

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 12/8/2015	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from Freeport-McMoRan Oil & Gas, LLC for the Price Canyon Road Widening Project, San Luis Obispo (WBS 300464). District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Approve and execute the Freeport-McMoRan Oil &amp; Gas, LLC Right of Way Agreement and direct the Clerk to return a copy of the executed Right of Way Agreement to the Department of Public Works for completion of the transaction; and</li> <li>2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents necessary to close the transaction associated with this real property interest.</li> </ol>			
(6) FUNDING SOURCE(S) Regional State Highway Account, State Surface Transportation Improvement Program, Federal Congestion Mitigation Air Quality and Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$16,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A    Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 3			

Reference: 15DEC08-C-6

# County of San Luis Obispo



TO: Board of Supervisors  
FROM: Public Works  
Phil Acosta, Right of Way Agent  
VIA: Dave Flynn, Deputy Director of Public Works  
DATE: 12/8/2015

SUBJECT: Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from Freeport-McMoRan Oil & Gas, LLC for the Price Canyon Road Widening Project, San Luis Obispo (WBS 300464). District 3.

## **RECOMMENDATION**

It is recommended that the Board:

1. Approve and execute the Freeport-McMoRan Oil & Gas, LLC Right of Way Agreement and direct the Clerk to return a copy of the executed Right of Way Agreement to the Department of Public Works for completion of the transaction; and
2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents necessary to close the transaction associated with this real property interest.

## **DISCUSSION**

The Price Canyon Road Widening Project, Phase II will construct shoulders along the roadway to serve as class II bicycle lanes from State Highway 227 to Ormonde Road. Implementation of the project would widen the shoulders from two feet to eight feet while minimizing potential environmental impacts and maximizing overall cost effectiveness of the project. Phase I, from State Highway 227 to 1,000' west of Corral de Piedra, was completed in March of 2013 and has already widened portions of the shoulders within that segment of the Project.

The attached Right of Way Agreement–Temporary Construction Easement (Agreement) from Freeport-McMoRan Oil & Gas, LLC will provide the County and its contractors with a Temporary Construction Easement for construction staging and related storage. Use of this staging area was identified in the project's environmental document and approval. The Agreement also provides permission for the County to enter four driveway areas for conforming of pavement surfaces.

This acquisition is based upon a fair market value staff appraisal. The execution of the Agreement will allow Public Works to proceed with processing and payment pursuant to the Agreement.

The project is expected to begin construction in Spring of 2016.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

Funding has been secured, via Caltrans, under both the State Transportation Improvement Program (STIP) and the Congestion Mitigation Air Quality (CMAQ) program. The County has secured approvals from the State Water Resources Control Board, Army Corps of Engineers, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.

County Counsel has reviewed and approved the attached documents as to legal form and effect.

## **FINANCIAL CONSIDERATIONS**

The Agreement provides for the following compensation:

Freeport-McMoRan Oil & Gas, LLC	\$16,000
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This is a multi-year project budgeted in the Road Fund – WBS 300464 in the amount of \$5,820,071. Funding for this project will come from Regional State Highway Account (RHSA), State Surface Transportation Improvement Program (STIP), Federal Congestion Mitigation Air Quality (CMAQ) and Road Fund.

No budget adjustment is necessary at this time.

## **RESULTS**

Approval of the recommended actions will result in appropriation of the property rights required for this budgeted project. The completed project will provide class II bicycle lanes on each side of Price Canyon Road from Highway 227 to the City of Pismo Beach resulting in a safer more livable community.

## **ATTACHMENTS**

1. Vicinity Map
2. Right of Way Agreement (Freeport-McMoRan Oil & Gas, LLC)

File: WBS 300464.05 (Price Canyon Road Widening, Phase II)

Reference: 15DEC08-C-6

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