



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** -July 16, 2013

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Acquisition Of Real Property At 230 W. Cota Street For The Cota Street Bridge Replacement Project

**RECOMMENDATION:** That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept in Fee the Real Property Interests Located at 230 W. Cota Street, Relating to the Cota Street Bridge Replacement Project, and Authorize the Public Works Director to Execute Such Agreements and Documents as Necessary for the Acquisition and Acceptance of Said Real Property Interests, and Record Said Real Property Interests in the Official Records of the County of Santa Barbara;
- B. Appropriate \$72,834.50 in the Streets Capital Fund from revenues received through the sale of surplus properties acquired for completed bridge replacement projects to the Cota Street Bridge Replacement Project in order to fund the City's match for the acquisition of 230 W. Cota Street in the total amount of \$635,000.

### **DISCUSSION:**

The Cota Street Bridge Replacement Project (Project) is necessary to replace the structurally deficient bridge over the Lower Mission Creek. The new bridge is proposed to accommodate the same number and sizes of traffic lanes and pedestrian access. The Project is an approved Federal Highway Administration (FHWA) Bridge Program project with oversight provided by the State of California Department of Transportation (Caltrans). The Project design is 65 percent complete.

The properties listed in this report are necessary for acquisition by the City in order to construct the Project, which is scheduled to commence in the spring of 2014. The Project requires the full fee acquisition of two separate duplex properties at 536 Bath Street and 221 W. Cota Street, and the acquisition of a single family residence at 230 W. Cota Street, due to the properties' close proximity to Mission Creek and the bridge replacement construction work that will impact the existing structures. To date, the 536 Bath Street and 221 W. Cota Street properties have been acquired and are now owned by the City. What remains, and the subject of this agenda item, is the acquisition of the property at 230 W. Cota Street.

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On May 7, 2013, Council adopted a Resolution of Necessity for potential acquisition of 230 W. Cota Street by eminent domain. This action was recommended due to delays experienced in negotiations with the subject property owner and the potential impact to completion of the Project. Subsequent to the adoption of the Resolution of Necessity, the City was able to successfully negotiate the purchase of 230 W. Cota Street property with the owner, Marsha Kvocka, Successor Trustee of the Vega Family Trust, dated October 15, 1991, in the amount of \$635,000. Staff has received the executed purchase agreement and grant deed back from Ms. Kvocka. Acceptance of the property interests by the City and authorization for the Public Works Director to execute the purchase agreement and grant deed require adoption of a resolution by Council. (Upon adoption of the resolution to accept and acquire 230 W. Cota Street, the Resolution of Necessity, adopted on May 7, 2013, will terminate without the need for further proceedings.)

**Cota Bridge Property Acquisitions:**

Address	Owner	City Offer/Appraisal Date	2 <sup>nd</sup> Owner Appraisal Date	Owner Counter Offer	City Counter Offer	Settlement Price Date
1) 536 Bath	Martel	\$550,000 11/8/12	\$650,000 12/10/12	\$650,000 12/14/13	\$600,000 1/10/13	\$600,000 2/20/13
2) 221 W. Cota	Grubb	\$600,000 11/1/12	\$675,000 1/18/13	\$675,000 1/18/13	\$610,000 2/28/13	\$660,000 4/19/13
<b>3) 230 W. Cota</b>	<b>Vega Trust</b>	<b>\$575,000 11/2/12</b>	<b>none</b>	<b>\$635,000 1/17/13</b>	<b>\$579,000 3/7/13</b>	<b>\$635,000 5/28/13</b>

**BUDGET/FINANCIAL INFORMATION:**

The purchase of these properties will be reimbursed by the FHWA Bridge Program at 88.53 percent through Caltrans administration. The City is responsible for 11.47 percent of the project costs.

The City's cost to acquire 230 W. Cota Street, which is proposed for authorization by this Council, is as follows:

Address	Cost	City Cost	FHWA Reimbursements
230 W. Cota	\$635,000	\$72,834.50	\$562,165.50

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There are sufficient funds in the Public Works Street Fund to cover the City's costs. The matching funds will come from revenues generated through the sale of surplus properties temporarily acquired for the completed Haley Street and Ortega Street bridge replacement projects. The FHWA requires that proceeds from such property sales be utilized on Title 23 (US Code) eligible projects. The Cota Streets Bridge Replacement Project is an appropriate use for these funds.

