



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 23, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Resolution For Purchase Of Property At 309 West Ortega Street For The Ortega Street Bridge Replacement Project

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Real Property Located at 309 West Ortega Street, and Authorizing the Public Works Director to Execute an Agreement for Acquisition of Real Property with Escrow Instructions and All Related Documents That May Be Required, Including, Among Others, Any Interim Rental Agreement, All Subject to Review and Approval as to Form by the City Attorney, Relating to the Proposed Ortega Street Bridge Replacement Project, and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara.

DISCUSSION:

The Ortega Street Bridge Replacement Project (Project) will replace the existing structurally deficient bridge over Lower Mission Creek. The replacement bridge will be consistent with the Lower Mission Creek environmental studies prepared by the Army Corps of Engineers. The Project will improve the hydraulic conveyance of the creek and will continue to accommodate the same number and sizes of traffic lanes and pedestrian access. The Project is an approved Federal Highway Bridge Program (HBP) participating project with oversight provided through the State of California Department of Transportation (Caltrans). The design of the Project is 95% complete and staff is currently working to acquire affected properties and associated right-of-way.

The real properties and easements identified below, and shown on Attachment 1, are required for the proposed Project and must be purchased by the City. This includes the property at 309 West Ortega Street, as shown on Attachment 2.

The City has provided written offers to all owners for the purchase of properties and easements based on appraisals approved by Caltrans. The City's acquisitions are on

the critical path for the Project schedule and must be obtained for the Project to begin as scheduled in spring 2011.

The agreement with escrow instructions required for the City's purchase of the property has been executed and delivered to City staff by the owners, Manuel and Juana Figueroa. The agreement provides for the City's purchase of the property for consideration in the amount of \$675,000, plus applicable closing costs.

The proposed resolution will allow the Public Works Director to execute the purchase agreement with the owners. It will also allow the Public Works Director to execute any other documents that may be required to accomplish the City's acquisition of the property, subject to review and approval of the documents by the City Attorney as to form.

The properties and easements needed for the Project are identified on Attachment 3.

Efforts are ongoing to obtain signed agreements with all respective owners of properties affected by the Project. When such agreements have been obtained, they will be scheduled for review and recommended for approval by Council.

The proposed resolution would also allow the Public Works Director to negotiate an interim rental agreement with the owners, subject to approval by the City Attorney as to the form of the agreement. The property at 309 West Ortega Street is currently occupied by the owners, Mr. and Mrs. Figueroa, and they are eligible for relocation assistance benefits pursuant to federal, state and local guidelines. After the proposed close of escrow (which will be expedited at the request of the owners), an interim rental agreement will be needed to allow their continuing occupation as tenants until they have been relocated to a replacement dwelling.

In addition to the approval of related agreements, the proposed resolution will also demonstrate formal acceptance by the City of the property at 309 West Ortega Street, and, thus, allow recordation of the necessary grant deed to the City at the close of escrow.

As shown on Attachment 2, the City already owns the property at 303 West Ortega Street. In 2007, Caltrans authorized the City to acquire this residence in advance of the Project because the owner needed to make costly repairs to the foundation, a portion of which exists within the Mission Creek floodway. Because the owner intended to sell the property after repairs, and because it was known that the old residence would be demolished to make way for any future Mission Creek or bridge project, Caltrans allowed the City to purchase the property before costly repairs could be done. Subsequently, the City purchased this property for its appraised value (\$620,000), as set forth in Agreement No. 22,341, and approved by Resolution No. 07-016. The City's advance purchase avoided any increase in the property value caused by the planned repairs, and avoided the need to relocate any occupants that would have been displaced by a public bridge or Mission Creek project.

As the last property to be purchased for this project, staff is actively pursuing the acquisition of 306 West Ortega Street. It is anticipated that a resolution to acquire the property will return to Council by Summer 2010.

BUDGET/FINANCIAL INFORMATION:

The following table summarizes all estimated project costs:

ESTIMATED TOTAL PROJECT COST

PROJECT PHASE	HBP SHARE	CITY SHARE	ESTIMATED COSTS
Design Phase	\$547,760	\$136,940	\$684,700
Right-of-way Phase	\$2,067,884	\$267,916	\$2,335,800
Construction Phase	\$2,691,967	\$348,773	\$3,040,740
Totals	\$5,307,611	\$753,629	\$6,061,240

The table above shows total estimated Project costs. The Project is currently in the Right-of-Way Phase and has been authorized up to \$2,350,000 (per written approval by Caltrans). Based on the approved appraisals, previous acquisition costs, estimated relocation costs, and anticipated management costs, the Project Right-of-way Phase cost is expected to have a surplus of funds.

