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Agenda Item: 1-B (File ID#15-923)

Date: 11/5/15

CITY CLERK, FRESNO

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Items – 1-B (File ID# 15-923)

Contents of Supplement: Updated Staff Report (Environmental Findings and EA number)

Item(s)

Actions pertaining to right-of-way acquisition for Herndon Avenue auxiliary lane between Fresno Street and Freeway 41. (Council District 6)

Supplemental Information:

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CITY CLERK, FRESNO CA

REPORT TO THE CITY COUNCIL

November 5, 2015

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

THROUGH: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division

CRAIG L. HANSEN, Supervising Real Estate Agent
Public Works Department, Real Estate Services Section

BY: PETE CALDWELL, Senior Real Estate Agent
Public Works Department, Real Estate Services Section

SUBJECTS

Actions pertaining to right-of-way acquisition for Herndon Avenue auxiliary lane between Fresno Street and Freeway 41. (Council District 6)

1. Adoption of environmental finding of Categorical Exemption for Environmental Assessment No. EA-13-001 for Herndon Avenue auxiliary lane between Fresno Street and Freeway 41.
2. Acquisition of a 2,651square foot easement and right-of-way for public street purposes and the acquisition of 10,461 square foot pedestrian, bike path, and landscape easement from property owned by Harvender Singh on a portion of APN 303-180-55 in the negotiated amount of \$195,000. (Council District 6)

RECOMMENDATIONS

Staff recommends that the City Council:

1. Adopt the environmental finding of Categorical Exemption for Environmental Assessment No. EA-13-001 pursuant to Section 15301(c)/Class 1 of the California Environmental Quality (CEQA). Guidelines Section 15300.2
2. Approve acquisition of a 2,651square foot easement and right-of-way for public street purposes and 10,461 square foot pedestrian, bike path, and landscape easement from

property owned by Harvender Singh on a portion of APN 303-180-55.

EXECUTIVE SUMMARY

Right-of-way negotiations have been successfully completed for the Herndon Avenue Auxiliary Lane Project between State Route 41 and Fresno Street. This grant-funded capital improvement project will add a westbound auxiliary lane to relieve congestion and close a gap in the Herndon Avenue multi-purpose trail. Right-of-way is needed on the north side of Herndon Avenue from two parcels. A 2,651 square-foot easement and right-of-way is needed from land owned by Harvender Singh. The property owner has agreed to transfer the right-of-way to the City for the negotiated settlement value of \$195,000.00.

BACKGROUND

On October 15, 2009 the City Council authorized the submittal of a grant application for Regional Surface Transportation Program (RSTP) funds to widen westbound Herndon Avenue from Fresno Street to the State Route 41 (41). The project was selected for funding and the design and environmental work is now complete. The work includes widening Herndon Avenue by 14 feet, installing new curb and gutter, construction of multipurpose trail, and new pedestrian access ramps at Fresno Street and SR-41 entrance ramp. The project is needed to relieve growing traffic congestion, meet current and future traffic demands, improve air quality through traffic operational improvements, and improve safety for vehicles, pedestrians, and bicycles. The project is tentatively scheduled to be advertised for construction bid in early 2016, with construction scheduled to begin mid-2016.

Right-of-way acquisition is needed from a portion of two adjacent properties (APN 303-180-55 and 303-170-70). A 2,651 square-foot easement is needed from property owned by Harvender Singh on a portion of APN 303-170-55. The City hired George Zengel and Associates to appraise the property. Mr. Zengel established the value of two easements needed at \$187,560.00. Mr. Singh had a second appraisal prepared by Larry Hopper, Real Property Analysis. Mr. Hopper appraised value for the two easements was \$210,000.00. Staff worked with Mr. Singh regarding the value of the easements and negotiated a settlement value of \$195,000.00. The documents signed by the property owner have been reviewed and approved as to form City Attorney's office.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment (No. EA.-13-001 of this project and has determined that it falls within the Categorical Exemption set forth in section 15301(1)/Class 1 which exempts the repair, maintenance, permitting or minor alterations of existing streets, sidewalks, gutter and other public facilities (including road grading for the purposes of public safety) because it involves negligible or no expansion beyond current use are exempt from California Environmental Quality Act requirements. Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

LOCAL PREFERENCE

Local preference was not considered because the acquisition of this property does not include a bid or award of construction or services contract.

FISCAL IMPACT

There is no impact on the General Fund. Funds were budgeted and are available in the Public Works Department project PW00581, Fund 22048 and Org 189901.

Attachments:

APN Vicinity Map
Exhibits "A" & "B"