



# Board Agenda Item 39

DATE: April 3, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Right-of-Way Acquisition for BPMP-Scour Mitigation  
Project - Federal Project No. BPMP-5942(240)

RECOMMENDED ACTION(S):

**Accept the Easement Deeds and authorize the Chairman to execute the Right-of-Way Contracts required for Bridge Preventive Maintenance Program - Scour Mitigation Project No. 5942(240) for a total monetary consideration of \$26,050.**

Approval of the recommended action will authorize the purchase of additional right-of-way required to conduct maintenance activities on seven bridges as part of the Bridge Preventive Maintenance Program (BPMP). The easements being acquired pursuant to this action are located at four of the bridges, which are situated as shown on the attached Location Map and Exhibit A. This item pertains to four locations in District 4.

ALTERNATIVE ACTION(S):

Your Board may reject the purchase of this right-of-way; however, this would prevent the County from obtaining the necessary right-of-way to proceed with the project. If the necessary right-of-way is not acquired, the project will be cancelled and funding previously received for the project would have to be returned.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Warrants or checks will be drawn on the Road Fund 0010, made payable to the individual grantors listed below. This project is eligible for reimbursement under the BPMP. However, the Right-of-Way (ROW) Phase of the project will be paid for out of the Road Fund, and the County will receive credit of funds spent up to \$132,000 toward the local match of another bridge project through the Bridge Investment Credit (BIC) program. Sufficient appropriations for this project are included in the FY 2017-18 Public Works and Planning - Roads Org 4510 Adopted Budget.

The property owner names, addresses, and the basis of the compensation associated with these parcels are as follows:

- Parcels 3 & 5 (APN 004-010-021) - Kings River Conservation District, 4886 E. Jensen Avenue, Fresno, CA 93725 - \$10,700. This payment is for a 0.257 acre and 0.338 maintenance easement.
- Parcel 6 (APN 373-070-52) - Terry Gilliland, 7751 S. Alta, Reedley, CA 93654 - \$1,650. This payment is for a 0.060 acre maintenance easement.

- Parcel 7 (APN 373-070-48) - Luis C. Mora and Bertha S. Mora, Trustees, 21925 Sumner Avenue, Reedley, CA 93654 - \$2,300. This payment is for a 0.085 acre maintenance easement.
- Parcel 9 (APN 373-070-68S) - Maria E. Moore, Trustee, 7542 S. Alta, Reedley, CA 93654 - \$1,550. This payment is for a 0.057 acre maintenance easement.
- Parcel 10 (APN 348-120-20S) - The Nakamura Family Trust, P.O. Box 26, Fowler, CA 93625 - \$7,100. This payment is for a 0.221 acre maintenance easement.
- Parcel 11 (APN 348-180-01) - The Estate of Gail Ellen Geringer, 7081 E. Huntsman Avenue, Selma, CA 93662 - \$750. This payment is for a 0.024 acre maintenance easement.
- Parcels 13 & 14 (APN 063-090-60S) - Robin M. Bourdeau, Trustee, 188 ½ W. Polk Street, Coalinga, CA 93210 - \$2,000. This payment is for a 0.555 acre and 0.532 acre maintenance easement.

Of the total compensation provided pursuant to this agenda item, \$26,050 is for nine permanent maintenance easements.

DISCUSSION:

The proposed project consists of conducting maintenance activities on seven bridges as part of the Bridge Preventive Maintenance Program. The proposed work would extend the service life of the existing structure at each location by installing new or repairing existing scour countermeasures and conducting other maintenance activities at each location.

The BIC program encourages local agencies to deliver smaller bridge projects with local funds without having to meet Federal requirements. In this case, BIC was used towards the ROW Phase because Federal funds were not programmed toward ROW.

A Maintenance Easement and ROW Contract to the County of Fresno from Gail Ellen Geringer (Grantor) owner of Parcel 9 were executed on November 15, 2017. The Grantor subsequently passed away on November 27, 2017. The Grantor performed her contractual obligations by signing the easement deed and contract, and her passing does not preclude the County from executing the documents. Once this item is approved by your Board, the \$750 will be paid at a later date after probate is open, and a personal representative is appointed by the court for The Estate of Gail Ellen Geringer.

It is anticipated that construction may commence in the fall of 2018.

REFERENCE MATERIAL:

- BAI #46, August 22, 2017
- BAI #58, October 28, 2014
- BAI #42, October 23, 2012

ATTACHMENTS INCLUDED AND/OR ON FILE:

- Location Map
- Exhibit A
- On file with Clerk - Right-of-Way Contracts
- On file with Clerk - Grants of Easement

CAO ANALYST:

Sonia M. De La Rosa