City of FRESNO **REPORT TO THE CITY COUNCIL**

AGENDA ITEM NO.	1 G
COUNCIL MEETING	1/28/2010
APPROVED BY	
DEPARTMENT DIRECTOR	
CITY MANAGER	

January 28, 2010

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

BY: SCOTT L. MOZIER, PE, City Engineer / Assistant Director
Public Works Department, Engineering Division

SUBJECT: 1. ADOPT A FINDING OF CLASS 3 CATEGORICAL EXEMPTION FROM CEQA UNDER SECTION 15303(D) FOR INSTALLATION OF WATER MAIN EXTENSION AT SAN BENITO STREET BETWEEN O AND P STREETS

2. APPROVE THE ACQUISITION OF TWO PUBLIC WATER MAIN EASEMENTS FOR A WATER MAIN EXTENSION AT SAN BENITO STREET BETWEEN O AND P STREETS FROM PROPERTY OWNERS: BW HOLDINGS GROUP, INC. AND STEPHEN AND RUTH MCGILL. (COUNCIL DISTRICT 3)

RECOMMENDATION

1. Adopt a Finding of Class 3 Categorical Exemption from California Environmental Quality Act (CEQA) under Section 15303(d), for installation of water main extension at San Benito Street between O and P Streets.

2. Staff recommends that the Council approve the acquisition of two (2) water main easements (See Exhibit A's) necessary for installation of water main extension at San Benito Street between O and P Streets from property owners: BW Holdings, Inc. (APN: 268-201-06 and Stephen and Ruth McGill (APN: 268-201-04), for the appraised value of $5,000.00 total and authorize the Public Works Director or his designee to sign all documents necessary to complete the transaction.

EXECUTIVE SUMMARY

The Water Division project proposes to acquire a 20-foot wide public water main easement for operation and maintenance of a new water main. The Water Division proposes to extend a 6-inch water main in the vacated alley to San Benito Street, which will eliminate the dead-end main. The main extension will also eliminate two dead-end mains within San Benito Street which should help increase fire flows and water quality in the area. The easements are being acquired from two property owners adjacent to the vacated alley. The public water main extension is included in the City's adopted FY10 capital improvement program. This project will not impact the City's General Fund.

The value of the land within these two alley easements is $5,000.00. The values of the alley easements were established by a staff professional real estate appraiser and negotiations to acquire the easements were initiated on November 1, 2009. Owners of two parcels have agreed to the amount of compensation (See Exhibit B) offered by the City and signed the Street Easement Agreements for Purchase and Sale and the Street Easement Deeds. BW Holdings, Inc. requested the City extend their water main and waived any rights to compensation. With Council approval, the appropriate payment will be made to the owners and the street easements will be recorded.

BACKGROUND

The Water Division currently provides water service to Rich's Foods (BW Holdings, Inc.) located at 320 O St. Over the past year, Rich's Foods has experienced difficulty in their operations due to sediment received through their water service. The water service to Rich Food's extends from a six-inch dead-end water main located within the vacated O-P Alley at San Benito Street. To mitigate the sediment problem, the Water Division is proposing to extend the 6-inch water main in the alley to San Benito Street which will eliminate the dead-end main. The main extension will increase flow through the main feeding Rich's Foods and reduce the accumulation of sediment in the water service. The main extension will also eliminate two dead-end mains within San Benito Street which should help increase fire flows and water quality in this area. Construction of the water main requires the acquisition of a 20-foot wide water main easement for the operation and maintenance of the facility on private property.

The public water main extension within the vacated O-P Alley at San Benito Street is included in the City's adopted FY10 capital improvement program. The intersection improvement project requires the acquisition of two street easements.

The proposed project has been determined to be a Class 3 Categorical Exemption from California Environmental Quality Act (CEQA) under Section 15303(d). The construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction, are exempt from CEQA review.

