

SBCAG STAFF REPORT

SUBJECT: Highway 166/Black Road Intersection Improvements

MEETING DATE: March 18, 2021

AGENDA ITEM: 12

STAFF CONTACT: Fred Luna

RECOMMENDATION:

Adopt Resolution 21-07 authorizing the Executive Director to execute a real property purchase agreement with the property owner and to execute utility notices and/or agreements from March 18, 2021 to December 31, 2022 for the benefit of Highway 166/Black Road Intersection Improvements Project. Total compensation for these agreements in aggregate shall not exceed \$50,000. Final agreements to be reviewed and approved by legal counsel.

DISCUSSION:

Staff is seeking approval of Resolution 21-07 which will authorize the Executive Director to execute agreements related to the purchase of property and the relocation of utilities required for the Highway 166/Black Road Intersection Improvements Project.

In accordance with cooperative agreement 05-0322 with Caltrans, SBCAG is responsible for the Plans, Specifications & Estimate (PS&E) and Right of Way (ROW) phases of the Highway 166/Black Road Intersection Improvements Project. Action presented today for the SBCAG board is to have staff and its agents, for the benefit of the Highway 166/Black Road Intersection Improvements Project:

1. Make an offer of compensation and enter an agreement with property owners whose property is required in order to construct the project.
2. Prepare utility notices and/or agreements to set forth the project, affected facilities, work schedule and, if required, compensation of costs for utility owners or permit holders such as the State or County costs to relocate utilities in conflict with the project.

The above recommended actions are not a "Project" under the California Environmental Quality (CEQA) Act under CEQA Guidelines section 15378.

ATTACHMENT:

- A. Resolution 21-07

ATTACHMENT A

RESOLUTION OF THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

AUTHORIZE THE EXECUTIVE DIRECTOR OF SBCAG TO EXECUTE AGREEMENTS FOR PURCHASE OF REAL PROPERTY AND AGREEMENTS AND/OR NOTICES FOR RELOCATION OF UTILITIES IN ACCORDANCE WITH CALTRANS COOPERATIVE AGREEMENT 05-0322.

RESOLUTION NO. 21-07

WHEREAS, the Santa Barbara Association of Governments (SBCAG) is the designated Local Transportation Authority (LTA) for Santa Barbara County and thus administers all funds collected as a result of the passage of the "Road Repair, Traffic Relief and Transportation Safety Measure for Santa Barbara County" Transportation Investment Plan (Measure A);

WHEREAS, included in Measure A Investment Plan is a project called the Highway 166 Safety and Operational Improvements;

WHEREAS, in 2012, the SBCAG Board approved implementation of four specific projects/programs as part of the Highway 166 Safety and Operational Improvements with Measure A funds, one of those being the Highway 166/Black Road Intersection Improvements Project (PROJECT);

WHEREAS, in October 2017, the SBCAG Board approved Cooperative Agreement 05-0322 with CALTRANS defining SBCAG's lead role and financial contributions in implementing the plans, specifications and estimate (PS&E) and right of way (ROW) phases of the Highway 166/Black Road Intersection Improvements Project;

WHEREAS, SBCAG has identified the need to acquire real property along east side of Black Road, just south of the Highway 166/Black Road Intersection, in the unincorporated part of Santa Barbara County, for making traffic operational and safety improvements associated with the PROJECT;

WHEREAS, SBCAG has retained the services of a consultant team who has prepared an appraisal for real property and has prepared right of way contracts which can be used to make an offer of just compensation to property owners;

WHEREAS, SBCAG has identified the need to have existing utilities relocated, that are in conflict with proposed PROJECT improvements, along east side of Black Road, just south of the Highway 166/Black Road Intersection, in the unincorporated part of Santa Barbara County;

WHEREAS, SBCAG has retained the services of a consultant team who has prepared an appraisal for the real property and has prepared right of way contract, and who will prepare utility notices and/or agreements for the relocation of utilities in conflict, and herein referenced as AGREEMENTS, which will be used to individually make a settlement offer for real property and to, if required, compensate for utility relocation costs;

WHEREAS, to prevent delays to the PROJECT, in acquisition of the real property and utility relocations, the SBCAG Board wishes to delegate authority to the SBCAG Executive Director to execute AGREEMENTS;

WHEREAS, to retain adequate safeguards the SBCAG Board wishes to restrict the SBCAG Executive Director's authority to approve and execute AGREEMENTS to the period of March 18, 2021 to December 31, 2022 unless otherwise ordered by the Board;

WHEREAS, to retain adequate safeguards the SBCAG Board wishes to restrict the SBCAG Executive Director's authority to approve and execute AGREEMENTS to those specifically authorized under this resolution related to PROJECT, AGREEMENTS may not exceed \$50,000 in aggregate; such amount must be appropriated by the Board under the OWP prior to execution unless otherwise ordered by the Board;

WHEREAS, SBCAG has appropriated Measure A funding for use to offset anticipated compensation for AGREEMENTS for PROJECT;

WHEREAS, to retain adequate safeguards the SBCAG Board wishes to ensure that prior to execution of each AGREEMENT each will be reviewed and approved as to form by legal counsel; and

WHEREAS, the Executive Director shall annually submit executed AGREEMENTS to the SBCAG Board to be received and filed as part of the OWP.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the SBCAG Board authorizes the Executive Director of SBCAG to execute each AGREEMENT as required pursuant to Caltrans Cooperative Agreement 05-0322 for the PROJECT;

BE IT FURTHER RESOLVED THAT the SBCAG Executive Director's authority to approve and execute each AGREEMENT for the PROJECT is for the period of March 18, 2021 to December 31, 2022 unless otherwise ordered by the Board;

BE IT FURTHER RESOLVED THAT the SBCAG Executive Director's authority to approve and execute AGREEMENTS for the PROJECT must be based on the appraisal for just compensation and/or estimates of utility relocation costs, and, the AGREEMENTS shall not exceed an aggregate of \$50,000; such amount(s) must be appropriated by the Board under the OWP prior to execution unless otherwise ordered by the Board;

BE IT FURTHER RESOLVED THAT prior to the SBCAG Executive Director's execution of each AGREEMENT for the PROJECT it will be reviewed and approved as to form by legal counsel; and

BE IT FURTHER RESOLVED THAT the Executive Director shall annually submit executed AGREEMENTS for the PROJECT to the SBCAG Board to be received and filed as part of the OWP.

(Signatures on following page.)

PASSED AND ADOPTED this 18th day of March 2021 by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

ATTEST:

Marjie Kirn
Executive Director

Holly Sierra, Chair
Santa Barbara County
Association of Governments

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel



Deputy County Counsel