



## Legislation Details (With Text)

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**File created:** 8/31/2020 **In control:** City Council

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**Title:** Actions pertaining to Veterans Boulevard Project (Council District 2):

1. \*\*\*RESOLUTION - 18th Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$900,000 for the Veterans Boulevard Right-of-Way Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve the Agreement for Purchase and Sale of a 20,959 square foot Permanent Canal Easement from a portion of 6785 W. Barstow Avenue, Fresno (APN: 505-060-08), owned by Adamas, LLC., a California Limited Liability Company in consideration for \$73,400 in compensation, on behalf of the Fresno Irrigation District (FID), to facilitate the Veterans Boulevard South Extension Project
3. Authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-001155 Vicinity Map, 2. 20-001155 Location Map, 3. 20-001155 18th Amendment to Annual Appropriations Resolution, 4. 20-001155 Agreement for Purchase and Sale

Date	Ver.	Action By	Action	Result
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## REPORT TO THE CITY COUNCIL

**September 17, 2020**

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

**THROUGH:** RANDALL W. Morrison, PE, Assistant Director  
Public Works Department, Engineering Division

**BY:** R. SCOTT BEYELIA, Supervising Real Estate Agent  
Public Works Department, Real Estate and Lease Services

## SUBJECT

Actions pertaining to Veterans Boulevard Project (Council District 2):

1. \*\*\*RESOLUTION - 18th Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$900,000 for the Veterans Boulevard Right-of-Way Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve the Agreement for Purchase and Sale of a 20,959 square foot Permanent Canal Easement from a portion of 6785 W. Barstow Avenue, Fresno (APN: 505-060-08), owned by Adamas, LLC., a California Limited Liability Company in consideration for \$73,400 in

compensation, on behalf of the Fresno Irrigation District (FID), to facilitate the Veterans Boulevard South Extension Project

3. Authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition

## **RECOMMENDATIONS**

Staff recommends that the City Council adopt the 18th Amendment to AAR No. 2020-159 appropriating \$900,000 for the Veterans Boulevard Right-of-Way Project, approve the Agreement for Purchase and Sale of a 20,959 square foot Permanent Canal Easement from a portion of 6785 W. Barstow Avenue, Fresno (APN: 505-060-08), owned by Adamas, LLC., a California Limited Liability Company in consideration for \$73,400 in compensation, on behalf of the Fresno Irrigation District, to facilitate the Veterans Boulevard South Extension Project, and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition.

## **EXECUTIVE SUMMARY**

The City of Fresno seeks to construct the Veterans Boulevard Project and is working to progress the various phases into construction. The 18th Amendment to AAR No. 2020-159 will appropriate \$900,000 to secure the necessary remaining right of way to facilitate the Veterans Boulevard Project, including the acquisition of three permanent canal easements, the removal of a billboard, the relocation of seven (7) PG&E poles, associated expenses, and staff time. The Agreement for Purchase and Sale of a 20,959 square foot Permanent Canal Easement from a portion of 6785 W. Barstow Avenue, Fresno (APN: 505-060-08), owned by Adamas, LLC., is one of three privately owned parcel acquisitions that FID required for the construction of the Veterans Boulevard South Extension Project, Phase 4a. The subject parcel is located on the north side of the Herndon Canal, on the east and west sides of the proposed Veterans Boulevard alignment. The permanent canal easement and right of way will be used to construct drive approaches for access to the Herndon Canal for FID maintenance activity once Veterans Boulevard is constructed. An appraisal was conducted by Tiffany K.V. Mach, MAI of Real Property Analysts, Inc. with a total appraised value of \$73,400. Adamas, LLC. is the owner of the property and has agreed to accept the appraised value as full compensation.