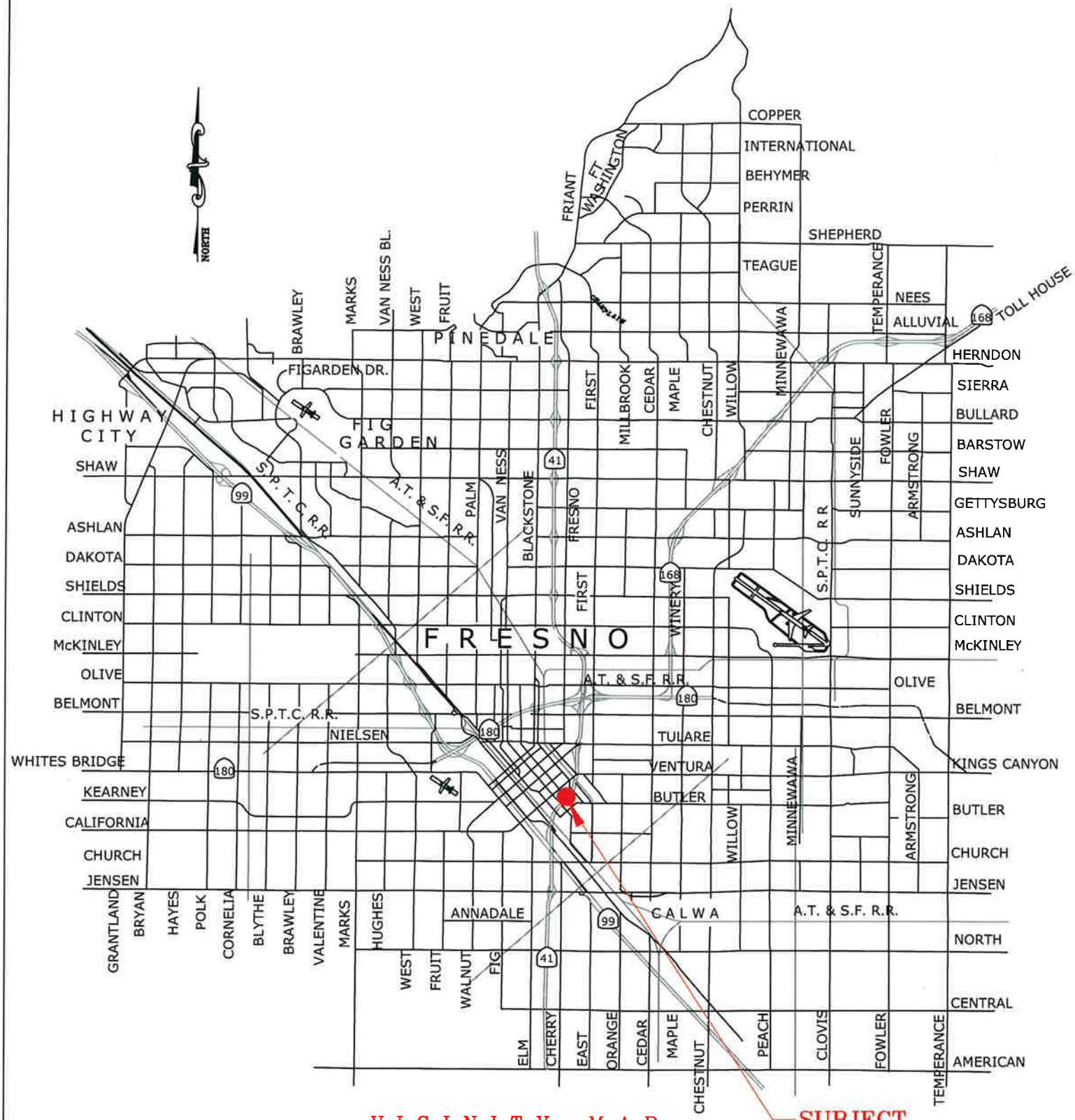
The documents signed by the property owners have been approved as to form by the City Attorney's office.

FISCAL IMPACT

Funds for the acquisitions and the project are funded by City of Fresno Project No. WC00004, Fund 40101, ORG 411501, CORNERSTONE JE003 and Source J-5302. No additional appropriations are needed.

PNW/SLM/TJ/eam
Adopt Finding of Conform and Apprv Acq of Public Water Main Esmnts O-P Vacated Alley 01-28-10

