



# Resource Management Agency

## COUNTY OF TULARE AGENDA ITEM

### BOARD OF SUPERVISORS

LARRY MICARI  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** July 30, 2024

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

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

**SUBJECT:** Approve Right-of-Way Contract with Gregory R. Cahill and Sandra S. Cahill as Part of the Avenue 280 Widening Project - Segment 2

**REQUEST(S):**

That the Board of Supervisors:

1. Approve the Right-of-Way Contract with Gregory R. Cahill and Sandra S. Cahill in the amount of \$67,300 as part of the Avenue 280 Widening Project - Segment 2, between Lovers Lane and Virginia Avenue, near the Cities of Visalia and Farmersville.
2. Authorize the Resource Management Agency Director, or his/her designee, to sign the Contract and all documents needed to facilitate the related right-of-way acquisition.
3. Direct the Resource Management Agency Director, or his/her designee, to provide a signed copy of the Contract to the Clerk of the Board, with all other related documents to be maintained by the Resource Management Agency.
4. Direct the Auditor to draw warrants in favor of the County's designated escrow company for the contract amount, plus escrow fees estimated at \$2,051.

**SUMMARY:**

The County of Tulare (County) is currently in the right-of-way phase for the Avenue 280 Widening Project - Segment 2 (Project). The Project will accommodate projected increases in traffic and modernize approximately 2.5 miles of Avenue 280 between Road 140/Lover's Lane and Road 160/Virginia Avenue, near the Farmersville city limits. The Project will widen the road from an undivided two-lane road to a four-lanes roadway with a center median, turn lanes and intersection improvements. The Project will also install roadside drainage facilities, improve bridges and culverts, relocate utilities, new traffic stripes and pavement markings. The anticipated construction start date is spring of 2025.

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In accordance with the County of Tulare's Right-of-Way process, as set by the Caltrans Right-of-Way Manual and the adoption of Chapter 10 of the Local Assistance Procedures Manual, the County cannot proceed with the Project until acquiring all necessary rights-of-way and temporary construction easements.

The subject property, a portion of APN 127-020-017, is owned by Gregory R. Cahill and Sandra S. Cahill. It was appraised by the certified appraisers with The Hopper Company, on December 13, 2023. Since that time County staff have negotiated with the Cahills attempting to reach a resolution. On April 9, 2024, the Board approved a Resolution of Necessity, directing counsel to initiate and pursue legal action and authorize a deposit of probable compensation in the amount of \$43,900. Shortly after the resolution was approved, the Cahills presented an independent appraisal with a valuation of \$67,300, conducted by RowLand Valuation. The County reviewed this appraisal and found the valuation to be fair. Consequently, the County and the Cahills agreed to settle at \$67,300. The purchase of the subject property is necessary for Project completion.

Staff estimates that the escrow and title costs will be \$2,051. Therefore, staff requests that the Board authorize a warrant to be drawn to First American Title Company, or the County's designated title company, in the amount of \$69,351. Any overages will be refunded to the County upon the close of escrow.

By agreeing to the negotiated value, the County will be able to terminate the eminent domain proceedings.

**FISCAL IMPACT/FINANCING:**

No net County cost to the General Fund.

The Project (RMA No. 19300068-003) was approved as part of the 2022-23 County Transportation Improvement Program (CTIP) and will be funded in full by Measure R Regional Funds. Total funding for the project by Measure R was increased in June of 2023 (Resolution No. 20230594) to \$10.7 million. Though not anticipated, any costs in excess of Measure R Regional funding would be covered with other Road's funding.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

**ADMINISTRATIVE SIGN-OFF:**

/s/ Reed Schenke

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Reed Schenke, P.E.  
Director

Cc: County Administrative Office

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Attachment A: Agreement with Gregory R. Cahill and Sandra S. Cahill