



Legislation Details (With Text)

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**File created:** 10/19/2020 **In control:** City Council  
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**Title:** Actions pertaining to the Shields Avenue Bankside Trail Project from Fresno Street to First Street (Council District 7):

1. Adopt Environmental Assessment No. P20-01778, dated October 21, 2020, a determination that the proposed project for the Mid-Town Trail qualifies for the streamlined analysis set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15183 (Projects Consistent w/ a Community Plan, General Plan, or Zoning)
2. RESOLUTION - Authorizing the Public Works Director or designee to negotiate and execute all right-of-way acquisition documents and agreements necessary to complete the Shields Avenue Bankside Trail Project from Fresno Street to First Street

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-001445 VicinityMap, 2. 20-001445 EnvironmentalAssessment No. P20-01778, 3. 20-001445 Resolution

| Date       | Ver. | Action By    | Action | Result  |
|------------|------|--------------|--------|---------|
| 11/19/2020 | 1    | City Council |        | adopted |

**REPORT TO THE CITY COUNCIL**

**November 19, 2020**

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

**THROUGH:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department, Engineering Division

**BY:** JASON MILLER, PE, Supervising Professional Engineer  
Public Works Department, Engineering Division

**SUBJECT**

Actions pertaining to the Shields Avenue Bankside Trail Project from Fresno Street to First Street (Council District 7):

1. Adopt Environmental Assessment No. P20-01778, dated October 21, 2020, a determination that the proposed project for the Mid-Town Trail qualifies for the streamlined analysis set forth

in the California Environmental Quality Act (CEQA) Guidelines Section 15183 (Projects Consistent w/ a Community Plan, General Plan, or Zoning)

2. RESOLUTION - Authorizing the Public Works Director or designee to negotiate and execute all right-of-way acquisition documents and agreements necessary to complete the Shields Avenue Bankside Trail Project from Fresno Street to First Street

## RECOMMENDATIONS

Staff recommends the City Council adopt Environmental Assessment No. P20-01778 and the resolution authorizing the Public Works Director or designee to negotiate, sign and execute, on behalf of the City, all right-of-way acquisition documents and agreements between the City, Fresno Irrigation District (FID) and Westlands Water District (WWD) necessary to complete the Shields Avenue Bankside Trail from Fresno Street to First Street.

## EXECUTIVE SUMMARY

The City received federal Congestion Mitigation and Air Quality (CMAQ) program and local Measure “C” funding to construct a Class I multipurpose trail along the south side of Shields Avenue from Fresno Street to First Street. The City has agreed to acquire from WWD, on behalf of FID, right-of-way required to mitigate anticipated Herndon Canal maintenance access, equipment loading and unloading, and staging issues created by the Project.

As part of the WWD right-of-way acquisition process, the City must first adopt a CEQA finding, prior to considering the acquisition offer at the appraised value. The WWD right-of-way acquisition and adoption of the CEQA finding will allow the City to complete the design and right of way phases of the Project and proceed into the Construction phase.

## BACKGROUND

The Project is the first phase of a Class I bankside multipurpose trail project along the banks of the Fresno Irrigation District’s Herndon Canal and Mill Ditch, which will ultimately provide continuous trail facilities from the intersection of Blackstone Avenue and Shields Avenue to a connection with the Clovis Old Town Trail on Clovis Avenue. In addition to the Class I multipurpose trail improvements, this project proposes concrete curb and gutter, street lighting and landscaping and irrigation along the Shields Avenue frontage and adjoining trail. Construction of this segment is anticipated to start in Summer 2021.

The resolution authorizes the Public Works Director or designee to negotiate, sign and execute, on behalf of the City, all right-of-way acquisition documents and agreements between the City, FID and WWD necessary to complete the Project. The project design is nearly complete and the WWD right-of-way acquisition is the only land purchase required for this project. Adoption of the CEQA finding of Streamlined Exemption (State code number: Section 15183) will allow the City to obtain authorization from Caltrans to proceed to the Construction phase, once the right-of-way acquisition is complete and certified.

The subject property is located at 3130 N. Fresno St, Fresno, CA 93703 (APN: 445-051-01T) and owned and operated by WWD. The proposed easement is approximately 1,591 square feet on the northwest corner of the property. An appraisal of the subject partial acquisition was conducted by Real Property Analysts, Inc. (Tiffany K.V. Mach, MAI). The total appraised value of the acquisition

area was \$20,500 and it is anticipated that the agreed upon acquisition will be under \$35,000.

The City Attorney has reviewed and approved the resolution and environmental assessment as to form.

## **ENVIRONMENTAL FINDINGS**

The California Environmental Quality Act (Public Resource Code Section 21000 et seq.) permits a public agency to determine whether a particular project is exempt from CEQA. A determination of a Streamlined Exemption from Section 15183 was made and Environmental Assessment No. P20-01778, dated October 29, 2020 (Attachment), was prepared for this project. A Section 15183 exempts from the provisions of CEQA projects that are consistent with the densities established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified.

As described above, the Mid-Town Trail is consistent with the land use designations and development intensities assigned to the project site by the City of Fresno General Plan. Cumulative impacts associated with development and buildout of the project site, as proposed, were fully addressed in the City of Fresno Master EIR (SCH# 2012111015). Since the proposed project is consistent with the land use designation and development intensity for the site identified in the General Plan and analyzed in the Master EIR, implementation of the proposed project would not result in any new or altered cumulative impacts beyond those addressed in the Master EIR.

## **LOCAL PREFERENCE**

Local preference was not implemented based on the conditions of the federal CMAQ grant.

## **FISCAL IMPACT**

This acquisition has no impact to the General Fund and is located in District 7. The Project is funded by a federal CMAQ grant and local Measure C funding. This acquisition is accounted for in the Project budget and funding allocated to the Project. All funding allocations necessary for the subject acquisition is included in the current fiscal year adopted City budget.

### **Attachments:**

Vicinity Map

Environmental Assessment No. P20-01778

Resolution