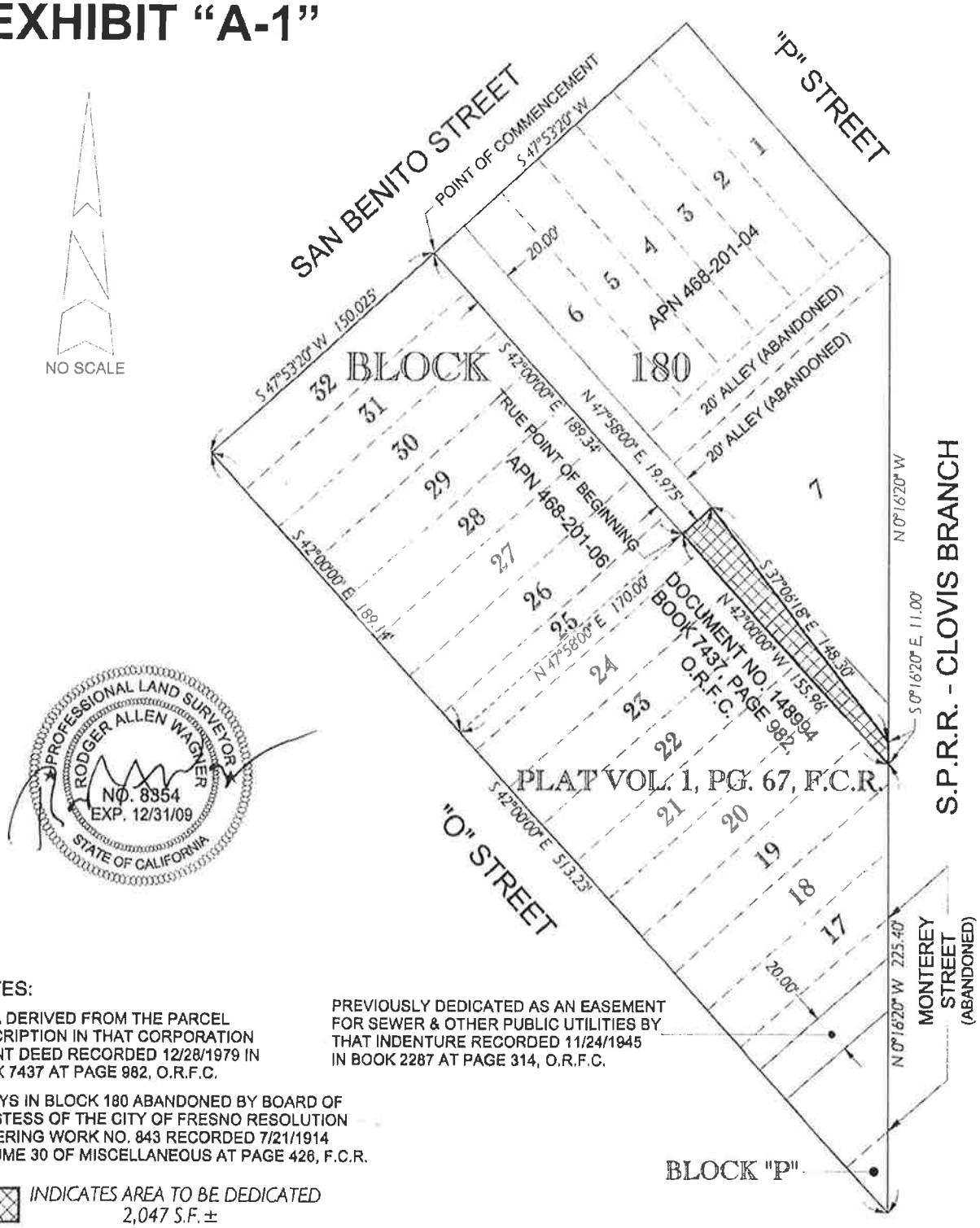
Attachments: Exhibits A-1 and A-2
Exhibit B



VICINITY MAP
NOT TO SCALE

CITY OF FRESNO	DEPT. OF PUBLIC WORKS	
O & P STREET VACATED ALLEY WATER MAIN EXTENSION	DATE: 01/15/10	SHEET 1 OF 1

EXHIBIT "A-1"



NOTES:

DATA DERIVED FROM THE PARCEL DESCRIPTION IN THAT CORPORATION GRANT DEED RECORDED 12/28/1979 IN BOOK 7437 AT PAGE 982, O.R.F.C.

