



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 14, 2014

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Acquisition Of Real Property Rights At 10 State Street And Increase In Relocation Services For The Cabrillo Boulevard 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 a Temporary Construction Easement Located at 10 State Street (APN: 033-111-006) and Authorize the Payment of Compensation for Temporary Use of Real Property Encumbered by a Private Parking Lot Easement at the Property Located at 6 State Street (APN: 033-111-011) Necessary for Construction of the Cabrillo Bridge Replacement Project, and Authorize the Acting Public Works Director to Execute the *Agreement for Acquisition of Temporary Construction Easement and Compensation for Temporary Use of a Parking Lot Easement*, Including any other Required Documents, and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara, State of California; and
- B. Authorize an amendment to Contract No. 388027 with Hamner, Jewell & Associates for the increase in relocation services for the Cabrillo Boulevard Bridge Replacement Project, in the amount not to exceed \$35,000, for a total project expenditure authority not to exceed \$60,000.

**DISCUSSION:**

**Acquisition of Real Property Rights**

The Cabrillo Boulevard Bridge Replacement Project ("Project") involves the replacement of the structurally deficient bridge over Lower Mission Creek, which requires the removal of a portion of the restaurant building located at 13 (otherwise known as 15) East Cabrillo Boulevard. The use of 6 State Street is required to reconstruct the existing

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Mission Creek wall and for construction staging purposes. The temporary construction easement at 10 State Street is necessary to provide adequate access width for equipment to the 6 State Street property. The Project is part of the Federal Highway Administration bridge program (FHWA Bridge Program) with engineering and real property oversight provided to the City through the State Department of Transportation (Caltrans).

On November 19, 2013, the City made a written offer to purchase a temporary construction easement (TCE) over a portion of 10 State Street (APN: 033-111-006) and to compensate the property owner, Above Mission Creek, LLC ("Property Owner"), for the use of a private parking lot easement over a portion of 6 State Street, (APN: 033-111-011), which is necessary for construction staging for the Project (see Attachment 1). The offer was based on the City's determination that \$33,000 is just compensation for the purchase of the TCE and use of the parking lot easement. This amount is based on, and supported by, the appraisal report prepared for the City by a licensed appraiser.

The *Agreement for Acquisition of Temporary Construction Easement and Compensation for Temporary Use of a Parking Lot Easement* has been executed by the property owner and delivered to City staff. The acquisition of the TCE and compensation for the use of the parking lot easement is on the Project's critical path and is necessary for construction to begin as scheduled in the Fall of 2014. The proposed City Council Resolution will authorize execution of the agreement by the Acting Public Works Director, including any other related documents that may be required, and will direct staff to record the related deed in the Official Records of the County of Santa Barbara, State of California.

### **Increase in Contract Amount for Relocation Services**

On August 8, 2012, the City Administrator authorized a relocation services contract (Contract No. 388027) with Hamner, Jewell & Associates to provide tenant relocation services related to the Project for an amount not to exceed \$25,000. The contractor has completed the services under the original Agreement to the point of actually relocating the tenant of the restaurant building at 13 East Cabrillo Boulevard (also referred to as 15 East Cabrillo Boulevard) and 21 Helena Avenue. The Project has had changing schedules, which resulted in more work by the consultant to manage the relocation. Additionally, the schedule delays affected the tenant's date to vacate the restaurant building. The tenant needs to relocate in early 2014, and is on schedule to do so. The proposed contract amendment will increase the original contract amount by \$25,000, plus include potential extra services in the amount of \$10,000 to allow the contractor to complete the necessary relocation services. This will include monitoring both a temporary displacement move and a permanent move, analyzing the entitled expenses due to the tenant, and preparing and processing claims for the City's approval/payment.

**BUDGET/FINANCIAL INFORMATION:**

The final purchase price for the temporary construction easement and the compensation for the temporary use of the parking lot easement, and the relocation services provided by the Contractor are 88.53% reimbursable through the Federal Highway Administration Bridge Program. The remaining 11.47% is the City's responsibility and there are sufficient funds in the Project fund to cover these expenses.

**ATTACHMENT(S):** Map of Temporary Construction Easement and Temporary Use of Parking Lot Easement

**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/MAW/kts

**SUBMITTED BY:** Rebecca Bjork, Acting Public Works Director

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

- = Temporary Construction Easement
- = Parking Lot Easement (not drawn to scale)

