

## SBCAG STAFF REPORT

**SUBJECT:** Cabrillo Undercrossing and Pedestrian Improvements

**MEETING DATE:** December 17, 2020

**AGENDA ITEM:** 4E

**STAFF CONTACT:** Fred Luna

**RECOMMENDATION:**

Approve and authorize the Chair to execute Amendment No. 4 to the Memorandum of Understanding (MOU) with the City of Santa Barbara which extends the period of performance to December 31, 2023 at no additional cost.

**DISCUSSION:**

In March 2016, the SBCAG board approved an MOU with the City of Santa Barbara for the City to lead the development of a project to replace the Union Pacific Railroad (UPRR) undercrossing at Cabrillo Boulevard as well as improvements at the Los Patos/Cabrillo Intersection. Replacement of the UPRR bridge will improve coastal access and provide improved circulation at this location. The improvements at the intersection of Los Patos and Cabrillo were identified as a traffic mitigation location as a result of the 2017 Final Revised Environmental Impact Report (EIR) prepared and certified by Caltrans. The City of Santa Barbara has the consultant team TY Lin retained for work on the Cabrillo Project. The City has achieved environmental clearance and obtained coastal permits.

SBCAG has funded the project development work to date with a combination of federal, state and local funds. This includes funding from Highway Safety Improvement Program (HSIP), the State Transportation Improvement Program (STIP), SB1 – Local Partnership Program Formula (LPP-F) funds, and Measure A. The total amount invested in this work is about \$4.1 million. Construction is currently not funded. In the summer 2020, SBCAG submitted applications for construction funding for the Cabrillo project (approximately \$30 million) under Cycle 2 of SB1 in conjunction with other applications for the last two segments of the Highway 101 project. Unfortunately, on November 16<sup>th</sup> SBCAG was informed that it did not receive funding for either the Cabrillo project or the Highway 101 project.

Despite the unfortunate news on the construction funding, work continues with existing funds to deliver the Cabrillo project through the remaining steps and have it ready for construction. SBCAG and Caltrans in coordination with the City of Santa Barbara have come up with the following plan to advance work on the Cabrillo project components:

- Have City construct the Los Patos/Cabrillo Roundabout in summer of 2021 with the use of Highway 101 reserve funds from the Regional Surface Transportation Program (RSTP) at a cost of around \$5 to \$7 million
- Coordinate staging of the Cabrillo UPRR bridge replacement to occur after the construction of the Highway 101 Cabrillo Interchange work
- City to continue environmental and permitting work on the Los Patos UPRR bridge replacement which is an additional improvement that UPRR identified

- Perform constructability reviews on the Cabrillo improvements as it relates to Highway 101 to improve efficiencies and coordination

There is still a considerable amount of project development work to be led by the City of Santa Barbara and their consultant team. As such, SBCAG staff is seeking that the board approve Amendment No. 4 to the MOU between the City and SBCAG (Attachment A) to extend the period of performance through December 31, 2023. This action is anticipated to provide adequate time for the City to complete work on the activities listed above. Some of these actions will require additional MOU amendments or new MOU's to be approved by the SBCAG board as efforts on the project and separate components move forward.

**COMMITTEE REVIEW:** None

**ATTACHMENTS:**

- A. MOU Amendment No. 4

# ATTACHMENT A

**AMENDMENT NO. 4  
TO  
MEMORANDUM OF UNDERSTANDING  
between  
Santa Barbara County Association of Governments,  
and the City of Santa Barbara**

This Amendment No. 4 to the Memorandum of Understanding (MOU) executed on March 17, 2016 between the Santa Barbara County Association of Governments (SBCAG) and the City of Santa Barbara (CITY) is entered into with the authorization of the Board of Directors of the SBCAG, and the City Council of CITY and herein referred to collectively as PARTIES.

WHEREAS, CITY has retained the services of a consultant to complete the scope of services previously defined in the MOU executed in March 2016.

WHEREAS, the Section 1 of the MOU defined the purpose and scope of improvements of the PROJECT as including the following primary features: replacement of the railroad structure over Cabrillo Boulevard, roadway improvements along Cabrillo Boulevard and operational improvements at the intersection of Los Patos Way and Cabrillo Boulevard.

WHEREAS, the CITY has completed the services outlined in Article 4 "Scope of Services" of the MOU, including CEQA and NEPA approvals, coastal development permit and 35% design.

WHEREAS, PARTIES approved AMENDMENT NO. 1 to the MOU on November 27, 2017 to continue design services up to 65%, and initiate right of way, utility and railroad coordination.

WHEREAS, PARTIES approved AMENDMENT NO. 2 to the MOU on December 11, 2018 to continue design services up to 90%, to continue right of way, utility, and railroad coordination, and to extend the MOU through December 30, 2020.

WHEREAS, PARTIES approved AMENDMENT NO. 3 to the MOU on June 11, 2019 to complete contract plans, right of way, utility relocations and railroad coordination.

WHEREAS, SBCAG and CITY wish to enter into Amendment No. 4 to the MOU to extend the term of the MOU to allow for completion of the PROJECT design and delivery to construction.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, PARTIES do mutually agree that Amendment No. 4 shall amend the MOU as follows:

**1. Article 2 is deleted and replaced in its entirety as follows:**

The term of this MOU is April 1, 2016 to December 31, 2023.

**2. Ratifications.** The terms and provisions set forth in this Amendment No. 4 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement and Amendment Nos. 1, 2, and 3. The terms and provisions of the Agreement and Amendment Nos. 1, 2, and 3 except as expressly modified and superseded by this Amendment No. 4, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding, and enforceable obligations of the parties.

**3. Counterparts.** This Amendment No. 4 may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

This Memorandum of Understanding is entered into in Santa Barbara County by and between SBCAG, the City of Santa Barbara, and the County of Santa Barbara, and shall be effective when fully executed by the PARTIES.



**SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS**  
A Joint Powers Authority

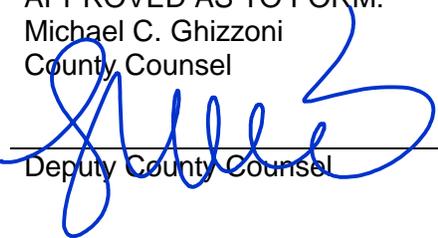
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Mr. Gregg Hart  
Chair, SBCAG Board of Directors

\_\_\_\_\_  
Date:

ATTEST:

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Marjie Kirn  
Executive Director  
Clerk of the Board

APPROVED AS TO FORM:  
Michael C. Ghizzoni  
County Counsel

  
\_\_\_\_\_  
Deputy County Counsel

*(Signatures continue on next page.)*

This Memorandum of Understanding is entered into in Santa Barbara County by and between SBCAG, the City of Santa Barbara, and the County of Santa Barbara, and shall be effective when fully executed by the PARTIES.



**CITY OF SANTA BARBARA**  
A Municipal Corporation

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Mr. Paul Casey  
City Administrator

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Date:

ATTEST:

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Sara Gorman  
City Clerk Services Manager

APPROVED AS TO FORM:

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Ariel Pierre Calonne  
City Attorney