



## Legislation Details (With Text)

**File #:** ID16-538      **Version:** 1      **Name:**

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**File created:** 5/2/2016      **In control:** City Council

**On agenda:** 6/2/2016      **Final action:** 6/2/2016

**Title:** Actions pertaining to Right-of-Way Acquisition for the Copper Avenue Trail Project:  
1. Approve the acquisition of an 8,100 square foot pedestrian walkway / bicycle path easement, a 5,743 square foot temporary construction easement and a 1,135 square foot slope easement from property owned by Pacific Gas & Electric (579-220-13su) in the amount of \$45,365 for the construction of a multi-purpose trail along Copper Avenue from Cedar to Maple Avenues. (Council District 6)  
2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Copper Substation Vicinity Map.pdf, 2. PG&E Pedestrian Easement Revised 4-26-2016.pdf

Date	Ver.	Action By	Action	Result
6/2/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**June 2, 2016**

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

**THROUGH:** ANDREW J. BENELLI, PE, Assistant Director  
Public Works Department, Capital Management Division

ROBERT N. ANDERSEN, PE, Assistant Director  
Public Works Department, Capital Management Division

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

**BY:** PETE CALDWELL, Senior Real Estate Agent  
Public Works Department, Real Estate Services Section

## SUBJECT

Actions pertaining to Right-of-Way Acquisition for the Copper Avenue Trail Project:

1. Approve the acquisition of an 8,100 square foot pedestrian walkway / bicycle path easement, a 5,743 square foot temporary construction easement and a 1,135 square foot slope easement from property owned by Pacific Gas & Electric (579-220-13su) in the amount of \$45,365 for the construction of a multi-purpose trail along Copper Avenue from Cedar to Maple Avenues. (Council District 6)
2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

## **RECOMMENDATION**

Staff recommends Council approve the acquisition of an 8,100 square foot pedestrian walkway/bicycle path easement, a 5,743 square foot temporary construction easement and a 1,135 square foot slope easement from property owned by Pacific Gas & Electric in the amount of \$45,365 for the construction of a multi-purpose trail along Copper Avenue from Cedar to Maple Avenues and authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

## **EXECUTIVE SUMMARY**

A partial acquisition from property owned by Pacific Gas & Electric (PG&E) is needed for the construction of a landscaped multi-purposed trail along Copper Avenue from Cedar to Maple Avenues. The value of the acquisition was established by Zengel & Associates, George Zengel, MAI. A total of 9,235 square feet of permanent and slope easements are required for the project. In addition, 5,743 square feet of temporary construction easement is needed for the construction of the project. PG&E has agreed to the purchase price of \$45,365 for the easements.

## **BACKGROUND**

The Copper Avenue trail was identified in the 2025 General Plan as a project to facilitate community connectivity in the north part of Fresno. This trail is also shown in the 2035 General Plan and the 2010 Bicycle and Trails Master Plan. Measure "C" Trail funding has been appropriated for this capital improvement project in the FY2016 Budget as adopted by the Council.

In January 2012, Council approved a contract with Provost and Pritchard Engineering Group Inc., to prepare plans and specifications for the construction of the trail from Friant Road to Chestnut Avenue. Due to the timing of funding availability, the project was separated into three phases. The first phase of the trail project, from Friant Road and Cedar Avenue has been completed. The second phase between Cedar Avenue and Maple Avenue is where the easement from PG&E is needed for the project. The third and final phase is between Maple Avenue and Chestnut Avenue. Future phases will complete the trail further east to Willow Avenue where it will intersect with the Sugar Pine Trail that is adjacent to Willow Avenue. The permanent pedestrian easement and the slope easement are needed to construct and maintain the trail from Pacific Gas & Electric. The temporary construction easement is needed to allow equipment access to construct the trail but will not be needed once construction is finished.

Following the Council approval of the acquisition of Right-of-Way, the next step will be to obtain approval of the sale from the California Public Utilities Commission. This process could take between 6 months and one year. Once the easements are obtained staff can bid the construction of the Cedar to Maple piece of the trail.

The City Attorney's Office has reviewed and approved as to form the proposed easement acquisition agreement.

## **ENVIRONMENTAL FINDINGS**

On March 17, 2016, Council approved a Categorical Exemption Environmental Assessment No. EA-12-012, dated February 2, 2016 for the construction of the Copper Avenue Trail between Friant Road and Chestnut Avenues. .

## **LOCAL PREFERENCE**

Local preference was not considered because the acquisition of this property does not include a bid or award of construction or services contract.

## **FISCAL IMPACT**

This project will not have an impact on the General Fund. The project is being funded by Measure 'C' Trails funding. The total appraised value of the easements is \$45,365. Funds were budgeted and are available in Department of Public Works project PW00633, Fund 22509 and Org 189901. Maintenance will be provided through the Community Facilities District for the Copper River Ranch project area.

Attachments:

APN Vicinity Map

PG&E Pedestrian Easement Agreement