



## Legislation Details (With Text)

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**Title:** Approve the acquisition of 17,126 square feet of easement on property owned by Philip F. Heck Jr., et al in the amount of \$34,300 (APN 330-021-31) for the construction of new sanitary sewer lines within East Avenue, Orange Avenue, Cedar Avenue, Malaga Avenue and Central Avenue. (Council District 3)  
**Sponsors:** Public Works Department  
**Indexes:**  
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**Attachments:** 1. APN 330-021-31VicinityMap.pdf

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 12/3/2015 | 1    | City Council | approved | Pass   |

## REPORT TO THE CITY COUNCIL

**December 3, 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

CRAIG L. HANSEN, Supervising Real Estate Agent  
Public Works Department, Real Estate Services Section

**BY:** CATHY RODRIGUEZ, Senior Real Estate Agent  
Public Works Department, Real Estate Services Section

## SUBJECT

Approve the acquisition of 17,126 square feet of easement on property owned by Philip F. Heck Jr., et al in the amount of \$34,300 (APN 330-021-31) for the construction of new sanitary sewer lines within East Avenue, Orange Avenue, Cedar Avenue, Malaga Avenue and Central Avenue. (Council District 3)

## RECOMMENDATION

1. Approve the acquisition of 17,126 square feet of easement on property owned by Philip F. Heck Jr., et al in the amount of \$34,300 (APN 330-021-31) for the construction of new sanitary sewer lines within East Avenue, Orange Avenue, Cedar Avenue, Malaga Avenue and Central Avenue.
2. Authorize the Public Works Director, or designee, to sign all documents necessary to complete the transaction.

## EXECUTIVE SUMMARY

A partial acquisition is required from the subject parcel for the construction of new sanitary sewer lines in East Avenue and Central Avenue. The existing streets are built in a prescriptive right of way that does not allow utilities and also does not provide adequate width for the new sewer line. The value of the acquisition was established by Real Property Analysts, Lawrence D. Hopper, MAI. A total of 17,126 square feet of easement is required for this project which is valued at \$34,300. Staff engaged the property owner on August 27, 2015 and presented the First Written Offer. The owner accepted the offer at the appraised value of \$34,300.

## BACKGROUND

The Department of Public Utilities (DPU), Wastewater Management Division is pursuing the construction of new sanitary sewer lines and fiber optic conduits as follows:

- within Cedar Avenue from Malaga Avenue north to Muscat Avenue;
- within Orange Avenue from Malaga Avenue north to Fortune Avenue;
- within East Avenue from Central Avenue north approximately 3,200 feet;
- within Malaga Avenue between Orange Avenue and Cedar Avenue; and
- within Central Avenue from Cedar Avenue east to BNSF Railroad.

This project will provide City sewer service to properties bounded by the streets listed above. Project elements include the construction of new sewer lines within Cedar, Orange, East, Malaga, Orange and Central Avenues. Street right of way needs to be purchased from property owned by Philip F. Heck Jr. on both East Avenue and Central Avenue. The subject parcel is on the northeast corner of East and Central and has frontage on both streets. The existing streets are within prescriptive easements that do not allow sewer lines to be installed and the existing right of way also needs to be wider to provide space for construction of the sewer line. The value of the acquisition was established by Real Property Analysts, Lawrence D. Hopper, MAI. A total of 17,126 square feet of easement is required for this project which is valued at \$34,300. Staff engaged the property owner on August 27, 2015 and presented the First Written Offer, which was accepted by the owner at the appraised value of \$34,300.

## ENVIRONMENTAL FINDINGS

An initial study and Mitigated Negative Declaration were prepared and adopted on October 22, 2015, for this project. The project entails construction of new sanitary sewer lines along East, Orange, Cedar, Malaga, and Central Avenues. This approval is to implement that project.

An analysis has been performed pursuant CEQA Guidelines § 15162 to determine whether subsequent environmental review is required for EA C-13-015. Based upon this analysis the following findings are made to support the determination that no subsequent environmental review is required:

1. No substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, there are no changes to the project.
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, no substantial changes have occurred.
3. There is no new information, which was not known and could not have been known at the time of the previous Mitigated Negative Declaration that the project will have significant effect not discussed in the Mitigated Negative Declaration.

Based upon these findings, it has been determined that no further environmental documentation is required for this project.

## **LOCAL PREFERENCE**

This item does not involve local preference.

## **FISCAL IMPACT**

The project will have no impact on the General Fund. Funds in the amount of \$4,963,400 for design, right-of-way acquisition and construction of the project were included in the FY2016 budget which was adopted by the Council.

Attachments:  
APN Vicinity Map