



Legislation Details (With Text)

File #: ID 20-001055 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 8/12/2020 **In control:** City Council

On agenda: 8/27/2020 **Final action:** 8/27/2020

Title: Actions pertaining to Peach Avenue Widening project (Districts 5 and 7):
 1. Adopt the Mitigated Negative Declaration, dated September 13, 2019, prepared for the Peach Avenue widening project between East Butler and East Jensen Avenues
 2. Approve Amendment No. 1 to Cooperative Project Agreement Short-Term Regional Transportation Program Project I2 Urban, Peach Avenue Widening - Butler to Jensen Avenues
 3. Approve Amendment No. 3 to Cooperative Project Agreement Short-Term Regional Transportation Program Project I3 Urban, Peach Avenue Widening - Kings Canyon Road to Belmont Avenue
 4. Approve New Public Highway At-Grade Crossing Agreement with Union Pacific Railroad and San Joaquin Valley Railroad in the amount of \$803,896.93

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 20-001055 Vicinity Map, 2. 20-001055 Mitigated Negative Declaration, 3. 20-001055 Amendment No. 1, 4. 20-001055 Amendment No. 3, 5. 20-001055 New Public Highway At-Grade Crossing Adreement

Date	Ver.	Action By	Action	Result
8/27/2020	1	City Council	approved	

REPORT TO THE CITY COUNCIL

August 27, 2020

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

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

BY: CECILIO F. GARCIA, Supervising Engineering Technician
Public Works Department, Project Management Section

SUBJECT

Actions pertaining to Peach Avenue Widening project (Districts 5 and 7):
 1. Adopt the Mitigated Negative Declaration, dated September 13, 2019, prepared for the Peach Avenue widening project between East Butler and East Jensen Avenues
 2. Approve Amendment No. 1 to Cooperative Project Agreement Short-Term Regional Transportation Program Project I2 Urban, Peach Avenue Widening - Butler to Jensen Avenues

3. Approve Amendment No. 3 to Cooperative Project Agreement Short-Term Regional Transportation Program Project I3 Urban, Peach Avenue Widening - Kings Canyon Road to Belmont Avenue
4. Approve New Public Highway At-Grade Crossing Agreement with Union Pacific Railroad and San Joaquin Valley Railroad in the amount of \$803,896.93

RECOMMENDATIONS

Staff recommends that the Council adopt the Mitigated Negative Declaration for the Peach Avenue Widening project between East Butler and East Jensen Avenues, approve Amendment No.1 to the Cooperative Project Agreement in the amount of \$2,278,400 increase for Phase 1 of Peach Avenue Widening project (Project I2), approve Amendment No. 3 in the amount of \$2,278,400 decrease for the Peach Avenue Widening project between Kings Canyon Road and East Belmont Avenue (Project I3), approve the New Public Highway At-Grade Crossing Agreement with Union Pacific Railroad (UPRR) and San Joaquin Valley Railroad (SJVR) in the amount of \$803,896.93 and authorize the Public Works Director or designee to sign and execute the amendments and the agreement on behalf of the City.

EXECUTIVE SUMMARY

The Peach Avenue Widening projects between East Butler and East Jensen Avenues (Project I2) and between Kings Canyon Road and Belmont Avenue (Project I3) were voter approved in the Short-Term Regional Transportation Program in 2016. Project I3 Right of Way phase funding was augmented with Traffic Congestion Relief Program (TCRP) funding in the amount of \$1.4 million, which resulted in a savings of Measure “C” funding. Project I3 was also completed with \$800,000 in cost savings, resulting in a total of \$2.2 million in Measure “C” funding savings. City now desires to reallocate \$2.2 million from Project I3 to fund Project I2 construction. Additionally, as a part of the widening, UPRR and SJVR will need to modify an at-grade railroad crossing Between East Butler and East Florence Avenues. The proposed New Public Highway At-Grade Crossing Agreement in the amount of \$803,896.93 will allow UPRR and SJVR to modify the railroad crossing to match with the widened roadway.

BACKGROUND

The City of Fresno seeks to construct street improvements and widen Peach Avenue between East Butler and East Jensen Avenues from two lanes to a four-lane arterial with median landscaping, protected-left-turn-lanes, bike lanes, curb and gutter, sidewalk, landscaping, streetlights, and traffic signal facilities. In 2014, due to funding constraints the project was split into two phases. Phase 1 (Project I2B) of the project is between East Butler and East Florence Avenues and Phase 2 (Project I2C) is between East Florence and East Jensen Avenues. Phase 2 will be completed as funding becomes available and/or development occurs.

The Peach Avenue Widening projects between East Butler and East Jensen Avenues (Project I2) and between East Kings Canyon Road and East Belmont Avenue (Project I3) were voter approved in the Short-Term Regional Transportation Program in 2016. Project I3 was originally funded by TCRP. During the design phase of the project the State was force to freeze prior TCRP funding commitments due to an economic recession. The project was then fully funded with Measure “C” funding for right-of-way and construction. Towards the completion of the project, the City received notification that the State was honoring prior TCRP funding commitments and was reimbursed \$1.4

million for eligible Right of Way expenditures. The construction phase didn't meet the qualification for TCRP reimbursement. The project was also completed with \$800,000 in cost savings. In total, the project realized \$2.2 million in Measure "C" funding savings.

Project I2 is currently programmed with the anticipated TCRP State reimbursement in the Measure "C" program. The Design phase is partially funded with Measure "C" funding and is nearing completion. The Right of Way phase is funded with Local Development Fees. The Construction phase is estimated at \$4.7 million. The City proposes to re-allocate \$2.2 million in Measure C funding from Project I3 to fund the Construction phase of Project I2B. The City will fulfill its commitment of using \$2.5 million of Local Development Fees for the remaining construction funding.

The City Attorney's Office has reviewed and approved Amendments No. 1 and No. 3 to the Cooperative Project Agreement and the New Public Highway At-Grade Crossing Agreement as to form.

ENVIRONMENTAL FINDINGS

An environmental assessment initial study was prepared for the Peach Avenue Widening Project between East Butler and East Jensen Avenues in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. A draft Mitigated Negative Declaration was prepared, in accordance with CEQA, and posted for public review from October 28, 2019 to November 26, 2019.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Community Plan area, including the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015).

The proposed project has been determined to be a subsequent project that is not fully within the scope of the MEIR SCH No. 2012111015 as provided by the CEQA, as codified in the Public Resources Code Section 21157.1(d) and the CEQA Guidelines Section 15177(c).

All applicable mitigation measures of SCH No. 2012111015 have been applied to the project, together with project specific mitigation measures. The project will not have a significant impact on the environment and that the filing of a Mitigated Negative Declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and applicable mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment.

LOCAL PREFERENCE

Local preference was not implemented because this is an amendment to an existing agreement and because modifications to the at-grade railroad crossing will be completed by UPRR and SJVR.

FISCAL IMPACT

No general fund dollars will be utilized to fund this Amendment. The amendments and agreement will be funded by Measure C and local developer impact fee dollars.

Attachments:

Vicinity Map

Mitigated Negative Declaration

Amendment No. 1

Amendment No. 3

New Public Highway At-Grade Crossing Agreement