



**SAN BENITO COUNTY  
AGENDA ITEM  
TRANSMITTAL FORM**

Dom Zanger  
District No. 1

Kollin Kosmicki  
District No. 2

Mindy Sotelo  
District No. 3  
Vice-Chair

Angela Curro  
District No. 4  
Chair

Bea Gonzales  
District No. 5

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**Item Number: 1.30**

**MEETING DATE:** 06/18/2024

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**AGENDA ITEM PREPARER:** Deems Katada

**DEPT HEAD/DIRECTOR:** Steve Loupe

**SUBJECT:**

**RESOURCE MANAGEMENT AGENCY – S. LOUPE, PUBLIC WORKS ADMINISTRATOR**

Adopt Resolution accepting grant deeds for right of way dedication, slope easement, retaining wall easement, and temporary construction easement for the Union Road Bridge project from D&D Brigantino Family Limited Partnership, approving quitclaim deeds and a permanent easement to a portion of existing Union Rd., and authorizing the Board Chair to sign the Resolution, the Certificates of Acceptance and Consent to Record allowing recordation of the grant deeds and easement grants, and to sign the quit claim deeds, and authorizing the Public Works Administrator to sign the permanent easement to a portion of existing Union Road, upon filing the Certificate of Completion for the project.

SBC FILE NUMBER: 105.3

RESOLUTION NO.: 2024-73

**AGENDA SECTION:**

CONSENT AGENDA

**BACKGROUND/SUMMARY:**

The County is seeking to acquire right-of-way, permanent easements, and temporary construction easement for purposes of construction of the Union Road Bridge. The County had been negotiating with the property owner, but since no agreement had been reached with the property owner D&D Brigantino Family Limited Partnership and to avoid further delay of the project and to allow time for negotiations, County and Owner had agreed to enter into a Possession and Use Agreement to enable the project to move into the Right-of-Way Certification Phase so that Construction can be authorized by Caltrans. The

Possession and Use Agreement had been entered between the County and Owner on December 15, 2020, which enables the project to move forward, and construction is now in progress. Since then, the county has been negotiating with the property owner and has finally reached a settlement. The Board approved the Property Purchase Agreement at its April 9, 2024 meeting, reflecting the terms of settlement. Resolution No. 2024-\_\_\_, accepting grant deeds for right-of-way, permanent easements for slope and retaining wall purposes, and a temporary construction easement for the Union Road Bridge project from the D&D Brigantino Family Limited Partnership, and approving quit claim deeds and a permanent easement to a portion of existing Union Rd. as part of the settlement agreement, is presented for the Board's consideration.

**RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:**

Yes

**CONTRACT NEEDED FOR THIS ITEM:**

No

**LAST CONTRACT AMOUNT OR N/A:**

N/A

**STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:**

N/A

**STRATEGIC PLAN GOALS: 1. Operational Development & Excellence**

No

**STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth**

Yes

**STRATEGIC PLAN GOALS: 3. Technology**

No

**STRATEGIC PLAN GOALS: 4. Community Engagement**

Yes

**STRATEGIC PLAN GOALS: 5. Health & Safe Community**

No

**BUDGETED:**

Yes

**BUDGET ADJUSTMENT NEEDED:**

No

**SOURCE OF FUNDING:**

Non-general Fund

**UNFUNDED MANDATE:**

N/A

**SBC BUDGET LINE ITEM NUMBER:**

210.70.2020.1211.650.201

**CURRENT FY COST:**

\$27,000,000.00

**STAFF RECOMMENDATION:**

1. Adopt Resolution accepting grant deeds for right-of-way, permanent easements for slope and retaining wall purposes, and a temporary construction easement for the Union Road Bridge project from the D&D Brigantino Family Limited Partnership, and approving quit-claim deeds & a permanent easement (existing Union Rd.)
2. Authorize the Board Chair to sign the Resolution and the Certificates of Acceptance and Consent to Record, allowing recordation of the grant deeds and easement grants; and
3. Authorize the Public Works Administrator to sign the permanent easement to a portion of existing Union Road, upon filing of the Certificate of Completion for the project.

**BOARD ACTION RESULTS:**

1. Adopted Resolution No. 2024-73 per staff recommendation. (5/0 vote)
2. Authorized Board Chair to sign per staff recommendation. (5/0 vote)
3. Authorized Public Works Administrator to sign permanent easement per staff recommendation. (5/0 vote)

**ATTACHMENTS:**

[Board Resolution Accepting Right of Way Grants, Easements, Temporary Construction Easement, and Approving Quit-Claim Deeds and Easement Fully Executed Resolution - No. 2024-73](#)