



Legislation Details (With Text)

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**Title:** Actions pertaining to Resolution of Intention No. 1117-D to vacate a portion N. Doolittle Drive, north of W. Herndon Avenue. (Council District 2)

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-16-013.
2. Adopt Resolution of Intention No. 1117-D to vacate a portion N. Doolittle Drive, north of W. Herndon Avenue, and setting the public hearing for June 8, 2017, at 10:05 a.m.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity.pdf, 2. EA-15-028.pdf, 3. 11989 ROI RESO.pdf

Date	Ver.	Action By	Action	Result
5/18/2017	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**May 18, 2017**

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**SUBJECT**

Actions pertaining to Resolution of Intention No. 1117-D to vacate a portion N. Doolittle Drive, north of W. Herndon Avenue. (Council District 2)

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-16-013.
2. Adopt Resolution of Intention No. 1117-D to vacate a portion N. Doolittle Drive, north of W. Herndon Avenue, and setting the public hearing for June 8, 2017, at 10:05 a.m.

## **RECOMMENDATION**

Staff recommends the City Council adopt Resolution of Intention No. 1117-D for the proposed vacation of a portion North Doolittle Drive, north of West Herndon Avenue, and set the required hearing for June 8, 2017, at 10:05 a.m.

## **EXECUTIVE SUMMARY**

The City of Fresno is requesting to vacate a portion North Doolittle Drive, north of West Herndon Avenue as shown on Exhibit "A," reserve a public utility easement over the entire area proposed for vacation, and reserve an easement for a multi-purpose trail as shown on Exhibit "B" of the attached Resolution of Intention. The purpose of the proposed vacation is to accommodate a public street improvement project for West Herndon Avenue.

## **BACKGROUND**

The proposed vacation of a portion of North Doolittle Drive and reservation of a multi-purpose trail easement is part of the Herndon Avenue Westbound Widening Project. This project includes replacing existing traffic signal loops, rehabilitation of pavement, repairing ramps to meet current standards of the Americans with Disabilities Act (ADA), and replacing some median island landscaping with drought-tolerant smaller shrubs and trees more compatible with the nearby Sierra Sky Park. In addition, the project will involve acquiring strips of land and vacating a portion of North Doolittle Drive to infill a missing segment of a multi-purpose trail, construction of that trail, and rehabilitation of the existing multipurpose trail segment on the north side of West Herndon Avenue. The project includes the closure of the existing right-in, right-out Doolittle Drive connection to Herndon Avenue, consistent with the expressway designation of Herndon Avenue in the City of Fresno 2035 General Plan.

A portion of the public street right-of-way proposed for vacation was dedicated by the Sierra Sky-Park map recorded in Volume 13, of Plats at Page 27, Fresno County Records. An additional portion of North Doolittle Drive to be vacated includes a portion of two areas dedicated by separate deeds. The first is a deed of easement for public street purposes, recorded August 18, 1967, as Document No. 55870, in Book 5471, at Page 723, Official Records Fresno County. The second is a grant deed, acquired in fee by Document No. 48955 on June 29, 1966, in Book 5331, at Page 11, Official Records Fresno County.

The Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion right-of-way proposed for vacation is unnecessary for present or prospective public street purposes as shown in Exhibit "A" of the attached Resolution of Intent, subject to the reservation of a public utility easement over the entire area to be vacated, and also reserving a multi-purpose trail easement, as shown in Exhibit "B" of the attached Resolution of Intent.

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 conditions listed in the attached resolution have been satisfied and accepted by the City.

## **ENVIRONMENTAL FINDINGS**

This project is exempt under Sections 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-15-028. Under the Section 15301/Class 1 exemption, the minor alteration of existing public facilities, such as streets, sidewalks, etc., involving no expansion of use beyond that existing at this time, are exempt from CEQA requirements. The proposed vacation of the above-described land meets the criteria noted above. No significant effects would occur as a result of the proposed project. Therefore, the above described project complies with the conditions described in Section 15301/Class 1 of the CEQA Guidelines. 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**

The \$1.1 million Herndon Avenue widening project in Council District 2 is funded by a combination of Federal Regional Surface Transportation Program (RSTP) grant funding, Measure "C" Tier 1 regional transportation funds, Measure "C" Trails funding and Citywide Regional Street Impact Fees. There will be no impact to the General Fund.

### Attachments:

Vicinity Map

EA-15-028

Resolution of Intent No. 1117-D