



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

Agenda Number:

Department Name: Public Works
Department No.: 054
For Agenda Of: November 17, 2020
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Scott D. McGolpin, Public Works Director, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation 568-3064
SUBJECT: Black Oak Drive Undercrossing Reimbursement Agreement, Fourth
Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the Reimbursement Agreement with Mesa Verde Development Partners for construction of an undercrossing beneath Black Oak Drive;
- b) Approve Budget Revision Request No. 0007226 to establish appropriations of \$530,000 in the Roads-Capital Infrastructure Fund for Services and Supplies funded by a transfer from the General Fund; and
- c) Find that no subsequent EIR is required for this project pursuant to 14 CCR section 15162(a) because Final Supplemental Environmental Impact Report (EIR) for the Orcutt Community Plan 2012 Amendments (09EIR-00000-00004) including the Revision document (RV-1), and Addendum of May 22, 2013 have been previously certified, and 1) No substantial changes are proposed in the project which require major revisions to the previously certified EIR due to new significant environmental effects; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

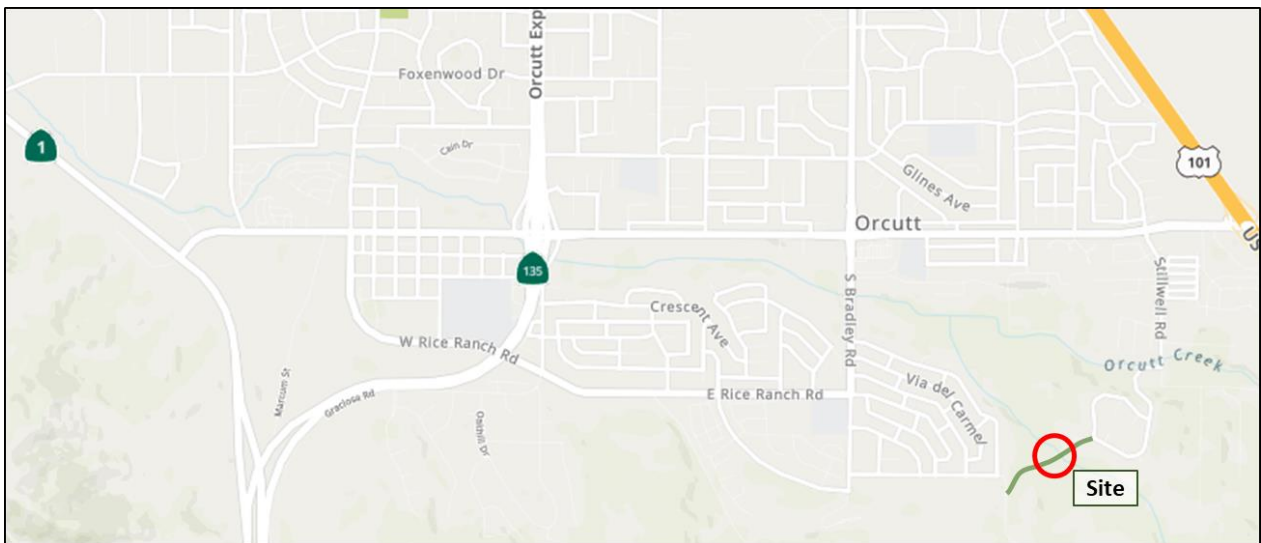
Summary Text:

This item is on the agenda to approve a Reimbursement Agreement between the County and Mesa Verde Development Partners regarding construction of, and payment for, a new undercrossing beneath Black Oak Drive in Orcutt to connect open space on either side of the new road to be constructed as part of the Key Site 7 development.

The undercrossing is a requirement under the Orcutt Community Plan (OCP) and related Environmental Impact Report. The OCP requires the developer to construct undercrossing, and that the County fund its construction. The OCP states the County would pay for the project using funds generated by the Orcutt Transportation Improvement Program (OTIP). Subsequent adoption of the OTIP did not include this project, and thus no fees were collected for the work. In 2015, your Board approved a budget and plan that included accumulating General Fund annually in order to fund construction of the project. Approval of the attached Reimbursement Agreement is the next step toward getting this project completed. If approved, the developer will advance the project to construction, which is anticipated within the next 12-18 months.

Background:

The OCP requires the work covered in this agreement at the time of development of Key Site 7. The developer is proceeding with approvals for this work. As part of the approval process, an agreement is needed to codify the scope of work and responsibilities of each party. The amount of funds set aside for this work are based on engineering estimates derived from preliminary design. The final amount to be reimbursed will be actual costs for items of work within the framework of the agreement. Under the terms of the Reimbursement Agreement, the County reserves the ability to terminate the Agreement and complete construction of the improvements on its own.



Black Oak Drive Undercrossing Site Map

CEQA:

These improvements were included in the Environmental Impact Report completed for the Orcutt Community Plan. There have been no subsequent changes to this project component or new information that requires preparation of additional environmental review at this time. The EIR and documents for the Orcutt Community Plan 2012 Amendments are available for viewing and download at:

<http://longrange.sbcountyplanning.org/planareas/orcutt/orcutt.php>

Fiscal Analysis:

<u>Source</u>	<u>Amount</u>
General Fund set-aside	\$530,000

Your Board has set aside General Funds for the past several years in anticipation of this project. These project expenditures will occur in Fund 0017, Program 2830, Org Unit 0600, Project 862423 and will be reimbursed based on actual costs in accordance with the Agreement. \$530,000 is set aside for the undercrossing, which serves the recreational open space. The agreement total is for \$605,000 based on bonding and estimates approved during the development approval process. However, the final project costs are anticipated within the allotted \$530,000 based on design revisions approved by the County.

Special Instructions:

Please forward the following items to Gail Ocheltree in the Public Works Department, Transportation Division, 123 East Anapamu Street, x83094:

- A certified, stamped Minute Order approving these recommendations.
- One duplicate original executed Reimbursement Agreement Signature Page (1 page). One original executed Reimbursement Agreement to be filed with the Clerk of the Board.

Attachments:

Attachment A: Reimbursement Agreement with Mesa Verde Development Partners for Black Oak Drive Undercrossing, with exhibits.

Attachment B: Budget Revision Request No. 0007226

Authored by:

Chris Sneddon, Public Works Transportation, 805-568-3064