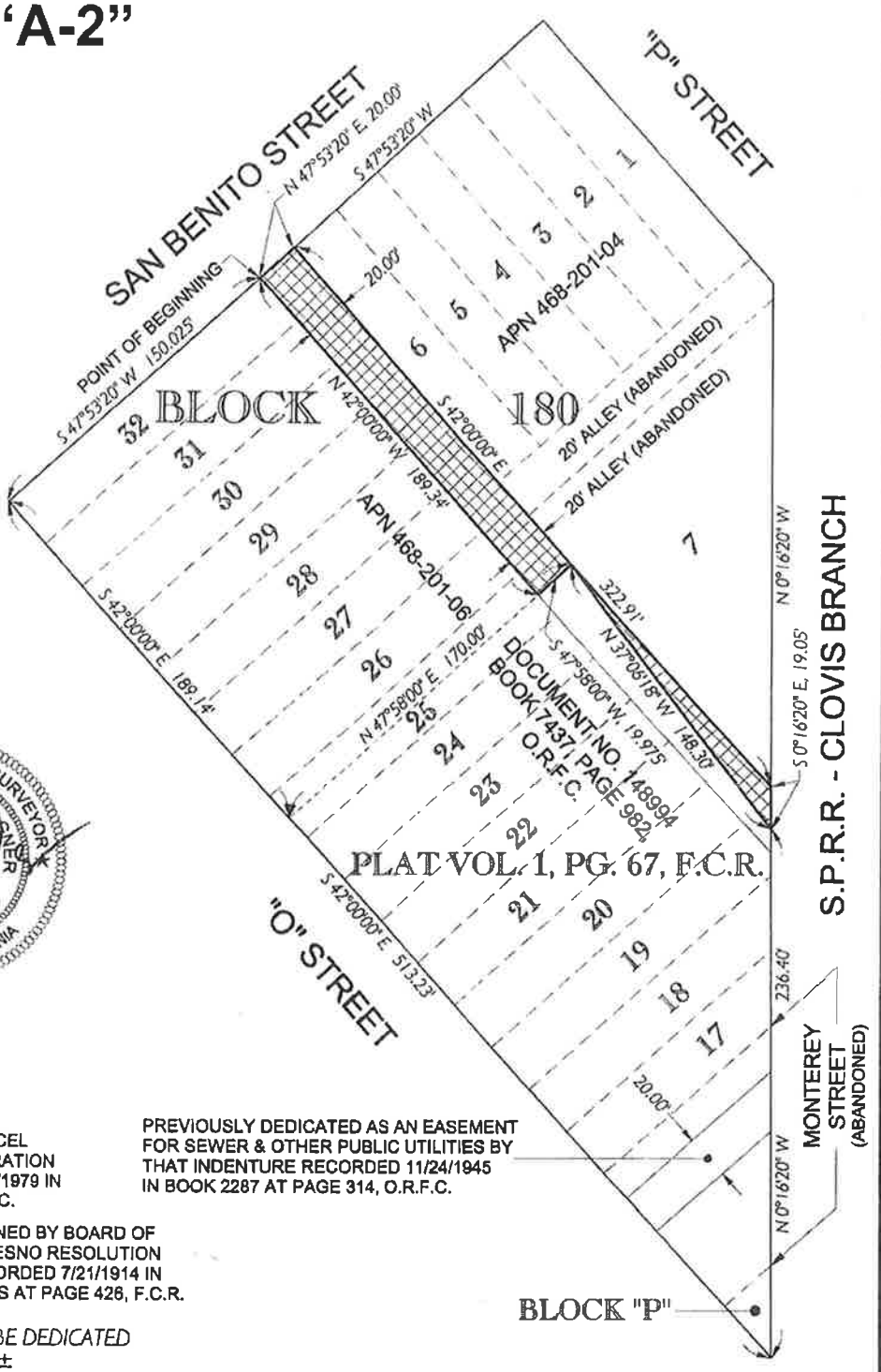
ALLEYS IN BLOCK 180 ABANDONED BY BOARD OF TRUSTESS OF THE CITY OF FRESNO RESOLUTION ORDERING WORK NO. 843 RECORDED 7/21/1914 VOLUME 30 OF MISCELLANEOUS AT PAGE 426, F.C.R.

PREVIOUSLY DEDICATED AS AN EASEMENT FOR SEWER & OTHER PUBLIC UTILITIES BY THAT INDENTURE RECORDED 11/24/1945 IN BOOK 2287 AT PAGE 314, O.R.F.C.

INDICATES AREA TO BE DEDICATED
2,047 S.F. ±

REF. & REV.	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. WC00004 FUND NO. 40101 ORG. NO. 411501	CO# RES TYPE 15302
2009-110 WJ# 5302 PLAT 2757	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC WATER MAIN PURPOSES	DR. BY A.J. CH. BY R.A.W. DATE AUG. 28, 2009 SCALE NO SCALE	SHEET NO. 1 OF 1 SHEETS 15-A-8653

EXHIBIT "A-2"



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INDICATES AREA TO BE DEDICATED 4,636 S.F.±

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EXHIBIT B

O & P STREETS VACATED ALLEY WATER MAIN EXTENSION STAFF REPORT

		Land Value	Cost to Cure	Total Per APN
APN: 468-201-06	BW Holdings, Inc. (Exhibit A)	0.00		0.00
APN: 468-201-04	Stephen & Ruth McGill (Exhibit B)	5,000.00		5,000.00
	TOTALS	5,000.00	0.00	5,000.00