



Legislation Details (With Text)

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Title: HEARING - Regarding the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)
1. RESOLUTION - Ordering the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues

Sponsors: Public Works Department

Indexes:

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Attachments: 1. Vicinity Map.pdf, 2. 11991 ROV RESO.pdf

Date	Ver.	Action By	Action	Result
4/28/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

April 28, 2016

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

SUBJECT

HEARING - Regarding the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)

1. RESOLUTION - Ordering the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues

RECOMMENDATION

Staff recommends the City Council conduct the required public hearing and at the close of the hearing adopt the attached resolution ordering the vacation of a public utility easement in the previously vacated East Geary Avenue, between South Plumas and South Walnut Avenues, as shown on Exhibit "A" of the attached resolution.

EXECUTIVE SUMMARY

Edison Plaza Partners, L.P. is requesting the proposed vacation. The purpose of the vacation is to eliminate the reserved public utility easement held by the City of Fresno and replace it with a smaller specific easement held by PG&E until such time the existing PG&E facilities are relocated outside of the East Geary Avenue alignment. At that time PG&E will quitclaim their easement.

BACKGROUND

The public utility easement proposed to be vacated was reserved in the vacation of East Geary Avenue as ordered by City of Fresno Resolution 2015-203, recorded November 20, 2015, as Document No. 2015-0148678, Official Records Fresno County, to accommodate existing PG&E facilities.

The Traffic and Engineering Services Division, and PG&E have reviewed and approved the proposed vacation, subject to the dedication of a specific easement to PG&E to accommodate its facilities.

On March 31, 2016, the Council adopted Resolution of Intention No. 1104-D, setting the time and place for the public hearing at 10:00 p.m. on April 28, 2016, in the Council Chambers at Fresno City Hall. The public hearing has been duly noticed in accordance with the Public Streets, Highways, and Service Easements Vacation Law.

The City Attorney's Office has approved the attached resolution as to form.

The vacation, if approved by the Council at the public hearing, will become effective when the vacating resolution is recorded in the office of the Fresno County Recorder.

ENVIRONMENTAL FINDINGS

The proposed vacation is included in the project description of Environmental Assessment No. C-15-007 with a finding of Mitigated Negative Declaration that the proposed project will not have a significant adverse effect on the environment. The project as well as the environmental finding and assessment were approved by the Planning Commission on February 25, 2015. A Notice of Determination was filed on February 27, 2015.

LOCAL PREFERENCE

Local preference does not apply because the vacation of public utility easement does not involve bidding or contracting.

FISCAL IMPACT

There will be no City funds involved with this vacation. Edison Plaza Partners, L.P. has paid all

processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Vicinity Map

Resolution