Caltrans is overseeing the City's steps to purchase all properties and easements required for the Project since 88.53% of the City's eligible project costs and right-of-way costs will be reimbursed by the HBP through Caltrans. The City will be responsible for 11.47% of the eligible costs.

The shared acquisition costs relating to the property at 309 West Ortega Street are outlined as follows:

City @ 11.47%	=	\$77,423
HBP @ 88.53%	=	\$597,577
309 West Ortega Street Purchase Price	=	<u>\$675,000</u>

In addition to payment of costs for the purchase of properties and easements required for the Project, it will be necessary for the City to pay costs for the relocation of displaced occupants, as required by applicable federal and state laws and guidelines. The properties at 306 West Ortega Street and 309 West Ortega Street are occupied by residents eligible for relocation assistance and relocation assistance payments. Accordingly, a relocation plan has been prepared to initiate such steps at the appropriate time to relocate the displaced residents. Until each of the displaced occupants have been relocated to replacement dwellings, it is not possible to establish

the actual costs required for such relocations. When accomplished, the associated costs will also be shared with the State in accordance with applicable guidelines and the above formula.

There are sufficient appropriations in the Streets Capital Fund to cover the City's costs. Staff is working with Caltrans to secure construction funding and, contingent on state and federal authorization of grant funding, site work could begin in Spring 2011.

ATTACHMENT(S): 1) Right-of-Way Appraisal Map
2) 309 West Ortega Street Aerial Photo
3) Acquisitions And Easements For Ortega Street Bridge Replacement Project

