



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: September 17, 2013

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Measure R Program Supplement with the Tulare County Transportation Authority for the Betty Drive Interchange Project

REQUEST(S):

That the Board of Supervisors:

1. Approve a Measure R Program Supplement with the Tulare County Transportation Authority in the amount of \$6,666,000 for right of way acquisition and utility relocation for the Betty Drive Interchange project retroactive to June 1, 2013. The agreement is retroactive because of the time it took to develop the Cooperative agreement with Caltrans and the companion Measure R Program Supplement and that Caltrans requested the County to review 30 percent complete plans prior to having the required agreements in place and staff did not want to hold up that review while the agreements were being processed;
2. Find that the Board had authority to enter into the proposed agreement as of June 1, 2013 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman of the Board of Supervisors to sign the Measure R Program Supplement.

SUMMARY:

The State of California Department of Transportation (Caltrans) is undertaking a project to reconstruct the Betty Drive interchange in the community of Goshen in the County of Tulare. The proposed project will make Betty Drive a through-road by connecting to the realigned Riggin Avenue (Avenue 312) on the east of the interchange, and to Avenue 308 on the west side of the interchange. Traffic signals

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will be installed at the ramp intersections of Betty Drive. The ramps at Avenue 304 would be closed to provide acceptable operations between the Betty Drive Interchange and State Route 99/198 Separation. Construction of a new drainage basin will also be necessary.

The purpose of the project is to reduce traffic congestion and improve traffic flow at the Betty Drive interchange. The existing interchange will be completely replaced with a new interchange designed and constructed to meet current engineering standards to improve traffic operations on Betty Drive, as well as on the mainline of State Route 99 and the local streets in the interchange area.

This Measure R Program Supplement Agreement is a companion agreement to the Cooperative Agreement developed with Caltrans for this project (see companion item on the agenda). The Tulare County Transportation Authority (Measure R) is funding approximately 50 percent of the right of way acquisition and utility relocation phase of the project. This Measure R Program Supplement will provide local Measure R funds in the amount of \$6,666,000 which will be used to reimburse Caltrans for right of way acquisition and utility relocation (\$6,600,000), and to cover County administrative costs (not to exceed \$66,000). State funding in the amount of \$6,492,000 will be used to fund utility relocation and Caltrans right of way support costs, for a total right of way budget of \$13,092,000 (this amount does not include the not to exceed \$66,000 identified for County staff time).

Staff is recommending that the Program Supplement be retroactive back to June 1, 2013. This is because of the time it took to develop the Cooperative agreement with Caltrans and the companion Measure R program supplement and that Caltrans requested the County to review 30 percent complete plans prior to having the required agreements in place and staff did not want to hold up that review while the agreements were being processed.

The Tulare County Transportation Authority reviewed and approved the Program Supplement at their September 16, 2013 meeting.

Caltrans obtained California Environmental Quality Act (CEQA) (State Clearinghouse Number 2011071024) and National Environmental Policy Act (NEPA) clearance on June 28, 2012.

Based on the *Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significant Impact* dated June 2012, the Project Approval and Environmental, Plan Specifications and Estimates and Right of Way support phases are currently programmed in the State Transportation Improvement Program, with funding for both design and right-of-way phases to start in the 2013/14 fiscal year. Right-of-way capital is currently programmed as Local Transportation Funds (Measure R). The construction phase is not funded and is currently proposed to be funded with Measure R funds.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF MEASURE R)
PROGRAM SUPPLEMENT WITH THE)
TULARE COUNTY TRANSPORTATION)
AUTHORITY FOR THE BETTY DRIVE)
INTERCHANGE PROJECT)

Resolution No. _____
Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD SEPTEMBER 17, 2013 BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

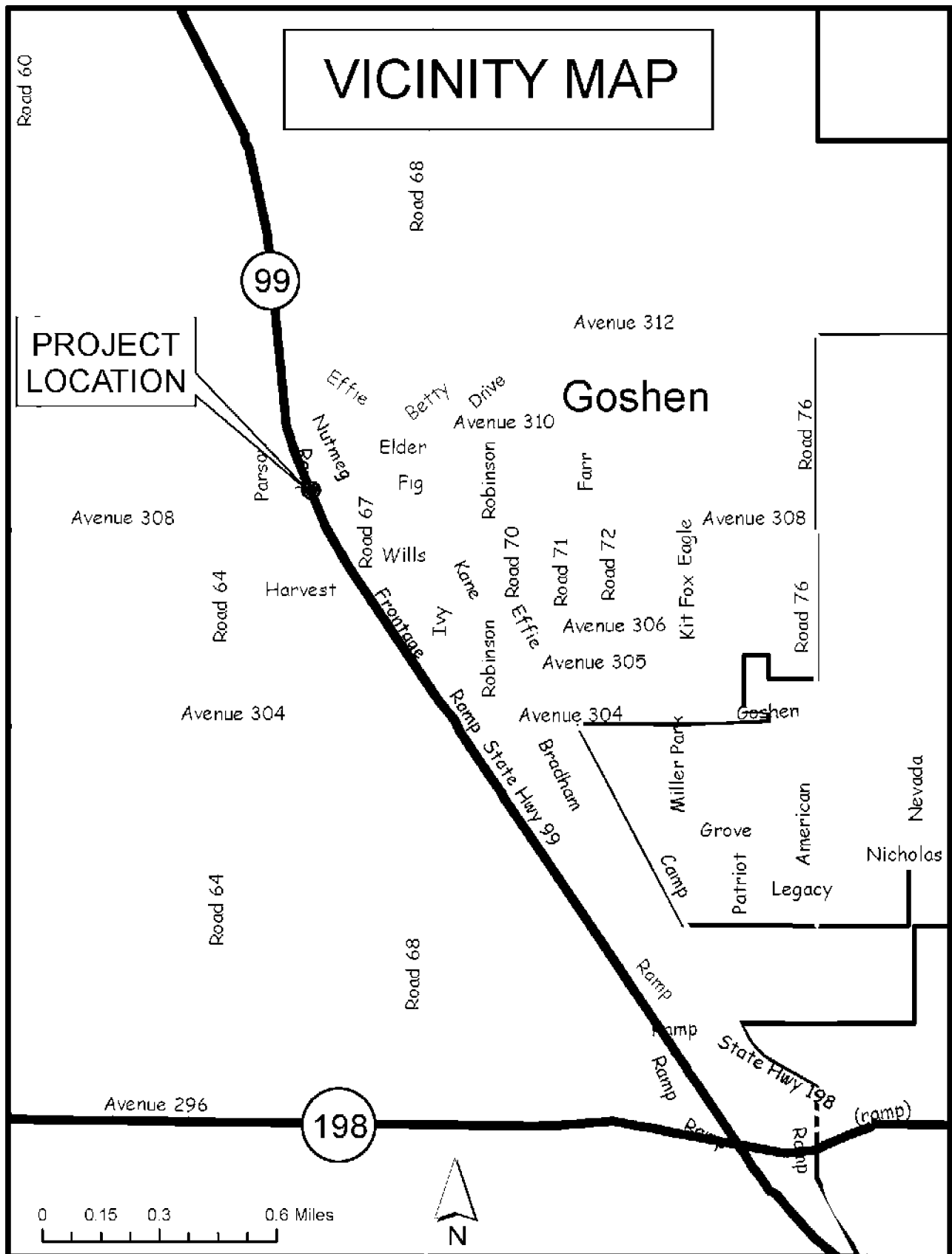
ATTEST: JEAN M. ROUSSEAU
 COUNTY ADMINISTRATIVE OFFICER/
 CLERK, BOARD OF SUPERVISORS

