



## Legislation Details (With Text)

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**Title:** Adopt Resolution of Intention No.1099-D to vacate the R-S Alley between Tulare and Mariposa Streets (Council District 3)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Vicinity Map.pdf, 2. Resolution No. 1099-D.pdf

Date	Ver.	Action By	Action	Result
7/16/2015	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**July 16, 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

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Public Works Department, Traffic and Engineering Services Division

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

## SUBJECT

Adopt Resolution of Intention No.1099-D to vacate the R-S Alley between Tulare and Mariposa Streets (Council District 3)

## RECOMMENDATION

Staff recommends the City Council adopt Resolution of Intention No. 1099-D for the proposed vacation of the R-S Alley between Tulare and Mariposa Streets, as shown on Exhibit "A" of the attached Resolution of Intention, and set the required public hearing at 2:00 p.m. on August 20, 2015.

## EXECUTIVE SUMMARY

The Roman Catholic Bishop of Fresno is requesting the proposed vacation of the R-S Alley between Tulare and Mariposa Streets, as they currently own the entire block affected by it. The purpose of the vacation is to fence the alley proposed to be vacated and construct two vehicular access gates to alleviate increasing concerns regarding vandalism and employee safety.

## **BACKGROUND**

The public alley right-of-way being vacated is shown on Exhibit "A" of the attached Resolution of Intention, and described as that certain 20-foot wide alley lying in Block 163 as shown on the Map of Block No. 163 of the Town (now City) of Fresno recorded October 14, 1887, in Volume 1 of Plats at Page 38, Fresno County Records, excepting therefrom the southeasterly 5.00 feet thereof.

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 alley purposes subject to the reservation of a public utility easement over the entire area being vacated and the conditions listed on Exhibit "B" of the attached Resolution of Intention.

The City Attorney's Office 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 specified in Exhibit "B" of the attached Resolution of Intention have been satisfied and accepted by the City.

## **ENVIRONMENTAL FINDINGS**

At the August 20, 2015, meeting, Council will consider adopting a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) /Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-15-010.

## **LOCAL PREFERENCE**

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

## **FISCAL IMPACT**

There will be no City funds involved with this vacation. The Roman Catholic Bishop of Fresno has paid all processing fees to cover staff cost in accordance with the Master Fee Schedule.

Attachments:

Vicinity Map

Resolution of Intention No. 1099-D