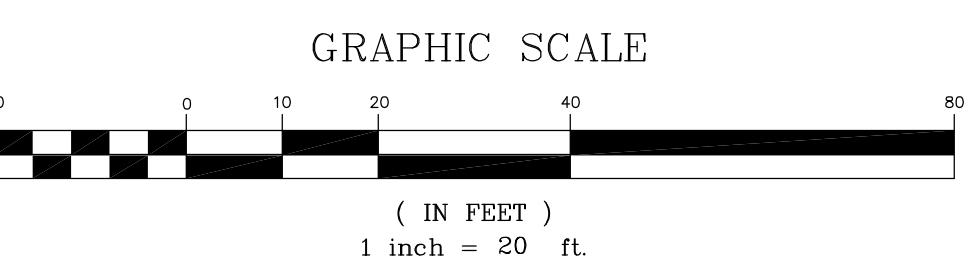
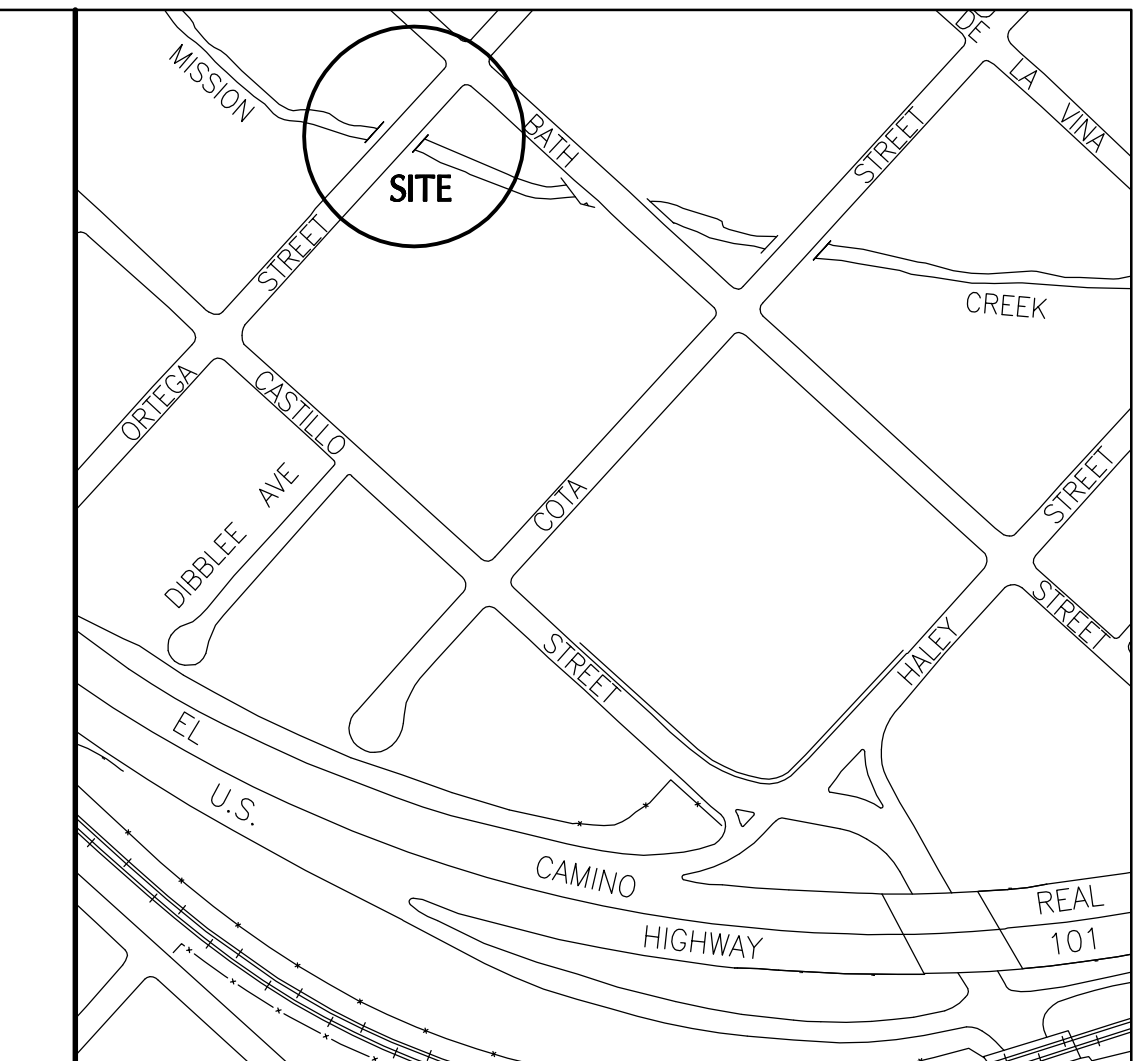
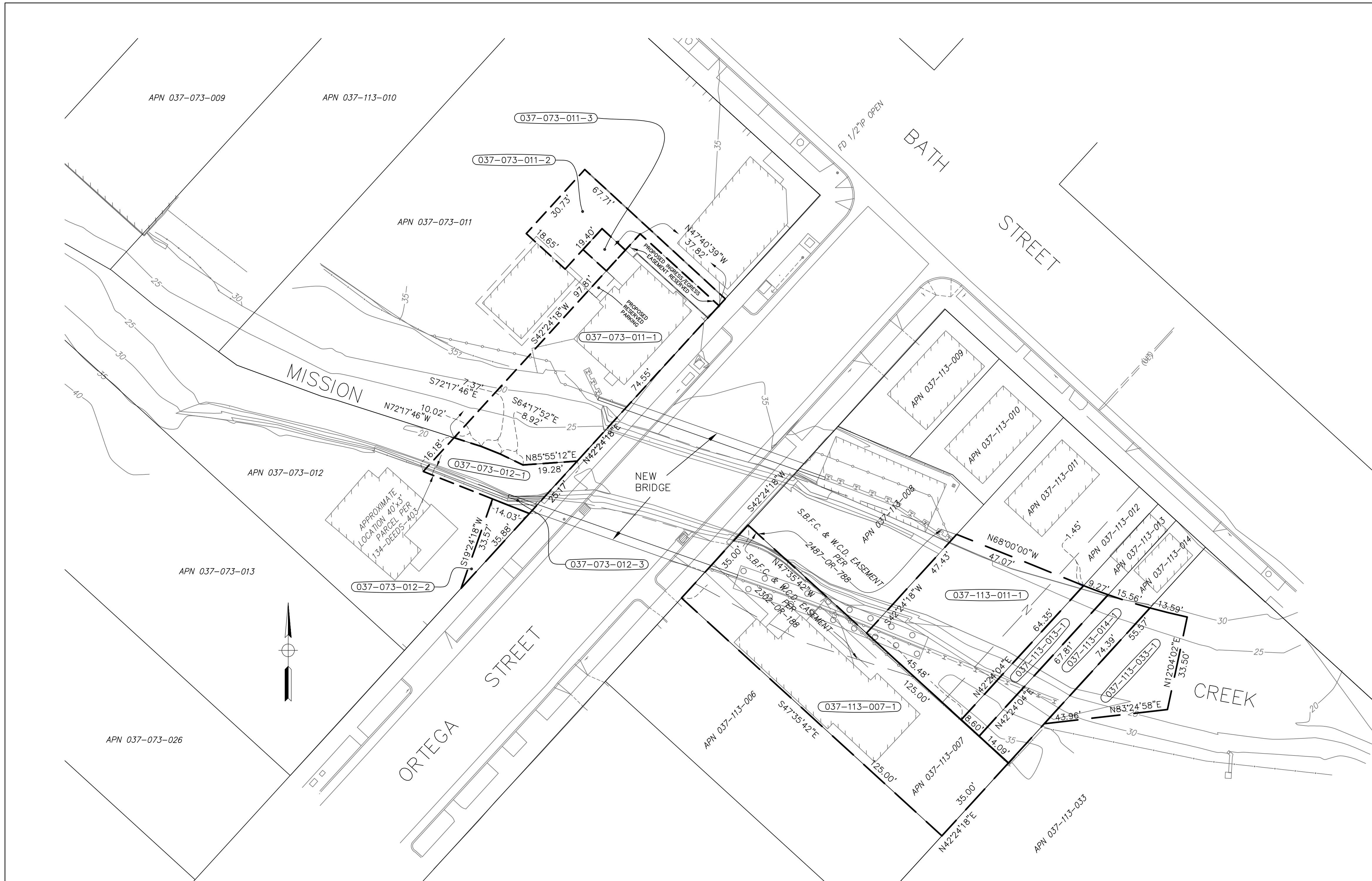
PREPARED BY: John Ewasiuk, Principal Civil Engineer/DI/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