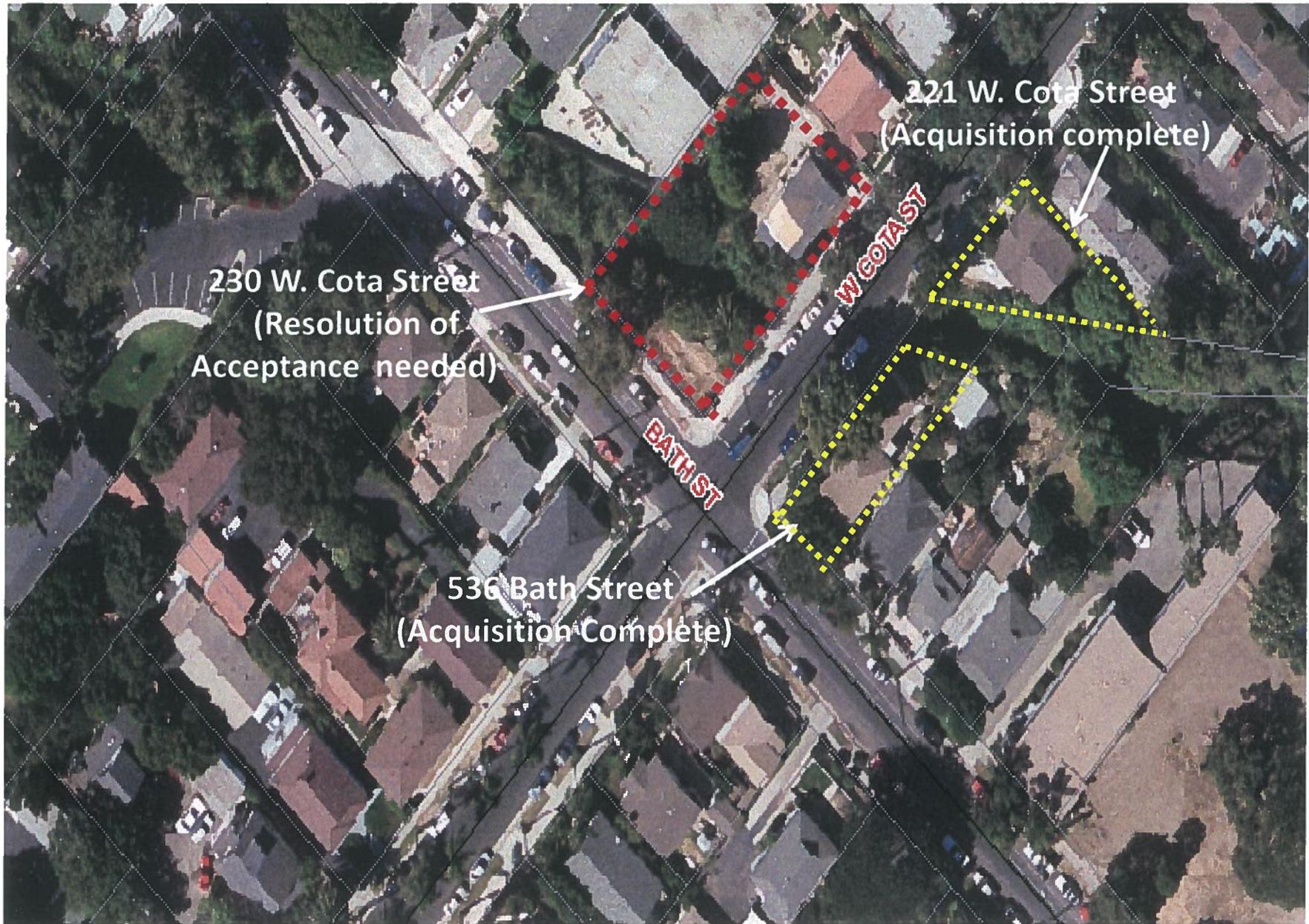
**ATTACHMENT(S):** Aerial map of property to be acquired

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/DT/mj

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

### 230 W. Cota Street property acquisition



230 W. Cota Street  
(Resolution of  
Acceptance needed)

221 W. Cota Street  
(Acquisition complete)

536 Bath Street  
(Acquisition Complete)