



Legislation Details (With Text)

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Title: Actions pertaining to Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E. Dakota Avenue (Council District 4).
 1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-003
 2. Adopt Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E. Dakota Avenue

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 052A Vicinity Map.pdf, 2. Resolution No. 1105-D.pdf

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

REPORT TO THE CITY COUNCIL

April 28, 2016

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

JILL GORMLEY, TE, City Traffic Engineer/Division Manager
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BY: JASON A. CAMIT, PLS, Chief Surveyor
Public Works Department, Traffic and Engineering Services Division

SUBJECT

Actions pertaining to Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E. Dakota Avenue (Council District 4).

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-003
2. Adopt Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E.

Dakota Avenue

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-003.
2. Adopt the attached Resolution of Intention No. 1105-D to vacate a portion of North Ninth Street south of East Dakota Avenue, and set the required hearing at 2:15 p.m. on May 19, 2016.

EXECUTIVE SUMMARY

The City of Fresno Water Division is requesting the proposed vacation. The purpose is to eliminate excess public street right-of-way to satisfy a condition of approval for Conditional Use Permit (CUP) No. C-12-176 for the City's Pump Station No. 52A.

BACKGROUND

CUP No. C-12-176 proposes to drill and operate a water supply well (City Pump Station 52A), construct an equipment building and a six-foot high masonry wall, install emergency generator set, landscape perimeter to screen equipment and treatment facilities, construct public works improvements, and plans future construction of water remediation facilities and treatment systems. The project also includes the vacation of a portion of North Ninth Street to eliminate excess public street right-of-way as conditioned by the CUP approved October 2, 2012.

The portion of North Ninth Street proposed to be vacated is shown on Exhibit "A" of the attached Resolution of Intention and described as a portion of a 30-foot wide easement for public street purposes as dedicated by Tract No. 1433 - Millbrook Estates in Volume 17 of Plats at Page 34, Fresno County Records.

The Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the right-of-way proposed for vacation is unnecessary for present or prospective public street purposes subject to the reservation of a public utility easement over the entire area being vacated, a reservation of a pedestrian walkway easement as shown in Exhibit "B" of attached resolution, and the removal of all existing street improvements from the area proposed to be vacated.

City Attorney has approved the attached Resolution of Intention 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 removal of all existing street improvements from the area proposed to

be vacated has been completed.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves a vacation of a portion of a street which is not an expansion of use beyond that existing at this time. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this 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 Department of Public Utilities Water Division is funding this Council action.

Attachment:

Vicinity Map

Environment Assessment No. EA-16-003

Resolution of Intent No. 1105-D