



Legislation Details (With Text)

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Title: Actions pertaining to the acquisition of a 10,260 square foot street easement to facilitate the East Central Avenue and South Orange Avenue Intersection Improvement Project (Council District 3)

1. Adopt findings of Categorical Exemption pursuant to Sections 15301 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve the Agreement for Purchase and Sale of an Easement and Escrow Instructions for the acquisition of a 10,260 square foot easement from a portion of APN 330-021-09, with 9,828 square feet located on the northeast corner of East Central Avenue and South Orange Avenue, and 432 square feet located on the southeast corner of East Central Avenue and South Orange Avenue, owned by Orange Avenue Disposal Company, Inc., a California Corporation, for \$36,000 in monetary compensation, and 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. 20-001452 Vicinity Map, 2. 20-001452 Location Map, 3. 20-001452 Agreement for Purchase and Sale, 4. 20-001452 Deed of Easement

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

November 5, 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 the acquisition of a 10,260 square foot street easement to facilitate the East Central Avenue and South Orange Avenue Intersection Improvement Project (Council District 3)

1. Adopt findings of Categorical Exemption pursuant to Sections 15301 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve the Agreement for Purchase and Sale of an Easement and Escrow Instructions for

the acquisition of a 10,260 square foot easement from a portion of APN 330-021-09, with 9,828 square feet located on the northeast corner of East Central Avenue and South Orange Avenue, and 432 square feet located on the southeast corner of East Central Avenue and South Orange Avenue, owned by Orange Avenue Disposal Company, Inc., a California Corporation, for \$36,000 in monetary compensation, and 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 a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines and approve the Agreement for Purchase and Sale of a 10,260 square foot Easement to facilitate the Project. The easement will be acquired from a portion of APN 330-021-09, with 9,828 square feet located on the northeast corner of East Central Avenue and South Orange Avenue, and 432 square feet located on the southeast corner of East Central Avenue and South Orange Avenue, owned by Orange Avenue Disposal Company, Inc., a California Corporation, for \$36,000 in monetary compensation and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition.

EXECUTIVE SUMMARY

The subject property is located on the northeast and southeast corners of the intersection at East Central Avenue and South Orange Avenue. The 10,260 square foot property acquisition is the only acquisition required for the construction of the East Central Avenue and South Orange Avenue Intersection Improvement Project. The project is federally funded with a Regional Surface Transportation Improvement Program (RSTP) grant and Local Developer Impact Fee funds as the required local match.

BACKGROUND

An appraisal was conducted by Tiffany K.V. Mach, MAI of Real Property Analysts, Inc. with a total appraised value of \$24,900. Orange Avenue Disposal Company, Inc., a California Corporation, the owner of the property, disputed the value, rejected the City's offer of \$24,900. A second appraisal, conducted by Rick P. Smith, MAI of Aaron Realty Group, was obtained by the property owner, with a total appraised value of \$48,735. After review of the second appraisal, it was determined that several of the higher comparable sales were not permissible due to age or other factors, but a recent land sale increased the value of the first appraisal and resulted in an adjusted value of \$36,000. An administrative settlement of \$36,000 was presented to, and accepted by, the property owner as full compensation.

The City of Fresno seeks to construct intersection improvements including widening the intersection approaches to construct left turn pockets on South Orange Avenue northbound, on East Central Avenue westbound and on East Central Avenue eastbound, as well as a right turn lane on East Central Avenue westbound. The widening would occur on the northern edge of East Central Avenue due to the presence of the Fresno Irrigation District's (FID) Central Canal directly to the south. In order to construct a left turn lane on South Orange Avenue northbound, the box culvert crossing through FID's Central Canal would be widened. Modifications of the existing traffic signal will be done to facilitate protected left turns due to the area experiencing heavy industrial growth.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Sections 15301/Class 1.

Section 15301/Class 1 exempts projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of an existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Examples include but are limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities as well as existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services. The conditions of Section 15301 are met because this project involves a negligible expansion of an already existing roadway in order to construct a left turn lane.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

The project is located in the City of Fresno Council District 3. The project is primarily federally funded by a Regional Surface Transportation Improvement Program (RSTP) grant. Local Developer Impact Fee program funding will be used as the required local match. The project will not have any impact to the General Fund. All funds necessary for the Purchase and Sale Agreement are included in the current fiscal year budget as previously adopted by the Council.

Attachments:

Vicinity Map
Location Map
Agreement for Purchase and Sale
Deed of Easement