



Legislation Details (With Text)

File #: ID#15-697 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 7/24/2015 **In control:** City Council

On agenda: 8/20/2015 **Final action:** 8/20/2015

Title: HEARING - Adopt a resolution ordering the vacation of portions of E. Thomas Avenue and the Thomas-Harvey Alley, both between N. Orchard Avenue and State Route Freeway 41, and N. Orchard Avenue between E. Thomas Avenue (to the east) and State Route Freeway 41 (Council District 7)
1. RESOLUTION - Ordering the vacation of portions of E. Thomas Avenue and the Thomas-Harvey Alley, both between N. Orchard Avenue and State Route Freeway 41, and N. Orchard Avenue between E. Thomas Avenue (to the east) and State Route Freeway 41

Sponsors: Public Works Department, Parks, After School, Recreation and Community Serv

Indexes:

Code sections:

Attachments: 1. Vicinity Map.pdf, 2. C New 6f3 Romain Park Final Map.pdf, 3. 11845 Resolution.pdf

Date	Ver.	Action By	Action	Result
8/20/2015	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

August 20, 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

JILL GORMLEY, PE, City Traffic Engineer/Division Manager
Public Works Department, Traffic and Engineering Services Division

BY: ALAN JAMES, Supervising Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT

HEARING - Adopt a resolution ordering the vacation of portions of E. Thomas Avenue and the Thomas-Harvey Alley, both between N. Orchard Avenue and State Route Freeway 41, and N. Orchard Avenue between E. Thomas Avenue (to the east) and State Route Freeway 41 (Council District 7)
1. RESOLUTION - Ordering the vacation of portions of E. Thomas Avenue and the Thomas-Harvey Alley, both between N. Orchard Avenue and State Route Freeway 41, and N. Orchard Avenue

between E. Thomas Avenue (to the east) and State Route Freeway 41

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 portions of East Thomas Avenue and the Thomas-Harvey Alley, both between North Orchard Avenue and State Route Freeway 41, and North Orchard Avenue between East Thomas Avenue (to the east) and State Route Freeway 41, located at the City's Frank Romain Playground Park, as described in Exhibit "A" and shown on Exhibit "B" of the attached resolution.

EXECUTIVE SUMMARY

The City's Parks, After School, Recreation and Community Services (PARCS) Department is requesting the proposed vacation. The purpose of the vacation is to eliminate the public rights-of-way and incorporate the area into Frank Romain Playground Park to accommodate proposed improvements to the park.

BACKGROUND

PARCS Department proposes to install improvements at Frank Romain Playground Park that include the following: (1) incorporation of the area proposed to be vacated into the park, said area will be used to add green space to the park, park playgrounds, and improve safety design features, (2) incorporation of a City owned parcel of land to be utilized as a parking lot, (3) installation of a permanent skate park, and (4) installation of a community garden.

The streets and alley proposed to be vacated were dedicated as easements for public street and alley purposes by the map of Fresno Home Addition or by the map of Union Addition.

The Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the rights-of-way proposed for vacation are unnecessary for present or prospective public street or public alley purposes subject to the reservation of a public utility easement over a portion of the area as described in Exhibit "C" and shown on Exhibit "D", and the conditions listed on Exhibit "E" of the attached resolution.

In 1986 the City of Fresno Accepted Land and Water Conservation Funds (LWCF) for the development of the tennis courts at Romain Park. LWCF guidelines required the park property to be designated as green space in perpetuity. With this park expansion, PARCS will submit a new 6(F)(3) map to the State of California Department of Recreation that will dedicate the proposed properties as green space in perpetuity.

On July 16, 2015, the Council adopted Resolution of Intention No. 1100-D, setting the time and place for the public hearing at 2:15 p.m. on August 20, 2015, 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, but not until the City Engineer determines that the conditions specified in Exhibit "E" of the attached resolution have been satisfied and accepted by the City.

ENVIRONMENTAL FINDINGS

This project was previously assessed and determined to be within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014. The Finding of Conformity, for Environmental Assessment No. EA-15-007 was adopted by the City on March 30, 2015, in connection with the project as described in EA-15-007. This approval is to implement a portion of that project.

LOCAL PREFERENCE

Not applicable because the vacation of public right-of-way does not involve bidding or contracting.

FISCAL IMPACT

There will be no impact to the City's General Fund because the City's Parks, After School, Recreation and Community Services (PARCS) Department is funding this Council action.

Attachments:

Vicinity Map

Romain Park Map

Resolution