

AGENDA ITEM NO.	1 G
COUNCIL MEETING	02/09/12
APPROVED BY	
	
DEPARTMENT DIRECTOR	
CITY MANAGER	

February 9, 2012

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

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

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

- SUBJECT:**
1. APPROVE THE FILING OF NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION EA-11-008, BY THE CITY OF FRESNO, FOR THE WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NEES AND WILLOW AVENUES (COUNTY OF FRESNO)
 2. APPROVE ACQUISITION OF ONE PUBLIC STREET EASEMENT FROM A PORTION OF PROPERTY OWNED BY SUHARDI "TONY" TJUANTA, IN THE AMOUNT OF \$99,900 FOR WIDENING AND PLACEMENT OF ASSOCIATED FRONTAGE IMPROVEMENTS ALONG THE SOUTH SIDE OF NEES AVENUE AND THE WEST SIDE OF WILLOW AVENUE AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NEES AND WILLOW AVENUES (COUNTY OF FRESNO)

RECOMMENDATIONS

1. Approve the filing of Notice of Intent to Adopt Mitigated Negative Declaration EA-11-008, by the City of Fresno, for the widening and placement of associated frontage improvements along the south side of Nees Avenue and the west side of Willow Avenue at the southwest corner of the intersection of Nees and Willow Avenues, in the County of Fresno.
2. Approve acquisition of a public street easement from a portion of property (see Exhibit A) owned by Suhardi "Tony" Tjuanta at 2895 E. Nees Avenue, APN 404-072-09s, in the amount of \$99,900 that is necessary for the widening and placement of associated frontage improvements along the south side of Nees Avenue and the west side of Willow Avenue at the southwest corner of the intersection of Nees and Willow Avenues, in the County of Fresno, and that Council authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

REPORT TO THE CITY COUNCIL

Approve Partial Acquisition – Willow & Nees Widening – Tjuanta second parcel

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EXECUTIVE SUMMARY

The proposed widening of portions of Willow and Nees Avenues, the installation of new streetlights, modification of traffic signals, installation of new concrete curb and gutter, sidewalk, driveway approaches and segments of pedestrian trail along the west side of Willow Avenue will improve circulation, safety and access at the intersection of Willow and Nees Avenues. The overall project includes the widening of southbound Willow Avenue to three southbound lanes from Shepherd Avenue to 0.25 miles south of Nees Avenue and the widening of eastbound Nees Avenue to two travel lanes from Willow Avenue to 0.25 miles west of Willow Avenue. The project is consistent with the planned use designation of the Woodward Park Community Plan and the 2025 Fresno Plan policies and will not cause any significant environmental impacts related to endangered, rare or threatened species, traffic noise, air, or water quality. The property is located on the south side of Nees Avenue and is the second lot west of the intersection of Nees and Willow Avenues, and is one of seven partial acquisitions that will be required for the project. The property owner, Suhardi "Tony" Tjuanta, has agreed to the appraised value of \$99,900 for approximately 8,567 square feet of property, which includes land, improvements and cost to cure damages to the property. Funding is available through regional Measure C Tier-1 dollars and the Federal Regional Surface Transportation Program (RSTP). Acquisition of right of way in 2012 will allow for overhead utilities to be relocated and undergrounded by 2013, with street widening to follow by 2014.

BACKGROUND

In 2006 the City of Fresno applied for and received Regional Surface Transportation Program (RSTP) grant funding through the Fresno County Council of Governments (COG). This grant was for the widening of Willow Avenue from Shepherd to Decatur Avenue (0.25 miles south of Nees Avenue). This operational improvement project will reconstruct and widen portions of Willow and Nees Avenues within an existing corridor to fill in segments of single lanes between signals. The project limits on Willow (southbound) are south of Nees Avenue to approximately 1600 feet, and north of Nees Avenue (various segments northbound and southbound) to Shepherd Avenue. The limits on Nees Avenue (eastbound) are to approximately 1200 feet west of Willow Avenue. The project will acquire minor to major portions of new right-of-way for turn lane channelization expansion. The work includes the installation of new streetlights, underground utility facilities, modification of traffic signal at Willow and Nees intersection, placing new asphalt pavement, concrete curb and gutter, median curb, sidewalk, driveway approaches, and segments of pedestrian trail on the west side of Willow Avenue.

The subject property is located on the south side of Nees Avenue and is the second lot west of the intersection of Nees and Willow Avenues (APN: 404-072-09s), and was appraised by independent appraiser Gregory D. Addington, with Lawrence D. Hopper, MAI of Real Property Analysts. At least two other property owners obtained a second appraisal performed by Scott Rurik, MAI who appraised the property four dollars per square foot higher than Mr. Addington. Upon review of the two appraisals by the City of Fresno Real Estate Department and an independent third party review by James Palmer MAI, an offer of an additional one dollar per square foot was offered and accepted by the property owner. The subject property is located within the County of Fresno jurisdiction. On June 7, 2011, the County of Fresno granted the authority to acquire variable width easements adjacent to existing right-of-way in an unincorporated area of the County along the south side of Nees Avenue and the west side of Willow Avenue at the southwest corner intersection of Nees and Willow Avenues to the City of Fresno.

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ENVIRONMENTAL FINDING

Staff conducted an initial study of the project and it was determined to be a subsequent project that was not fully within the scope of the Master Environmental Impact Report No. 10130 (“MEIR”) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH #2009051016) (Air Quality MND). On June 3, 2011, the City of Fresno Development and Resource Management Department filed a Notice of intent to Adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation measures imposed, there was no substantial evidence in the record that this project may have additional significant, direct, indirect, or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, found that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

The purpose of the project is to improve circulation, safety and access at the above noted intersection. No adverse environmental impacts will occur as a result of the proposed project.

FISCAL IMPACT

There will be no General Fund dollars required to construct the project. Funds for this acquisition and the remaining acquisitions for the widening and installation of frontage improvements along Nees and Willow Avenues are funded by City of Fresno Project No. PW00430, Fund 22048, Org 189901, Cornerstone CP001.

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Attachments:

- Exhibit “A” - Vicinity Map
- Exhibit “B” – Parcel Map

EXHIBIT "A"
VICINITY MAP