REV	CK	DATE	REVISIONS

NAME	DATE



PARCEL NO.	GRANTOR	AREAS		REMARKS
		REQUIRED S.F.	TOTAL S.F.	
037-073-012-1	CAROLINA MARES, TRUSTEE FOR THE MARES FAMILY TRUST	683	9,624	EASEMENT FOR STREET, DRAINAGE AND FLOOD CONTROL PURPOSES
037-073-012-2	" " " "	235		TEMPORARY CONSTRUCTION EASEMENT
037-073-012-3	CITY OF SANTA BARBARA	120	120	QUITCLAIM FEE TO MARES FAMILY TRUST
037-073-011-1	MISSION CREEK PROPERTIES, LLC	3,357	19,296	FEE TO CITY OF SANTA BARBARA - PARKING/INGRESS/EGRESS EASEMENTS RESERVED
037-073-011-2	" " " "	828		INGRESS EASEMENT TO CITY OF SANTA BARBARA
037-073-011-3	" " " "	112		PARKING EASEMENT TO CITY OF SANTA BARBARA
037-113-011-1	RICHARD L. VAUGHAN AND TERESA N. VAUGHAN, TRUSTEES OF THE VAUGHAN TRUST	2,542	4,709	EASEMENT FOR DRAINAGE AND FLOOD CONTROL PURPOSES
037-113-014-1	HERMAN AND DOLORES ORTEGA	1,001	1,459	EASEMENT FOR STREET, DRAINAGE AND FLOOD CONTROL PURPOSES
037-113-013-1	SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT	568	890	ENCROACHMENT PERMIT
037-113-007-1	MANUEL AND JUANA FIGUEROA	4,375	4,375	FEE TO CITY OF SANTA BARBARA
037-113-033-1	HOUSING AUTHORITY OF SANTA BARBARA	1,028	47,958	TEMPORARY CONSTRUCTION EASEMENT

MNS ENGINEERS INC

ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS
Quality Infrastructure Services

