

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:
Prepared on: 01/15/03
Department Name: Public Works
Department No.: 054
Agenda Date: 02/25/03
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery
Director, Public Works Department

STAFF CONTACT: Dace Morgan – 739-8774
Manager, Engineering-Design

Jason Sunukjian – 568-3217
Real Property Agent

SUBJECT: North Jameson Lane Bike Lane and Bridge Replacement – Execution of Real Property Right-Of-Way Contracts and a Real Property Purchase Contract; County Project No. 863027 (Real Property Folio No. YS 3363); First Supervisorial District

Recommendation(s):

That the Board of Supervisors:

1. Approve the attached original and duplicate original Right-Of-Way Contracts between the respective owners of each parcel and the County of Santa Barbara (hereinafter “County”) to purchase Temporary Construction Easements on portions of APN’s 007-331-016, 007-333-004, 007-333-003, 007-340-054, & 007-340-009, and authorize execution of each contract by the Chair of the Board.
2. Approve the attached original and duplicate original Real Property Purchase Contract and Escrow Instructions between the County and Joe W. Butler and Beatryce I. Butler to purchase a Permanent Easement on a portion of APN 007-333-004, and authorize execution thereof by the Chair of the Board.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community.

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Executive Summary and Discussion:

The North Jameson Lane Bike Lane and Bridge Replacement Project (the "Project") will add Class II Bike Lanes in both directions of the entire span of North Jameson Lane. Additionally, three bridges (at Oak Creek, San Ysidro Creek and Romero Creek) will be replaced and widened.

The County's Board of Directors approved the Project and the final Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) on January 15, 2002 (Clerk of the Board File No. 02-00047). The Project has also been found to be in conformity with the County's General Plan in compliance with Government Code Section 65402.

This Project requires the acquisition of these five (5) Temporary Construction Easements ("TCE") on APN's 007-331-016, 007-333-004, 007-333-003, 007-340-054, & 007-340-009. Additionally, two (2) Temporary Utility Easements ("TUE") need to be acquired on APN's 007-333-004 and 003 to allow for the relocation of a telephone utility line while the bridge at Oak Creek is under construction. The Project also requires the acquisition of a permanent easement on a portion of APN 007-333-004 to cover the improvements of the new bridge across Oak Creek. Said easements are collectively referred to hereinafter as the "County Easements". The combined total purchase price for these County Easements is \$42,050.00.

Because the size of each easement area varies, the purchase price for each easement also varies, which are as follows (for the Temporary Easements):

- APN 007-331-016 (1586 N. Jameson Lane); Gama property - \$3,000.00
- APN 007-333-004 (1620 N. Jameson Lane); Butler property - \$1,400.00 (TCE price)
- APN 007-333-004 (1620 N. Jameson Lane); Butler property - \$5,500.00 (TUE price)
- APN 007-333-003 (1630 N. Jameson Lane); Corona property - \$10,000.00 (TCE price)
- APN 007-333-003 (1630 N. Jameson Lane); Corona property - \$4,350.00 (TUE price)
- APN 007-340-054 (115 Tiburon Bay Lane); Avocado Ranch property - \$2,000.00
- APN 007-340-009 (1790 N. Jameson Lane); Nessim property - \$15,800.00

All the Temporary Easements are for a period of 18 months, which is anticipated to be more than sufficient to allow the Project to be completed. The Commencement Date for the Temporary Easements will be the date on which the County gives the owners notice that construction of the Project is beginning. In the event that the construction period runs longer, the County has the option to extend the Temporary Easements for three months at a time.

Once the Board executes the Right-Of-Way Contracts, the Temporary Easement Deeds will be sent to the Owners for execution. Under the terms of the Right-Of-Way Contracts, the Owners are obligated to execute the Temporary Easement Deeds within ten (10) days of receiving the Deeds. The County then has a period of thirty (30) days after the Owners execute the Temporary Easement Deeds to compensate the Owners for the purchase price agreed upon in the Right-Of-Way Contracts.

The purchase price for the Permanent Easement is \$10,600.00. The easement is for roadway and utility purposes and will cover the improvements that are part of the new bridge being built across Oak Creek.

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In the event that escrow is not closed and the Easement Deed conveyed to the County by the time construction begins, the County also has a temporary right of entry onto the easement area for the price of \$130 per month.

After execution of the attached Real Property Purchase Contract and Escrow Instructions by the Board of Supervisors, an escrow will be opened with Chicago Title Company at 1101 Anacapa Street, Santa Barbara. Once the Easement Deed is executed by the Owner in escrow, Public Works will return to the Board for acceptance of the Deed prior to the close of escrow. Escrow is expected to close within 45 days after it is opened.

Mandates and Service Levels:

There are no changes to service levels with this action.

Fiscal and Facilities Impacts:

This project, including Real Property services, is being funded by Highway Bridge Repair and Replacement and State Transportation Improvement Plan funds. The work has been budgeted in Department 054, Fund 0015, Program 2050, Organizational Unit 0014, Account 7460. The just compensation for the acquisition of the Easements listed above totals \$42,050.00. In addition, escrow fees for the transaction will cost the County approximately \$1,000.00.

Special Instructions:

After Board action, distribute as follows:

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|----|--|---|
| 1. | One (1) original Right-Of-Way Contract for each parcel | Clerk of the Board File |
| 2. | One (1) duplicate original Right-Of-Way Contract for each parcel | Facilities Services,
Attn: Jason Sunukjian |
| 3. | One (1) original Purchase Contract and Escrow Instructions | Clerk of the Board File |
| 4. | One (1) duplicate original Purchase Contract and Escrow Instructions | Facilities Services,
Attn: Jason Sunukjian |
| 5. | Minute Order | Facilities Services,
Attn: Jason Sunukjian |
| 6. | Minute Order | Public Works Department,
Transportation Engineering
Attn: W.H. Vachon |

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Public Works-Real Property will deliver one original copy of each Contract to each respective Owner. The Clerk of the Board will also receive an original copy of each Contract for its files. Public Works-Real Property will receive photocopies of the contract for its files.

Concurrence:

County Counsel (Approval as to form)
Auditor-Controller (Approval as to form)
Risk Management (Approval as to form)