



Legislation Details (With Text)

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**Title:** Adopt Resolution of Intention No. 1104-D to vacate a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map.pdf, 2. 11991 ROI RESO.pdf

Date	Ver.	Action By	Action	Result
3/31/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**March 31, 2016**

**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

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Public Works Department, Traffic and Engineering Services Division

**BY:** JASON A. CAMIT, PLS, Chief Surveyor,  
Public Works Department, Traffic and Engineering Services Division

**SUBJECT**

Adopt Resolution of Intention No. 1104-D to vacate a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)

**RECOMMENDATION**

Staff recommends the City Council adopt Resolution of Intention No. 1104-D for the proposed vacation 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 of Intention, and set the required public hearing at 10:00 p.m. on April 28, 2016.

## **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. 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 a 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 of Intention No. 1104-D