4050 CALLE REAL, SUITE 110, SANTA BARBARA, CA 93110
TELEPHONE (805) 692-6821 FAX (805) 692-6831



Mark E. Reinhardt, PLS 6392 Date _____

CITY OF SANTA BARBARA, CALIFORNIA

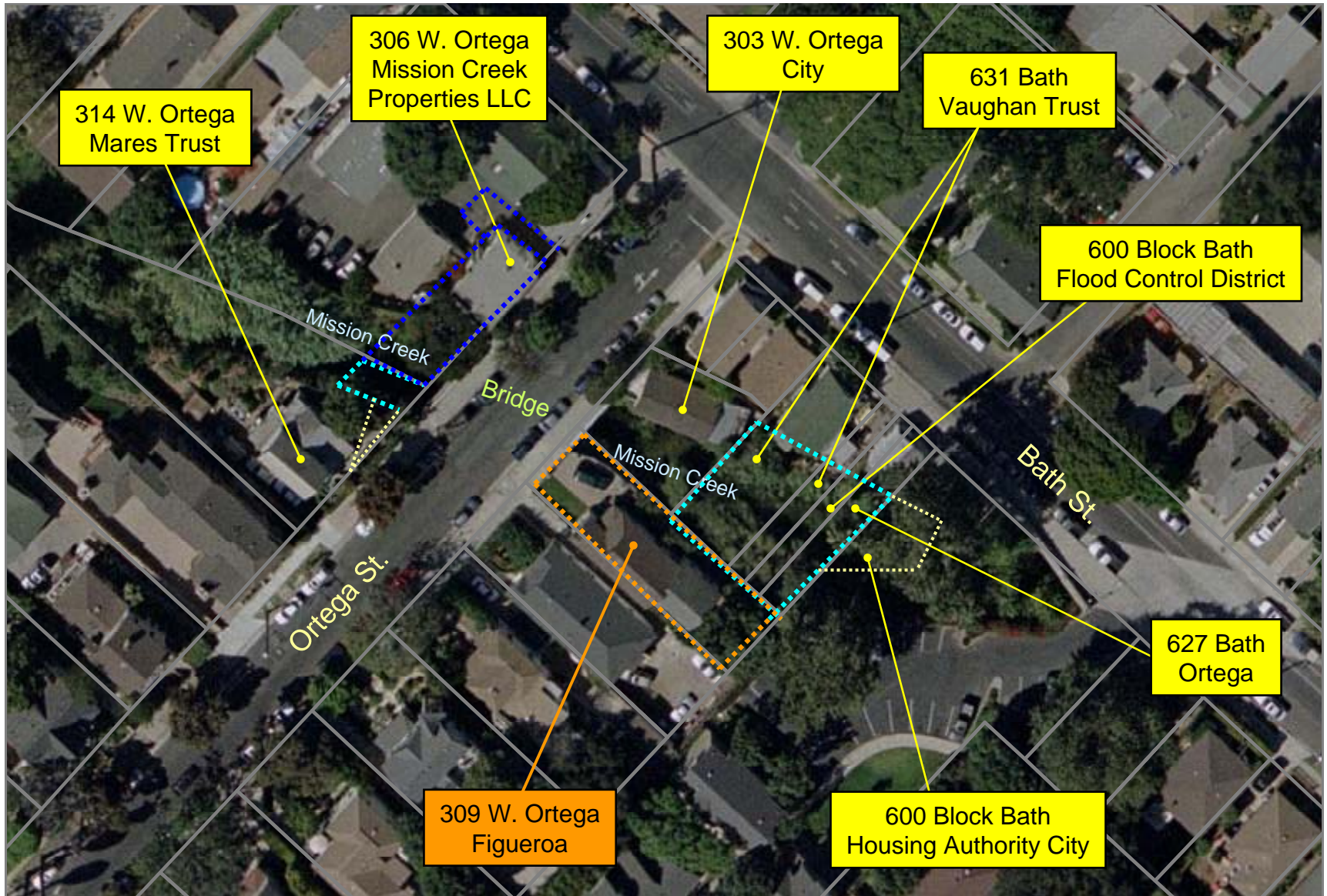
RIGHT OF WAY APPRAISAL MAP

FOR ORTEGA STREET BRIDGE REPLACEMENT PROJECT

OCTOBER 2009
SCALE 1 INCH = 20 FEET

Y:\City_of_SB\CSB335-Dr\Map.dwg Survey\CSB335 ROW A-Map.dwg 10/13/2009 5:05:50 PM PDT

FILE: CSB335 ROW A-MAP.dwg DATE: 10/9/09



309 West Ortega Street Aerial Photo

ATTACHMENT 3

Acquisitions And Easements For Ortega Street Bridge Replacement Project

The properties and easements needed for the Ortega Street Bridge Replacement Project are identified below.

<u>Address</u>	<u>Description</u>	<u>Status</u>
303 West Ortega Street City Property	Entire Property; Structure Located Within Mission Creek Work Area	City Acquired 2007
306 West Ortega Street Mission Creek Properties LLC	Portion Property in Fee; Vehicle Easement; Structure Located Within Mission Creek Work Area	Offer Pending
309 West Ortega Street Manuel & Juana Figueroa	Entire Property; Structure Within Mission Creek Work Area	Subject Resolution
314 West Ortega Street Mares Family Trust	Temporary Construction Easement; Mission Creek Easement	Offer Pending
600 Block Bath Street Housing Authority of City	Temporary Construction Easement for Work in Mission Creek	Offer Pending
627 Bath Street Herman & Dolores Ortega	Mission Creek Easement	Offer Pending
600 Block Bath Street County Flood Control District	Encroachment Permit for Work in Mission Creek	Permit Pending
631 Bath Street Vaughan Trust	Mission Creek Easement	Offer Pending