



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: SEPTEMBER 10, 2019

DEPARTMENT: PUBLIC WORKS

FROM: DAVID JACOBS, P.E., L.S., PUBLIC WORKS DIRECTOR

BY: EDA HERRERA, SENIOR CIVIL ENGINEER

TITLE: THOMAS A. BENGARD, BARDIN E. BENGARD, TRACY M. PEZZINI AND THE BENGARD FAMILY PARTNERSHIP RIGHT OF WAY AGREEMENT FOR THE BARDIN ROAD PROJECT (CIP 9218)

RECOMMENDED MOTION:

A motion is sought to acquire a portion of the necessary right of way to the City of Salinas to build the Bardin Road Safe Routes to School (SRTS) Improvements.

RECOMMENDATION:

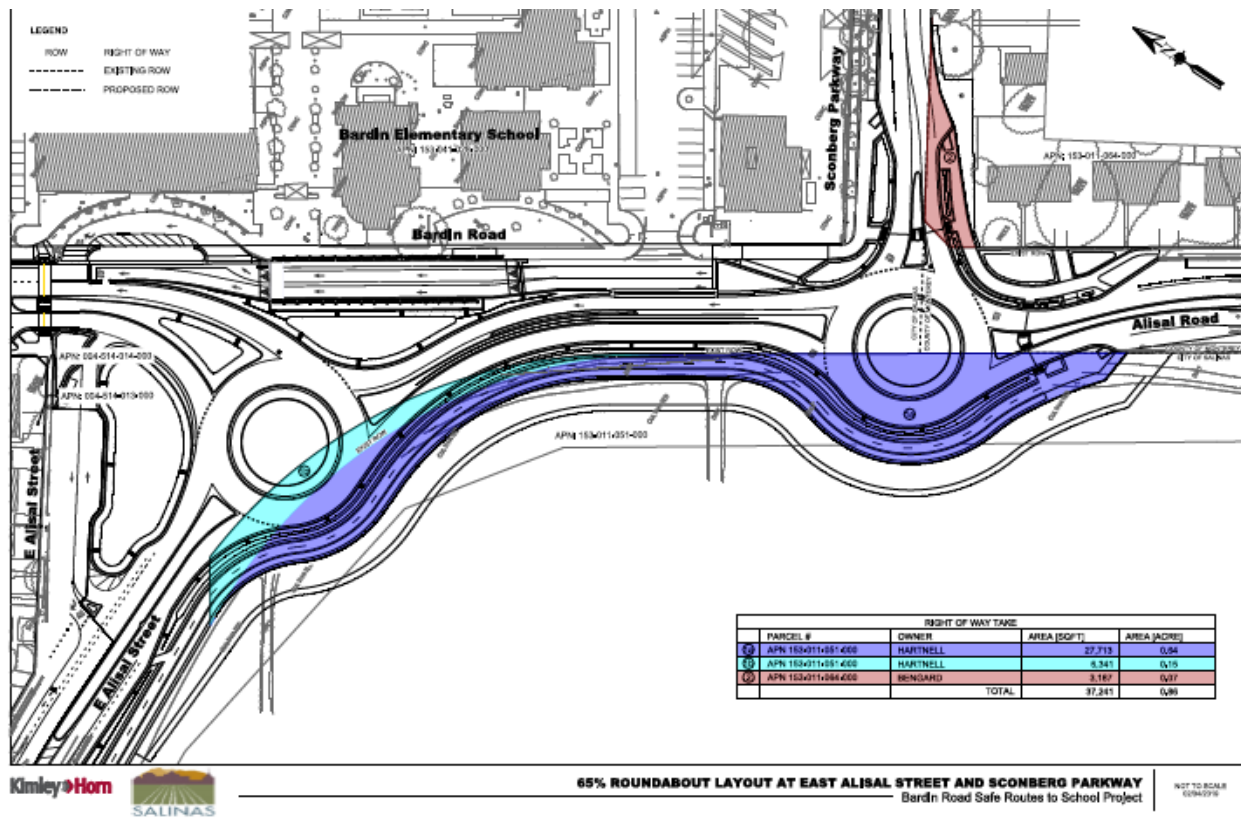
It is recommended that the City Council approve the attached resolution and authorize the Mayor to execute a Right of Way Agreement with Thomas A. Bengard, Bardin E. Bengard, Tracy M. Pezzini and The Bengard Family Partnership I, L.P. for the City's Bardin Road SRTS project for acquisition of 3,186.60 sf of property.

EXECUTIVE SUMMARY:

For the past two-years the City's Public Works Department has shared design concepts with the community that would make Bardin Road in front of Bardin Elementary School, (from Williams Road to Sconberg Parkway), safer for children, their parents, school employees, and the general public using various modes of transportation. Construction plans began in April 2017 with the approval of the design contract with Kimley Horn, and when that agreement was awarded, staff described four critical steps toward completion of the project: 1) project approval and environmental documents; 2) preparing the plans, specifications and estimates, (PS&E); 3) utility and right of way coordination, and; 4) construction. This staff report is part of Step 3- utility relocation and Right of Way ("ROW") acquisition. After meeting with Bardin Bengard several times and he meeting with his relatives that are part owner of the parcel, an agreement was made for payment of \$1,000 for acquiring 3,186.60 square feet of an existing dirt road shoulder in fee, a combined 2,986.16 square feet in temporary construction easement, installation of a walkway in front of the property, and restoration of a driveway after construction is complete. This agreement is now being brought forth in this report for the City's approval.

