



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 27, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Purchase, Release, And Possession Of Property Interests For The Ortega 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 Various Permanent and Temporary Easement Interests Located at 314 West Ortega Street, 627 Bath Street, 631 Bath Street, and 620 Castillo Street, and Authorizing the Public Works Director, Subject to Review and Approval of the Form of the Four Separate Agreements by the City Attorney, to Execute Such Agreements and Related Documents that May be Required, Including Among Others, Necessary Escrow Instructions, all Relating to the Proposed Ortega Street Bridge Replacement Project, and Consenting to the Recordation of the Related Deeds in the Official Records, County of Santa Barbara; and
- B. Introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Quitclaim Deed to Release any Fee Interest Within Mission Creek Located on a Portion of the Real Property at 314 West Ortega Street, as Described in a Deed Recorded on February 27, 1912, in Book 134 of Deeds, at Page 403, and Authorizing the Public Works Director of the City to Execute the Same.

DISCUSSION:

Background

The Ortega Street Bridge (Bridge) Replacement Project (Project) will replace the old bridge over Lower Mission Creek (LMC). The new Bridge will be consistent with the LMC 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 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 the necessary property interests.

The property interests identified below and on Attachment 1 are required for the proposed Project and must be purchased by the City. This includes property interests at 314 West Ortega Street, 627 Bath Street, 631 Bath Street, and 620 Castillo Street, as shown on Attachment 2. All of the property interests needed for the Project are identified on Attachment 3.

As shown on Attachment 2, the City already owns the property at 303 West Ortega Street. This was acquired in advance of the Project to avoid the former owner's plan in 2007 to make costly repairs to the foundation existing in the LMC floodway. The City now also owns the adjacent property at 309 West Ortega Street, as authorized by Agreement No. 23,296, approved by Council on February 23, 2010.

The City has provided written offers to all owners for the purchase of the various property interests based on appraisals approved by Caltrans. The City's acquisitions are on the critical path for the Project schedule and must be completed for the Project to begin as scheduled in spring 2011.

The agreements required for the City's purchase of the easements at 314 West Ortega Street, 627 Bath Street, 631 Bath Street, and 620 Castillo Street have been signed and returned to City staff. The recommended Resolution is proposed to allow the Public Works Director to execute agreements with the owners, along with the execution of any documents required to accomplish the City's purchase of the easements, subject to review and approval of such documents by the City Attorney as to form. The Resolution is also proposed to demonstrate acceptance by the City of the easements.

314 West Ortega Street (Mares Trust)

The agreement proposed with Mares Trust for the purchase of permanent and temporary easements at 314 West Ortega Street provides for consideration in the total amount of \$6,880 plus escrow costs.

As partial consideration for the grant by Mares Trust of a specific permanent easement for a new street, bridge, and other LMC improvements, it is recommended that the City quitclaim a poorly described narrow strip of land on the property, located somewhere within the new easement for LMC, as described in a deed recorded in 1912. The recommended Ordinance is proposed to authorize the quitclaim by the City.

627 Bath Street (Ortega)

The agreement proposed with Herman and Dolores Ortega for the purchase of a permanent easement within LMC at 627 Bath Street provides for consideration in the amount of \$2,900, plus escrow costs.

631 Bath Street (Vaughan Trust)

The agreement proposed with The Vaughan Trust for the purchase of a permanent easement within LMC at 631 Bath Street provides for consideration in the amount of \$16,900, plus escrow costs.

620 Castillo Street (Housing Authority)

The agreement proposed with The Housing Authority of the City of Santa Barbara for the temporary construction easement within LMC at 620 Castillo Street provides for consideration in the amount of \$250.

306 West Ortega Street (Mission Creek Properties, LLC)

Efforts are ongoing to obtain a signed agreement with Mission Creek Properties, LLC, the owner of the property at 306 West Ortega Street. When such agreement has been obtained, it will be scheduled for approval by Council. Until then, interim agreements are being sought by City staff in an effort to obtain advance possession of the property for the Project.

BUDGET/FINANCIAL INFORMATION:

The table shown on Attachment 4 summarizes all estimated Project costs.

In addition to payment of costs for the purchase of properties and easements required for the Project, it is necessary for the City to pay costs for the relocation of displaced occupants, as required by applicable federal and state laws and guidelines. Although no occupants at 314 West Ortega Street, 627 Bath Street, 631 Bath Street, and 620 Castillo Street will be displaced, a relocation plan has been prepared to relocate the occupants of other properties at the appropriate time. Until all 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 formula shown on Attachment 4.

