



Legislation Text

File #: 2020-0399, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number: Ken Tam (707) 565-3348

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

Highway 101/Airport Boulevard Interchange - Grant Highway Easement

Recommended Action:

Grant Highway Easement to State Department of Transportation (Caltrans) (Fourth District)

Executive Summary:

In early 2012, the County approved a Possession and Use Agreement with the State of California Department of Transportation (Caltrans) in connection with the Highway 101 and Airport Boulevard Interchange project. The Possession and Use Agreement allowed Caltrans to enter and make highway improvements on County land without obtaining fee title to the property.

Caltrans needed to take possession of two County owned parcels for the highway interchange project. The two affected parcels were designated for the future development of the Mark West Creek Trail, which is a multi-use bicycle and pedestrian path per the 2010 County Bicycle and Pedestrian. The County could not relinquish its property rights to the parcels without diminishing its ability to dictate the development of the Mark West Creek Trail; thus, did not sell the two parcels to Caltrans.

The approved Possession and Use Agreement permitted Caltrans to proceed and complete the highway improvements on County land and allowed additional time for the County and Caltrans to negotiate the terms of the property acquisition. The County has reached an agreement on the acquisition and will grant a highway easement to Caltrans.

Discussion:

The Highway 101/Airport Boulevard Interchange project (Interchange Project) was a joint project between the Sonoma County Transportation Authority (SCTA), Sonoma County Transportation and Public Works, and Caltrans. The Interchange Project was needed to reduce traffic congestion and improve traffic flow on Highway 101 and Airport Boulevard. The Interchange Project improvements include a new vehicle bridge with on and off ramps. The agencies entered into a Cooperative Funding Agreement for right of way support activities and right of way capital for the project.

The location of the highway improvements required Caltrans to obtain property from several private and public property owners including the County of Sonoma. The County owns two parcels in fee that Caltrans needs to acquire. The two parcels are located to west of Highway 101 near Mark West Creek where the

County plans to develop the Mark West Creek Trail (Trail). The planned Trail follows the Mark West Creek corridor starting at Old Redwood Highway, continuing west and connecting the SMART (Sonoma Marin Area Rail Transit) Trail, and ending at North Laughlin Road near Sonoma County Airport. The Mark West Creek Trail is a pathway that is separated from the roadway and designated for use by pedestrians and bicyclists per the 2010 County Bicycle and Pedestrian Plan and Airport Specific Plan. The Trail will be a community benefit by providing non-motorized access to residents, businesses, employment centers, and Sonoma County Airport.

The two adjoining County parcels were acquired by the County in two separate transactions on different dates. The first parcel, identified as public right of way and did not have an Assessor's Parcel Number (shown as "County Right of Way" on the attached location map), was dedicated to the County in 1988 as a condition of development of the adjoining parent property. The second parcel is 4.70 acres and is identified as APN 059-230-082 was acquired in 2007 as a dedication for open space purposes in connection with the approval of the Vineyard Creek Subdivision. For the interchange project, Caltrans needs to acquire a total of 14,678 square feet (0.34 acres) of County property. Caltrans has valued the County property at \$9,200 which the County has received payment in a prior fiscal year.

Since both County parcels were designated for the development of the planned Mark West Creek Trail, the County was not prepared to relinquish its property rights to Caltrans. In order to allow Caltrans to proceed with construction without delaying the project schedule, a Possession and Use Agreement was executed between the County and Caltrans. The Possession and Use Agreement granted Caltrans the irrevocable right to occupy and use the County parcels while negotiations continue between the parties regarding the public trail easements.

In order to maintain the County's property rights needed to develop the Mark West Creek Trail, the County decided to retain fee title to the land and grant a highway easement to Caltrans for roadway and utility purposes. The Highway Easement Deed will allow Caltrans to operate, maintain, and reconstruct the highway improvements on County land without restricting the County's ability to develop the planned Mark West Creek Trail.

Per the attached resolution, County staff is requesting the following actions from the Board: 1) Authorize the Board Chair to execute the Right of Way Contract and Highway Easement Deed with Caltrans, 2) Authorize the Regional Parks Director to file a Notice of Exemption with the Sonoma County Clerk in accordance with provisions of the California Environmental Quality Act, and 3) Authorize the Regional Parks Director to take additional actions with County Counsel approval if needed to completed the transaction.

Prior Board Actions:

March 20, 2012 (Resolutions 12-0114 and 12-0117) Board approves a Possession and Use Agreement with Caltrans that allowed Caltrans to proceed with improvements on County property related to the Highway 101/Airport Boulevard interchange project.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

The granting of the Highway Easement Deed to Caltrans will have no fiscal impact to the County. As stated in the Highway Easement Deed, Caltrans will be responsible for the costs related to the operation, maintenance, and reconstruction of the highway improvements on County property.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Attachment 1 - Location Map

Attachment 2 - Resolution

Related Items "On File" with the Clerk of the Board:

Onfile 1 - Right of Way Contract

Onfile 2 - Highway Easement Deed

Onfile 3 - Notice of Exemption