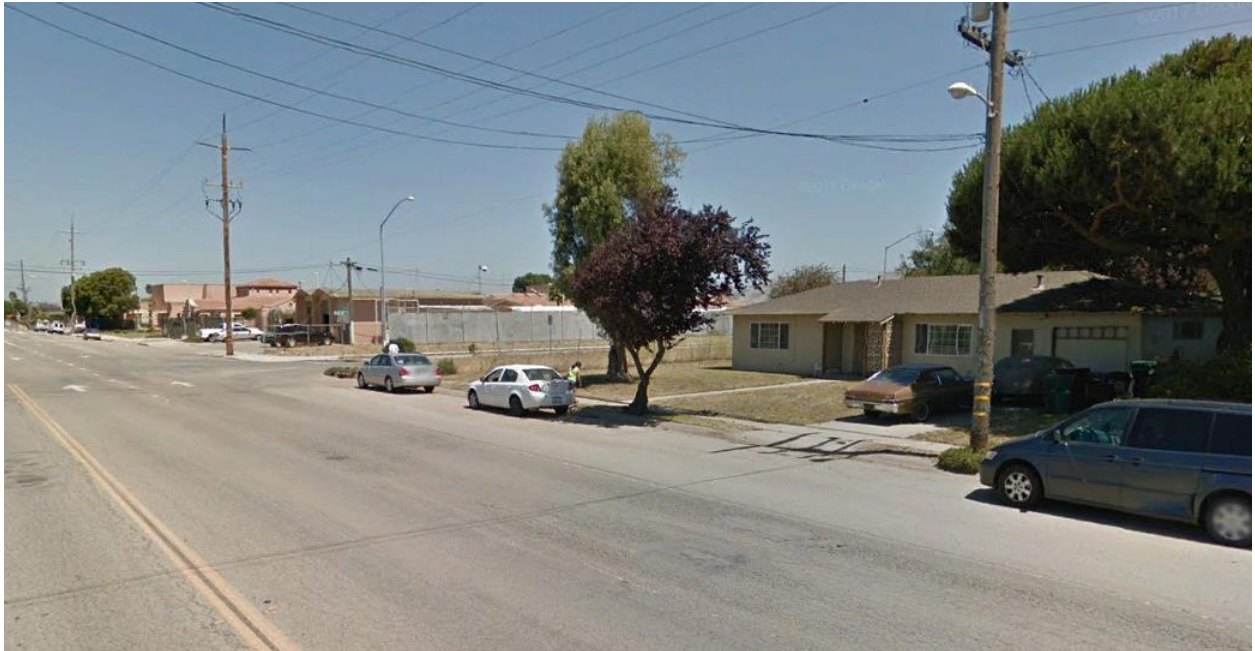
BACKGROUND:

Bardin Elementary School is located at the south-eastern edge of the City, at a “T” shaped intersection between rural farming roads, the busy East Alisal Street arterial and a growing residential presence. Due to the increasing traffic in this area, unsafe driving conditions occur daily as parents drop-off and pick up school children, making illegal U-Turns, and traffic congestion. Access to the school by other modes of transportation have not been accommodated. These conditions make the project an excellent candidate for the “Active Transportation Program” grant program. In 2016, the State Caltrans awarded the City \$4.3 million to design and build the project. Design began in earnest in April 2017 and the result is an impressive set of roundabouts that channel through traffic around the school and provides two lanes of right-of-way for parents to safely drop off and pick up their children. It also provides new safe pedestrian and bicycle access from all directions.



The roundabouts require the ROW to be widened at Sconberg Parkway, that leads from the Montebella subdivision, to Alisal Road. When the PSE was at the 60% completion mark, the City added \$3 million in MX to the budget to pay for the additional improvements. In August, 2018, a ROW specialist was retained to appraise the land needed for the ROW and to help the City negotiate the acquisitions. There were no hazardous materials or other issues discovered during the City’s due diligence, making the negotiations fairly simple. Exhibit above illustrates the Subject fee acquisition in Red.

During the negotiations, the property owner wanted an illustration of how this acquisition would impact the property. Below is a before and after illustration:



If approved by the City Council, the Agreement will be executed and included in the City's package to Cal Trans soon after so that the State could award the remaining funding needed to complete the project. Assuming the utilities complete their plans for relocation, the City should be ready to bid the project the first of the year.

CEQA CONSIDERATION:

The City of Salinas has determined that the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Section 15301(c) “Existing Facilities, Class 1) because the project proposes to repair, maintain and alter existing facilities.

Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.(a-f). The City’s CEQA consultant, EMC Planning Group, conducted an independent review and evaluation of the proposed project, conducted independent research, and reviewed technical documentation prepared by the City. The documentation included a traffic analysis memo and technical inputs to the California Department of Transportation’s Preliminary Environmental Study form. Based on its review, EMC planning group concluded that none of the exceptions listed in the above mentioned guidelines applied to the proposed project.

STRATEGIC PLAN INITIATIVE:

This project will improve the City’s infrastructure and the quality of life of or its residents.

DEPARTMENTAL COORDINATION:

This project has been shared with Community Development and the Alisal Vibrancy Plan effort. It is featured as one of the many projects that benefit from collaboration with the Finance Department to issue bonds for MX last spring and this fiscal year. This project relies upon many critical relationships in the community as well, including stakeholders related to the school, surrounding property owners, Hartnell Community College District and their tenant, Bengard Ranch, PGE and other utilities.

FISCAL AND SUSTAINABILITY IMPACT:

The purchase price of the Right of Way acquisition is \$1,000. The City received an Active Transportation (ATP) grant totaling \$4.43M to fund the environmental, design, right of way and a portion of the construction expenses. A small portion of these funds (\$36,150) were used to hire Right of Way acquisition consultant, Hamner Jewell and Associates to perform the right of way acquisition for Hartnell College and Bengard Family Partnership.

ATTACHMENTS:

Resolution and Agreement