



## Legislation Details (With Text)

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**Title:** Authorize the Director of Public Works, or his designee, to sign on behalf of the Director of Transportation in order to execute a purchase agreement between the City of Fresno and Fresno County, allowing the City of Fresno to purchase easement deeds in Courthouse Park for a total price of \$150,531, supporting improvements to Fresno Area Express Courthouse Park Intermodal Transit Center and Bus Rapid Transit projects (District 3)

**Sponsors:** Department of Transportation

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Permanent Easements.pdf, 2. Exhibit B - Temporary Easements.pdf, 3. Exhibit C - Utility Easement.pdf, 4. Agreement for Purchase and Sale of City of Fresno Easements.pdf, 5. Agreement for Purchase and Sale of PGE Easment.pdf

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**November 17, 2016**

**FROM:** BRIAN R. MARSHALL, Director  
Department of Transportation

**BY:** KATHLEEN HEALY, Administrative Manager  
Department of Transportation

## SUBJECT

Authorize the Director of Public Works, or his designee, to sign on behalf of the Director of Transportation in order to execute a purchase agreement between the City of Fresno and Fresno County, allowing the City of Fresno to purchase easement deeds in Courthouse Park for a total price of \$150,531, supporting improvements to Fresno Area Express Courthouse Park Intermodal Transit Center and Bus Rapid Transit projects (District 3)

## RECOMMENDATION

Staff recommends Council authorize the Director of Public Works, or his designee to sign on behalf of the Director of Transportation to execute a Deed of Easement, Temporary Construction Easement,

Agreement for Purchase and Sale, and other related documents to grant the easements located at 1100 Van Ness Avenue in downtown Fresno's Courthouse Park to the City of Fresno. The easements will support improvements to Fresno Area Express (FAX) Courthouse Park Intermodal Transit Center and Bus Rapid Transit (BRT) projects. Total purchases of the agreement shall not exceed \$150,531.

## **EXECUTIVE SUMMARY**

The Courthouse Park Intermodal Transit Center serves as a major transfer hub for many public transportation customers and will be a key location for the successful implementation of BRT service. It will also serve to further the revitalization efforts currently in place in downtown Fresno on the Fulton Mall reconstruction project. The purchase of the easement property from the County of Fresno includes a total of nine permanent easements and two temporary construction easements. Four easements are for pedestrian walkway purposes, two easements serve public utility purposes, two easements are for public landscape purposes, and one easement in favor of Pacific Gas and Electric (PG&E) for electrical and power purposes. The two temporary construction easements are for construction of utilities and bus stop improvements for the duration of one year. The easement purchases will allow FAX to maintain the project schedule for renovations at transit shelters in Courthouse Park.

## **BACKGROUND**

FAX is pursuing renovations and major upgrades to the Courthouse Park Intermodal Transit Center bus shelters A and B located on Van Ness Avenue and bus shelter L located on Fresno Street. This renovation will include new bus shelters, lighting, electrical, passenger amenities, and concrete work on the surrounding sidewalks adjacent to the new shelters. The renovation will complement both the new BRT service and the downtown Fulton Mall reconstruction project.

The reconstruction of Courthouse Park necessitates the purchase of eight permanent easements (Exhibit A). Parcels one through four are pedestrian walkway easements and/or underground utility lines to the shelters. Parcels five and six are public utility easements to the shelters. Parcels seven and eight are irrigation easements for landscape improvements associated with the project. The appraised value for these eight permanent easements is \$131,100. Additionally, FAX will obtain a set of Temporary Construction Easements to facilitate access to the construction zones (Exhibit B). The costs for the temporary construction easements are included in the price for the eight permanent easements. The ninth permanent easement will be purchased in favor of PG&E in order to supply utility power to the BRT station. The BRT project requires the purchase of an easement in favor of PG&E. This easement will allow power to be extended from Tulare Street and Van Ness Avenue to a new underground transformer adjacent to bus shelter B (Exhibit C). The appraised value for this easement is \$19,431. The total price for all nine permanent easements and the two temporary construction easements is \$150,531.

The City Attorney's Office has reviewed and approved as to form the proposed purchase and sale agreements.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined this project is exempt under Sections 15301/Class 1 and 15302/Class 2 of the California Environmental

Quality Act (CEQA) Guidelines because it involves alteration and replacement of existing public bus shelters which are 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 applies to this project.

## **LOCAL PREFERENCE**

Local preference is not applicable because the purchase of easements does not involve bidding or contracting.

## **FISCAL IMPACT**

The funding for this purchase is through a federally awarded grant. This agreement will have no impact to the general fund.

### **Attachments:**

Exhibit A: Permanent Easements

Exhibit B: Temporary Easements

Exhibit C: Utility Easement

Agreement for the Purchase and Sale of Easements and Escrow Instructions

Agreement for the Purchase and Sale of a PG&E Easement on Behalf of the City of Fresno and Escrow Instructions