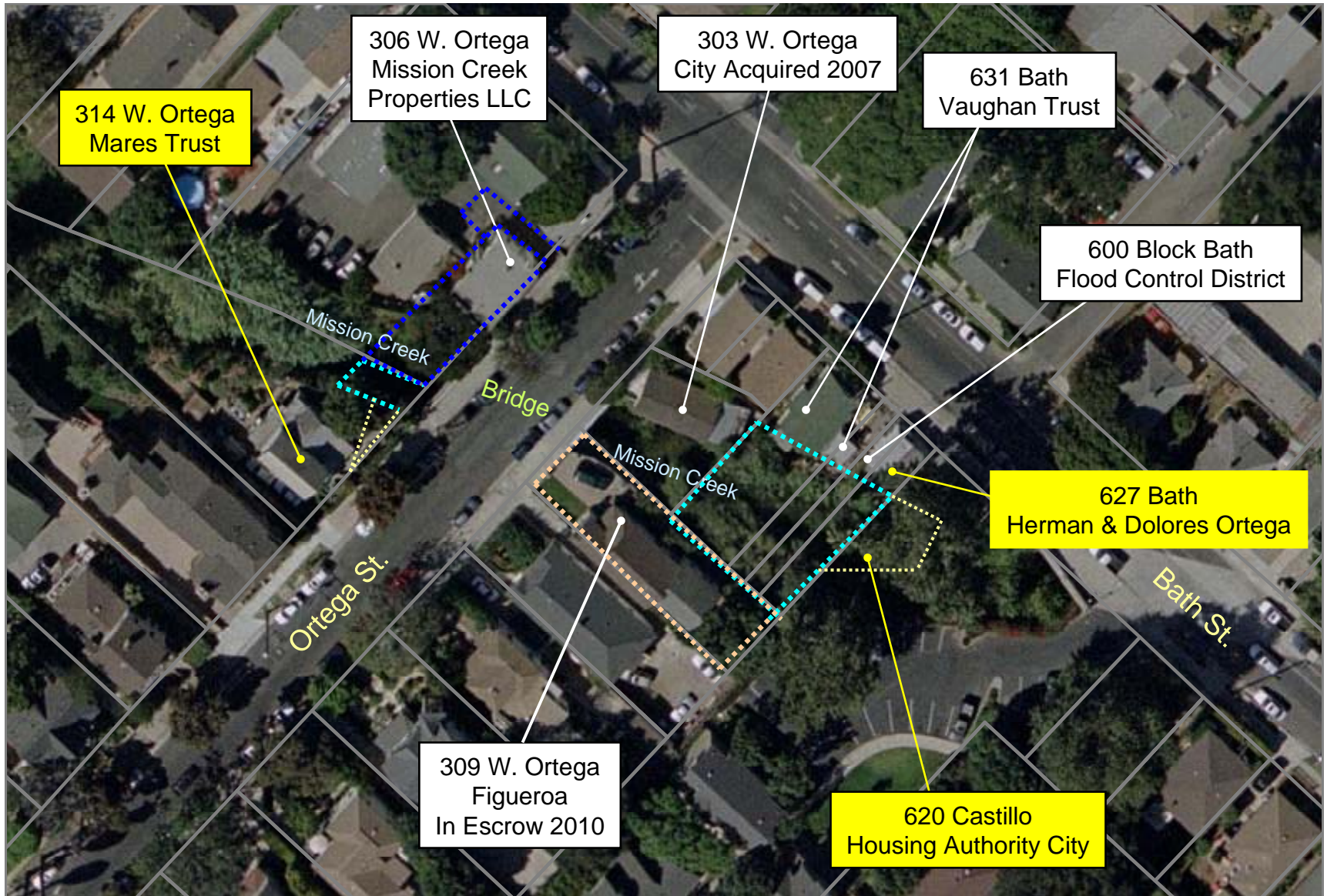
There are sufficient appropriations in the Streets Capital Fund to cover the City's costs. Staff is working with Caltrans to secure construction funding, and contingent on state and federal authorization of grant funding, site work could begin in spring 2011.

ATTACHMENTS: 1) Right of Way Appraisal Map
2) Project Area Aerial Photo
3) Acquisitions And Easements For Ortega Street Bridge
Replacement Project
4) Estimated Total Project Cost

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SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



PROJECT AREA 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.

Address	Description	Status
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 Await 2 nd Appraisal Proposed Resolution for Interim Agreements Item April 27, 2010
309 West Ortega Street, City Property	Entire Property; Structure Within Mission Creek Work Area	Agreement 23,296 Closed April 7, 2010
314 West Ortega Street, Mares Family Trust	Temporary Construction Easement; Mission Creek Easement	Proposed Resolution and Ordinance for Quitclaim This Item April 27, 2010
620 Castillo Street, Housing Authority of City	Temporary Construction Easement for Work in Mission Creek	Proposed Resolution This Item April 27, 2010
627 Bath Street, Herman & Dolores Ortega	Mission Creek Easement	Proposed Resolution This Item April 27, 2010
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	Proposed Resolution This Item April 27, 2010

ESTIMATED TOTAL PROJECT COST

PROJECT PHASE	HBP* SHARE	CITY SHARE	ESTIMATED COSTS
Design Phase	\$783,225	\$101,475	\$884,700
Right-of-way Phase	\$1,903,395	\$246,605	\$2,150,000
Construction Phase	\$3,324,920	\$430,780	\$3,755,700
Totals	\$6,011,540	\$778,860	\$6,790,400

* - Federal Highway Bridge Program

The table above shows total estimated Project costs. The Project is currently in the Right of Way Phase and has been authorized up to \$2,150,000 (per written approval by Caltrans).

Caltrans is overseeing the City's steps to purchase all properties and easements for the Project, since 88.53% of the City's eligible project costs and right of way costs will be reimbursed by the Federal Highway Bridge Program (HBP) through Caltrans. The City will be responsible for 11.47% of the eligible costs.

The shared acquisition costs relating to the easements being purchased at 314 West Ortega Street, 627 Bath Street, 631 Bath Street, and 620 Castillo Street are outlined as follows:

City @ 11.47%	=	\$3,090
HBP @ 88.53%	=	<u>\$23,840</u>
Total Combined Easement Costs	=	\$26,930

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.