

A final written offer of just compensation has been sent to Walmart Stores, Inc. Despite a long period of negotiations and discussions, the parties have not been able to come to an agreement. Negotiation will continue in order to resolve any concerns; however, these matters may not be resolved in the immediate short term. The parties will continue to work on the unresolved matters, and it is still possible that agreement can be reached prior to acquisition through the Courts. However, if agreement cannot be reached, the Resolution of Necessity is the first step in the condemnation process for the Courts to determine the proper compensation and settle any unresolved issues.

Attachments:

1. Resolution of Necessity
2. Planning Commission Report
3. CEQA
4. UVP Corridor – Planned Segments (PowerPoint)
5. Affected Parcels (PowerPoint)

Authored by:

Ronn Carlentine, Office of Real Estate Services, (805) 568-3078