## **BACKGROUND**

Veterans Boulevard, originally referred to as the Herndon-Grantland Diagonal, was originally part of the 1984 General Plan and is now a planned six-lane super arterial in the 2035 General Plan. In recent years, staff has completed the Project Study Report (PSR), Project Report and Environmental Impact Report (EIR) and progressed the design of the various phases of Veterans Boulevard from Shaw Avenue to Herndon Avenue with the help of the Fresno County Transportation Authority (FCTA) and Fresno Council of Governments (FCOG) with the funding for completing the final design and right of way acquisition. The stretch proposes a new partial cloverleaf interchange connecting State Route 99 and Veterans Boulevard. The new roadway will have six travel lanes, a Class I bicycle lane/pedestrian trail on one side and Class II bicycle lanes on both sides. The project will include three bridge structures, one to cross over State Route 99, one to cross over future Golden State Boulevard and one to cross over the existing Union Pacific Railroad tracks and the future High Speed Rail tracks.

The proposed FID Easement is necessary for completing Phase 4a of the Veterans Boulevard Project. The construction contract for Phase 4a of the Veterans Boulevard Project was awarded by

the City Council on August 27, 2020. The drive approaches to be constructed on this land will be used to provide FID access to the Herndon Canal upon completion of the construction of Veterans Boulevard. Two additional FID easements are needed and those property owners have already expressed their consent.

The City Attorney's Office has approved this staff report and Agreement for Purchase and Sale of a Permanent Canal Easement and the Grant of Easement as to form. After execution by FID's authorized signatories, FID will deposit the Grant of Easement into escrow to be recorded by First American Title Company when all the conditions of escrow have been met.

Staff is recommending approval of the Agreement for Purchase and Sale of a 20,959 square foot Permanent Canal Easement from a portion of 6785 W. Barstow Avenue, Fresno (APN: 505-060-08), owned by Adamas, LLC., a California Limited Liability Company in consideration for \$73,400 in compensation to facilitate the Veterans Boulevard South Extension Project, and authorize the Public Works Director or designee to sign and execute the standardized contract on behalf of the City of Fresno. Compensation was based on an appraisal conducted by Tiffany K.V. Mach, MAI, of Real Property Analysts, Inc. with a total appraised value of \$73,400.

## **ENVIRONMENTAL FINDINGS**

On August 27, 2020, City Council adopted Resolution No. 2020-204, which adopted findings pursuant to CEQA Guidelines Sections 15091 and 15093 as required by Section 15096. In Resolution No. 2020-204 the Council found that the Veterans Boulevard Barstow-Shaw Project (encompassing a segment of the overall Veterans Boulevard Project from Barstow Avenue to Shaw Avenue), is a further discretionary approval of the Veterans Boulevard/Route 99 interchange Project/Veterans Boulevard Grade Separation Project (Veterans Boulevard Project, which was assessed as part of the Project's EIR (SCH No. 2010021054).

The Council found that none of the conditions in CEQA Guidelines Section 15162 calling for the preparation of a supplemental EIR have occurred, and further, adopted the findings of fact and statement of overriding considerations as required by CEQA Guidelines Section 15096 for Responsible Agencies relying on an EIR prepared by another Lead Agency. This approval, for acquisition of an easement, is a necessary step in completing the Veterans Boulevard Barstow-Shaw Project contemplated in Resolution No. 2020-204. As such, it is an integral part of the project that was already assessed by the Veterans Boulevard Project EIR and is subject to the findings made in Resolution No. 2020-204. No further analysis pursuant to CEQA is required at this time.

## **LOCAL PREFERENCE**

Local preference does not apply because approval of the Purchase and Sale Agreement does not include a bid or award of a construction or service contract.

## **FISCAL IMPACT**

This acquisition has no impact to the General Fund and is located in Council District 2. The acquisition is funded by Local Measure "C". Adoption of the attached AAR amendment resolution will appropriate the necessary funding to acquire the necessary remaining right of way in the current fiscal year.

Attachments:

Vicinity Map

Location Map

18th Amendment to Annual Appropriations Resolution

Agreement for Purchase and Sale