

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/12/2016	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance from Phelan & Taylor Produce Company for the Oceano Drainage Improvement Project, Oceano. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Approve and execute the Real Property Transfer Agreement and accept the accompanying Easement Deed by execution of the attached Certificate of Acceptance; and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed 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 or instructions necessary to close the transaction associated with this real property interest. 			
(6) FUNDING SOURCE(S) Regional State Highway Account, Urban State Highway Account, Services to Special Districts, Caltrans Minor Projects Programs, Federal Aviation Administration Airport Improvement Program, Community Development Block Program	(7) CURRENT YEAR FINANCIAL IMPACT \$16,500.00	(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 4.			

Reference: 16JAN12-C-2

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: 1/12/2016

SUBJECT: Submittal of right of way documents accepting conveyance from Phelan & Taylor Produce Company for the Oceano Drainage Improvement Project, Oceano. District 4.

RECOMMENDATION

It is recommended that the Board:

1. Approve and execute the Real Property Transfer Agreement and accept the accompanying Easement Deed by execution of the attached Certificate of Acceptance; and direct the Clerk to record the Deed and return a copy of the executed Agreement and recorded Deed 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 or instructions necessary to close the transaction associated with this real property interest.

DISCUSSION

Highway 1 at the intersection of 13th Street at Paso Robles Street in Oceano has routinely flooded during storm events creating a variety of impacts on residents, property owners and the travelling public. Public Works is leading the effort to implement a project to address this situation. The project, generally, installs a storm drain pipe under Highway 1, the Union Pacific Railroad and Dolphin Avenue to a sedimentation pond for discharge into Arroyo Grande Creek.

Additional information regarding the Project is located in the Negative Declaration (ED-11-173) and Development Plan/Coastal Development Permit DRC2012-00044 approved on March 14, 2013 by the County Planning Commission and affirmed by Board of Supervisors Resolution No. 2013-136 dated June 4, 2013.

The attached Real Property Transfer Agreement and Easement Deed from Phelan & Taylor Produce Company will provide the County with one of three private drainage easements necessary to construct this critical drainage facility. The two remaining easements are currently under negotiation.

This acquisition is based upon a fair market value appraisal completed by an independent appraisal consultant. The approval and execution of the Real Property Transfer Agreement and the acceptance of the related Deed, by execution of the attached Certificate of Acceptance, will allow the Department to proceed with escrow processing and payment pursuant to the Agreement.

Pending the remaining property acquisitions and final State/Federal approvals, the project may proceed to construction as early as late summer 2016.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached documents as to legal form and effect. The County Environmental Coordinator has provided necessary clearance for this project.

The County Public Works Department is coordinating with the US Department of Housing and Urban Development (HUD), the Federal Aviation Administration (FAA), the California Department of Transportation (Caltrans), and San Luis Obispo Council of Governments who are planning to fund and approve the a new storm drain system to enhance existing drainage facilities in the southerly portion of the Oceano community lying adjacent to the east portion of the Oceano County Airport.

The Oceano Community Services District and Caltrans are working cooperatively with the County on this project on specific utility impacts and design coordination.

FINANCIAL CONSIDERATIONS

The Real Property Transfer Agreement provides for the following compensation:

Phelan & Taylor Produce Company	\$16,500
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This is a multi-year project budgeted in the Road Fund – WBS 300465 in the amount of \$2,044,289. Funding for this project will come from Regional State Highway Account (RHSA), Urban State Highway Account (USHA), Caltrans FY 2015-16 Minor Projects Program, Community Development Block Grant (CDBG), Federal Aviation Administration Airport Improvement Program (FAA-AIP), Services to Special Districts and the Road Fund.

No budget adjustment is necessary at this time.

RESULTS

Approval of the recommended action will result in the appropriation of the first of three real property conveyances required for this critical drainage project. Completion of the project will improve storm drainage facilities resulting in a safe and livable community.

ATTACHMENTS

1. Vicinity Map
2. Real Property Transfer Agreement (14-14 Phelan & Taylor)
3. Easement Deed

File: 300465.05 Oceano Drainage Improvement Project

Reference: 16JAN12-C-2

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