



MEMORANDUM

TO: City Council

FROM: Bill Robeson, Assistant City Manager/Public Works Director

BY: Shannon Sweeney, City Engineer

SUBJECT: Consider Traffic Way Bridge Temporary Construction Easement Execution

DATE: June 11, 2024

RECOMMENDATION:

Authorize the City Manager to fully execute a temporary construction easement (TCE) for certain real property, more particularly described as Assessor Parcel Number 007-481-011, that is necessary for the Traffic Way Bridge Replacement Project.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

Adequate funding for right-of-way acquisition costs was appropriated in the FY 2023-25 CIP Budget. The cost associated with this TCE is \$9,900. 88.53% of the cost for securing this TCE is provided through the Highway Bridge Program, which is funding a majority of this project. Fully executing this TCE now helps to maintain the current funding and construction schedule.

BACKGROUND:

Traffic Way Bridge was first constructed over Arroyo Grande Creek in 1932. The Bridge is programmed for replacement in calendar year 2025.

On [July 24, 2018](#), the City Council approved agreements to allow the City to seek reimbursement from the Local Highway Bridge Program for the Project. This funding will cover 88.53% of the bridge replacement cost, with the balance coming from local funds.

Bridge replacement design and plans and specifications development is underway and approaching the 95% completion level. These design plans confirm that TCEs across nine properties are needed to complete Project construction.

On January 25, 2023, staff received notice from Caltrans that the Federal Highway Administration authorized right-of-way funding for the Project, which allowed the City to begin reimbursable work for the right-of-way phase of the Project.

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On [September 26, 2023](#), the City entered into an agreement with Hamner, Jewell, and Associates. Since then, the right-of-way consultant has been working diligently to procure preliminary title reports and third-party appraisals. In March 2024, the consultant presented offers based on appraisals to all nine property owners with TCE offer letters.

On [May 14, 2024](#), the City Council fully executed temporary construction easements with the six property owners that had signed agreements prior to that meeting. Negotiations continued with the remaining three property owners. As of June 5, 2024, one additional property owner has signed a TCE agreement.

Negotiations continue with the two remaining property owners.

The City Council authorized a Resolution of Necessity on [April 23, 2024](#) to pursue eminent domain if negotiations are unsuccessful.

ANALYSIS OF ISSUES:

The attached TCE has already been signed by the property owner. Authorizing staff to execute this TCE allows for access to and staging for the Traffic Way Bridge Replacement Project.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Authorize the City Manager to fully execute the attached TCE;
2. Do not authorize the City Manager to fully execute the attached TCE; or
3. Provide other direction to staff.

ADVANTAGES:

Securing this TCE allows for access to and staging for the Traffic Way Bridge Replacement Project. 88.53% of cost for securing this TCE is provided through the Highway Bridge Program, which is funding a majority of this project. Fully executing this TCE at this time helps to maintain the current funding and construction schedule.

DISADVANTAGES:

No disadvantages have been identified.

ENVIRONMENTAL REVIEW:

On September 26, 2023, the City Council adopted an MND for the Traffic Way Bridge Replacement Project (SCH No. 2022060452). The MND analyzed the environmental impacts of the Project in compliance with the California Environmental Quality Act (CEQA). Securing this TCE, which is part of an important and necessary step towards construction of the Project, will have no direct or indirect physical impacts and does not constitute a substantial change to the Project such that revisions to the previously adopted MND are required. In fact, this action is taken pursuant to, and in conformity with,

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the analysis contained within the previously adopted MND. Thus, none of the conditions requiring subsequent environmental review called out in State CEQA Guidelines section 15162 or Public Resources Code section 21166 are present, and no further environmental review is required.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

ATTACHMENTS:

1. Temporary Deed and Easement Documents for APN 007-481-011