BY: _____
 Deputy Clerk

1. Approved a Measure R Program Supplement with the Tulare County Transportation Authority in the amount of \$6,666,000 for right of way acquisition and utility relocation for the Betty Drive Interchange project retroactive to June 1, 2013. The agreement is retroactive because of the time it took to develop the Cooperative agreement with Caltrans and the companion Measure R program supplement and that Caltrans requested the County to review 30 percent complete plans prior to having the required agreements in place and staff did not want to hold up that review while the agreements were being processed;

2. Found that the Board had authority to enter into the proposed agreement as of June 1, 2013 and that it was in the County's best interest to enter into the agreement on that date; and

3. Authorized the Chairman of the Board of Supervisors to sign the Measure R Program Supplement.



Project Vicinity Map

Attachment B

Program Supplement

**MEASURE R PROGRAM SUPPLEMENT TO
COOPERATIVE AGREEMENT
Betty Drive Interchange
Right of Way**

This Program Supplement is made and entered into on _____, by and between the COUNTY OF TULARE (SPONSOR) and the TULARE COUNTY TRANSPORTATION AUTHORITY (AUTHORITY).

WHEREAS the California Transportation Department (Caltrans) is undertaking a project to improve the State Route 99 and Betty Drive interchange (PROJECT); and

WHEREAS PROJECT is identified in the Measure R Expenditure Plan and is partially funded by Measure R; and

WHEREAS SPONSOR has entered into a Cooperative Agreement with State of California acting through Caltrans (Caltrans Agreement Number 06-1549) on _____ commonly referred to Tulare County Agreement Number _____; and

WHEREAS SPONSOR desires to be reimbursed by AUTHORITY; and

WHEREAS AUTHORITY desires to reimburse SPONSOR; and

WHEREAS This Program Supplement hereby incorporates the "Measure R Cooperative Agreement" for Measure R Expenditures which was entered into between SPONSOR and AUTHORITY on May 22, 2007 (Tulare County Agreement Number 23149) and is subject to all terms and conditions thereof. This Program Supplement is executed under authority of Resolution No. _____, approved by the Sponsor on _____. (See copy attached); and

WHEREAS this Program Supplement is for \$6,666,000 in Measure R Regional Funds.

NOW THEREFORE IT IS AGREED as follows:

SPONSOR agrees that this Program Supplement shall not exceed \$6,666,000. Project Scope, Costs, and Schedule are incorporated herein as Exhibit "A" and agreed upon by SPONSOR and AUTHORITY.

SPONSOR agrees that it will only proceed with work authorized by this Program Supplement.

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Tulare County Agreement Number _____

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

TULARE COUNTY TRANSPORTATION
AUTHORITY

TULARE COUNTY

By: _____
Ted Smalley
Director

By: _____
Pete Vander Poel
Chairman

ATTEST: Leslie Davis

ATTEST: JEAN M. ROUSSEAU
County Administrative Officer/Clerk
of the Board of Supervisors of the
County of Tulare

By: _____

By: _____
Deputy Clerk

Approved as to Form
County Counsel

By: Pete O. ATF 8-6-13
Deputy County Counsel
Matter ID 20131241

EXHIBIT A

Expenditures:

Reimbursement to Caltrans for right of way acquisition and utility relocation for the State Route 99 and Betty Drive interchange improvement project pursuant to Caltrans Cooperative Agreement (Caltrans Agreement Number 06-1549) Tulare County Agreement Number _____.	\$6,600,000
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Reimbursement of Tulare County administrative costs.	<u>66,000</u>
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Total Expenditures:	\$6,666,000
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Revenues:

Measure R Regional Program Funding	<u>\$6,666,000</u>
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Total Revenue:	\$6,666,000
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Begin Work May 1, 2013

End Work December 31, 2015