RESOLUTION - ACTION REQUESTED 2020-689

MEETING: November 24, 2020

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Arts Park TCE Agreement Extension

RECOMMENDATION AND JUSTIFICATION:
Approve an Amended Agreement to the Temporary Construction Easement with the State of California Department of Transportation (Caltrans) to Allow an Additional Twelve (12) Months to Complete Work in and Around the Mariposa Arts Park; and Authorize the Board of Supervisors Chair to Sign the Agreement.

Caltrans is preparing to complete a project in downtown Mariposa that would, among other things, extend the sidewalk along Highway 140 from the Pizza Factory to the driveway between the Mariposa Arts Park and Chocolate Soup. In order to complete the work, and to avoid unnecessary lane restrictions on Highway 140, Caltrans requested and received a temporary construction easement to use the portion of the Arts Park adjacent to their project.

Caltrans paid $3,800 for the temporary easement, which was for a term of August 30, 2019, to December 31, 2020. It was not anticipated that construction would be active at the site for the entire period, but rather for three or four months within that span. To minimize impacts to the Arts Park and local businesses, the agreement requires no construction or impacts from construction from Memorial Day to Labor Day.

For various reasons, Caltrans has not been able to complete the work as intended and an extension of the easement to December 31, 2021, has been requested. Caltrans has offered to pay an additional $2,800 and will continue to avoid the period from July 1 to Labor Day, but has said they may need some time in late May or June to complete the work while mitigating impacts to local businesses to the best of their ability. Finding the extension to be generally consistent with the original agreement that was approved by the Board, and having no further concerns at this time, staff recommends approval of this item.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The County has been working with Caltrans for several years to complete an assessment and improvement to downtown walkways. The proposed project includes
Resolution - Action Requested 2020-689

adding crosswalk lighting and signals, improving existing sidewalks and extending the sidewalk downtown across the length of the Arts Park.

On May 7, 2019, the Board approved a TCE agreement with Resolution 19-249. That agreement expires December 31, 2020.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**
Do not approve. Caltrans may not be able to complete the project or will require lane restrictions and closures on Highway 140 in order to complete this work.

**FINANCIAL IMPACT:**
The original agreement included a $3,800 payment for the temporary easement. This amendment would provide an additional $2,800.

**ATTACHMENTS:**
Memorandum of Adjustment  (PDF)
16973 RW Contract Amendment  (PDF)
Original Agreement  (PDF)

RESULT:  ADOPTED [UNANIMOUS]
MOVER:  Marshall Long, District III Supervisor
SECONDER:  Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey