

AGENDA ITEM NO. 1 C
COUNCIL MEETING 4/15/2010
APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

April 15, 2010

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

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



SUBJECT: APPROVE THE ACQUISITION OF FIVE STREET EASEMENTS FROM PROPERTY OWNED BY VICENTE AND ALICIA ROMERO, ELBERT AND RETA HENDRIX, RICHARD AND CELIA ORNELAS, ANTONIA CAMPOS, AND ANTONIO SOTO AND ANITA REYNA FOR THE PEACH AVENUE WIDENING PROJECT BETWEEN BELMONT AND KINGS CANYON (COUNCIL DISTRICT 5)

RECOMMENDATIONS

1. Staff recommends that the City Council approve the acquisition of a public street easement from Vincente and Alicia Romero for 1,860 square feet; a public street easement from Elbert and Reta Hendrix for 4,623 square feet, a public street easement from Richard and Celia Ornelas for 1,543 square feet, a public street easement from Antonia Campos for 6,440 square feet, and a public street easement from Antonio Soto and Anita Reyna for 3,514 square feet.
2. Authorize the Public Works Director or his designee to accept the five deeds of easement from property owned by Vicente and Alicia Romero, Elbert and Reta Hendrix, Richard and Celia Ornelas, Antonia Campos, and Antonio Soto and Anita Reyna, and to execute the Agreements for Purchase and Sale of Real Property and complete the acquisition.

EXECUTIVE SUMMARY

Peach Avenue between Belmont Avenue to Kings Canyon Road is designated as a scenic arterial street in the 2025 Fresno General Plan and its Master Environmental Impact Report (MEIR) certified in 2002, is planned to be improved from existing two lane major street to a four lane divided major street. The project proposes to expand Peach Avenue between Belmont Avenue to Kings Canyon to a four lane road with landscaped median islands, new curbs, gutters and sidewalks. Intersections will be widened to accommodate bus bay/acceleration lanes, turn lanes, new curb returns with ADA curb ramps and bicycle lanes.

The value of the acquisition was established by an independent, professional appraiser and negotiations to acquire the parcel were initiated on February 22, 2010. The appraised value of each parcel is shown on Exhibit "A". The owners have signed the appropriate documents to provide the additional street right-of-ways depicted on Assessor's Parcel Maps attached as Exhibit "B". The property owners have agreed to the City's acquisition for the negotiated total

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amount of \$149,700.00. The owners have signed the Agreements for Purchase and Sale and Easement Deeds. With City Council approval of these acquisitions, the transaction will be processed and completed.

BACKGROUND

The improvement of Peach Avenue to a four lane divided arterial between Belmont Avenue and Kings Canyon Road has long been a goal of the City of Fresno. The 1974 General Plan, 1984 General Plan and 2025 General Plan (year 2002) all have depicted Peach Avenue as a planned four lane arterial roadway. The proposed project consists of widening Peach Avenue from a two lane to a four lane arterial roadway between Kings Canyon Road and Belmont Avenue, including a landscaped median island and traffic signal improvements.

On July 17, 2001, the Council accepted State Master Agreement No. 06-000060 for State-funded projects, including street improvements along Peach Avenue between Butler and Belmont Avenues as funded by the Governor's Traffic Congestion Relief Program (TCRP). The City, designated as the implementing agency for this project, received a \$10,000,000 TCRP grant, to improve traffic operations and circulation along Peach Avenue between Butler and Belmont Avenues. The City was authorized to proceed with \$600,000 in environmental and engineering design work. The project was initially suspended at the beginning of 2003 in response to the State's fiscal crisis pending future funds becoming available. Project sponsors were advised that the State could not guarantee payment of invoices for any activity on the project and advised local agencies that the TCRP was being suspended. The environmental document was not complete at the time of project suspension. The Public Works Department resumed design and environmental efforts when the State informed local agencies that funding for reimbursement was secure.

On June 1, 2009, the City and the Fresno County Transportation Authority (FCTA) entered into a Measure C Cooperative Project Agreement that authorized \$5,685,000 for right-of-way acquisition for the Peach Avenue Widening Project.

Upon completion of right-of-way acquisition and the associated relocations in late 2010 through early 2011, followed by PG&E undergrounding of overhead utilities in early 2012, the City would then be able to proceed to construction in 2012, with the completed four lane road open to traffic in 2013.

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The documents signed by the property owner have been approved as to form by the City Attorney's office. Environmental Assessment has been completed. A Mitigated Negative

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Declaration has been issued for the project. The Mitigated Negative Declaration was filed with the Fresno County Clerk's office on October 8, 2008, with this number E200810000399.

FISCAL IMPACT

The project is funded by a combination of State TCRP grant funds and Measure "C" Tier 1 funds. There will be no General Fund dollars required to construct the project. Funds for this acquisition for the Peach Avenue Widening Project are funded by City of Fresno Project No. PW00212, Fund 22504, ORG 189901, Cornerstone CP001.

PNW/SLM/TJ/eam
Apprv Acq 5 Str Esmnts Peach Widening btwn Belmont and Kings Canyon 4-15-2010

Attachment: Vicinity Map
Exhibit "A"
Exhibit "B" (5 locations)

PEACH AVENUE VICINITY MAP

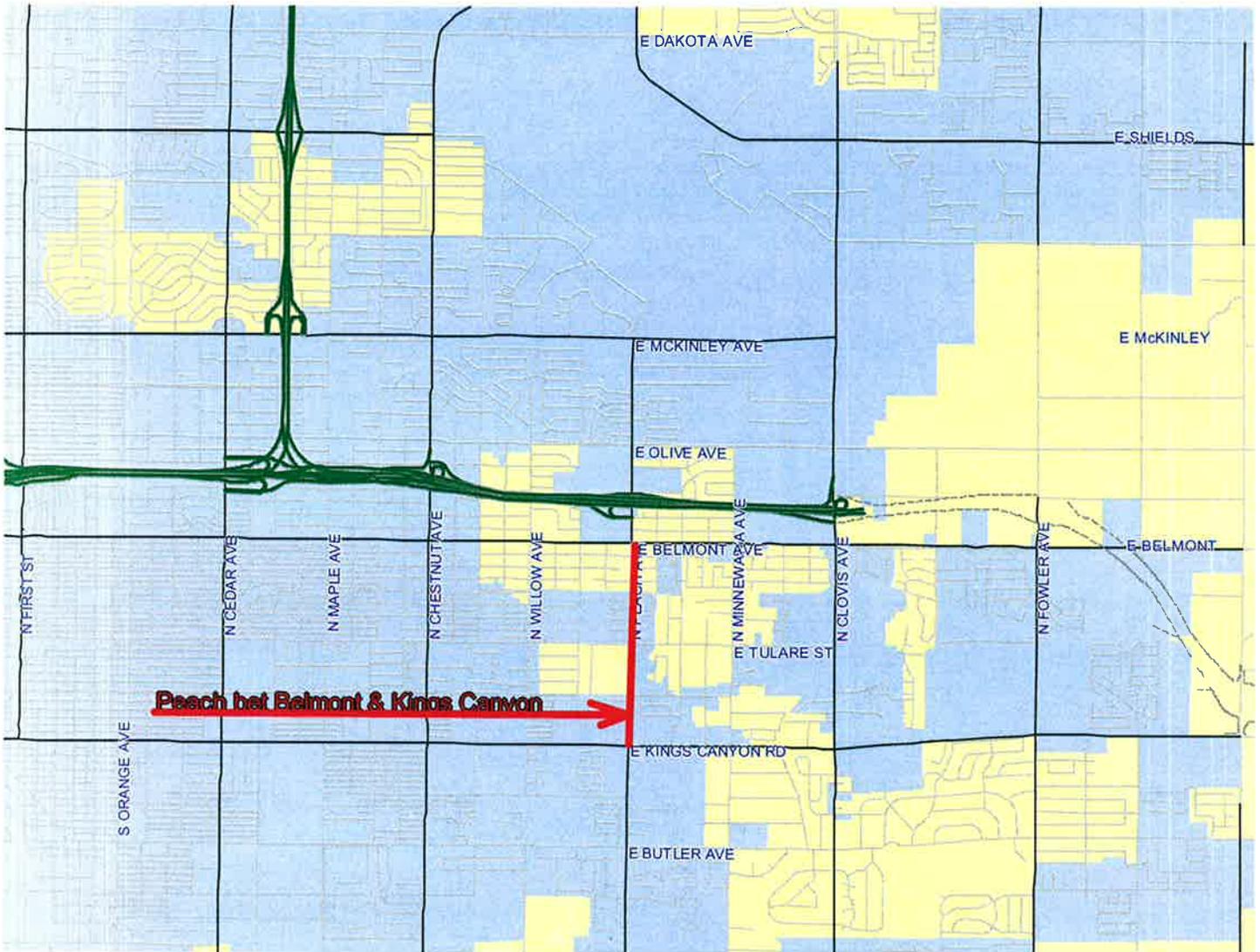


EXHIBIT A

PEACH AVENUE WIDENING FROM BELMONT TO KINGS CANYON STAFF REPORT

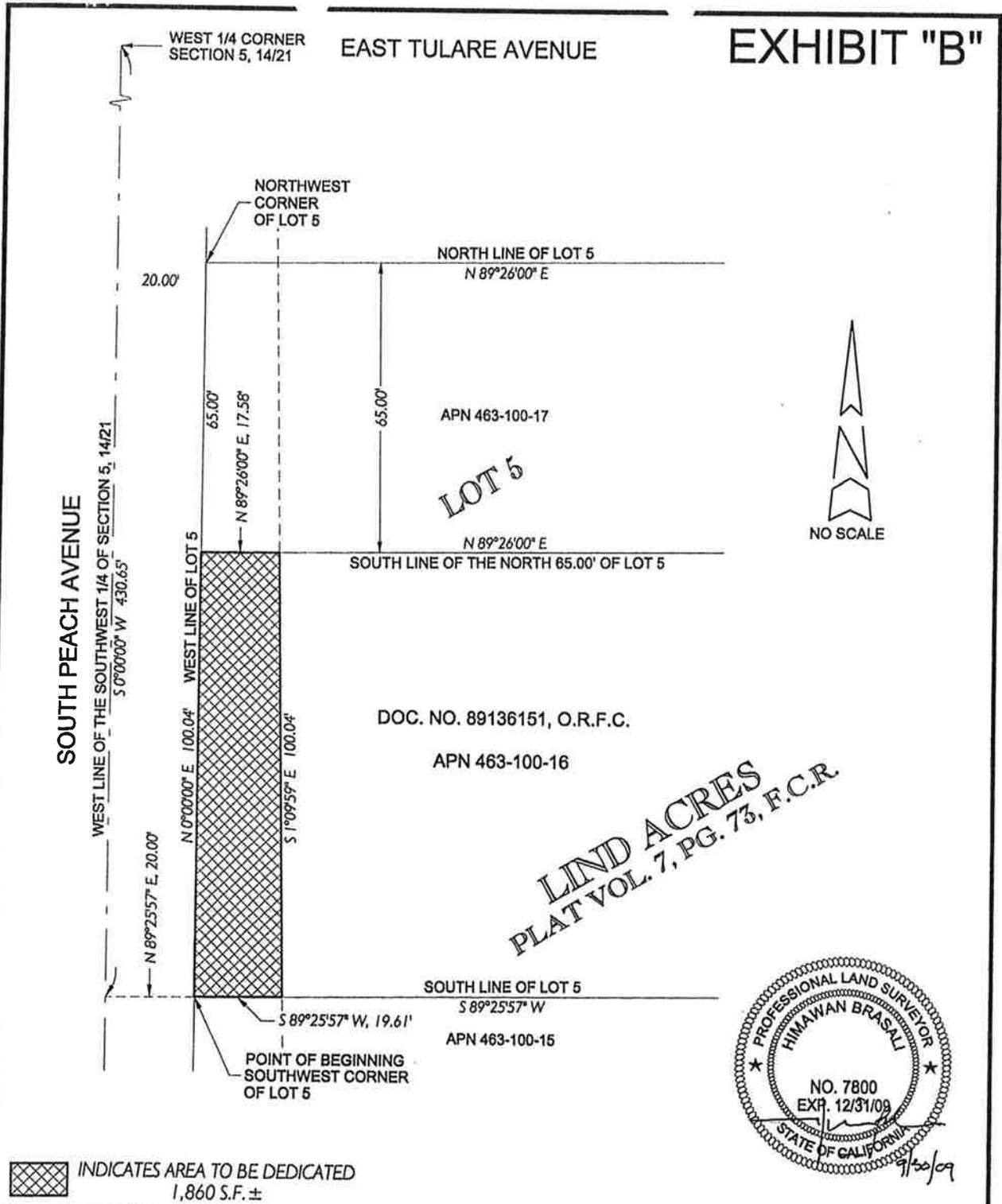
		Total Per APN
APN 463-100-16	Vicente and Alicia Romero	\$ 15,700.00
APN 463-100-17	Elbert and Reta Hendrix	\$ 23,600.00
APN 463-100-13	Richard and Celia Ornela	\$ 30,600.00
APN 463-150-02	Antonia Campos	\$ 43,500.00
APN 463-100-15	Antonio Soto and Anita Reyna	\$ 36,300.00
		\$ -
		\$ -
		\$ -

TOTALS

\$ 149,700.00

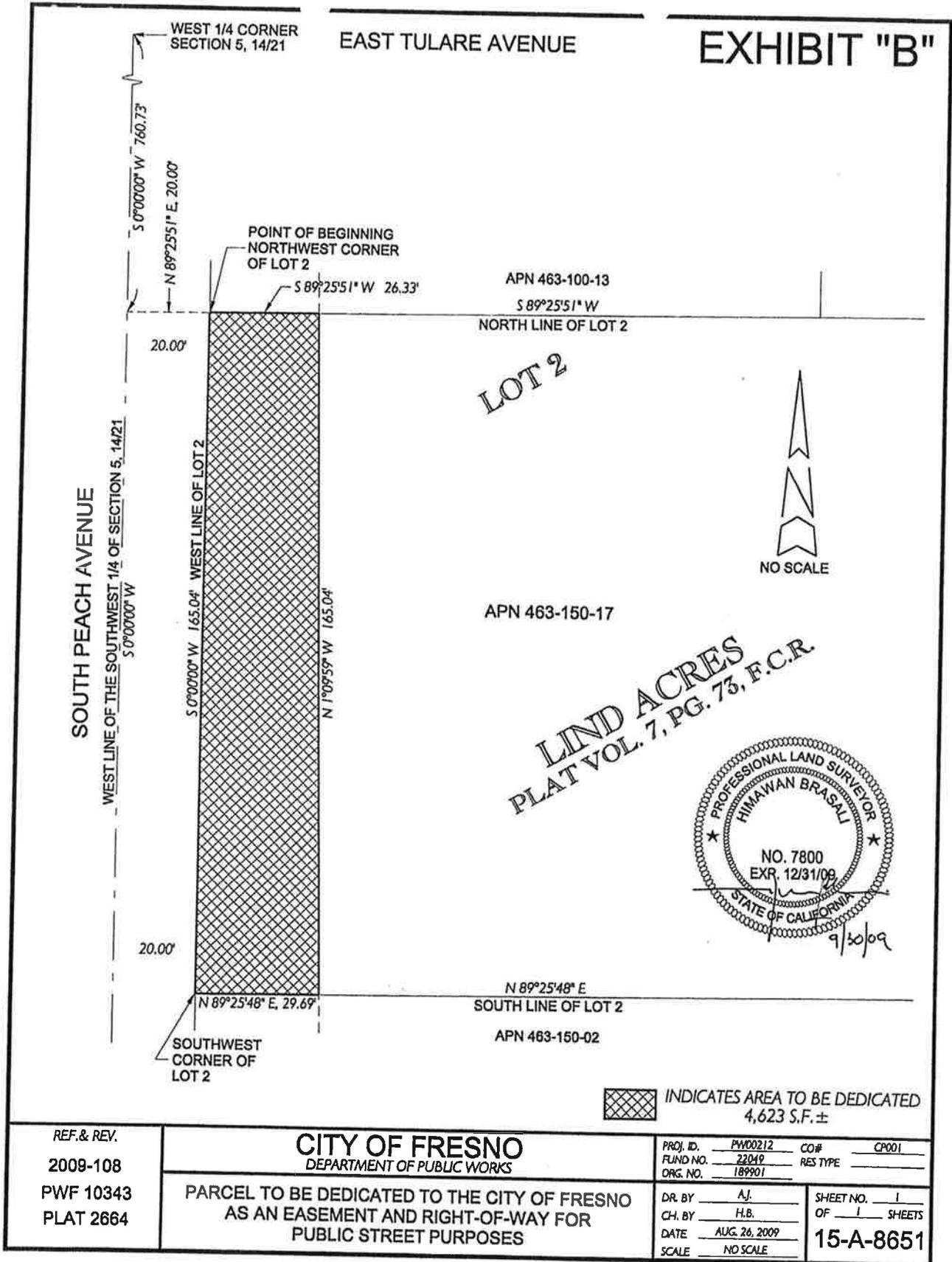
ROMERO

EXHIBIT "B"



REF. & REV. 2009-100 PWF 10343 PLAT 2664	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. <u>PM00212</u> CO# <u>CP001</u> FUND NO. <u>22049</u> RES TYPE _____ ORG. NO. <u>189901</u>
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES		DR. BY <u>AJ.</u> SHEET NO. <u>1</u> CH. BY <u>H.B.</u> OF <u>1</u> SHEETS DATE <u>AUG. 26, 2009</u> SCALE <u>NO SCALE</u> 15-A-8643

Hendrix



REF. & REV.
 2009-108
 PWF 10343
 PLAT 2664

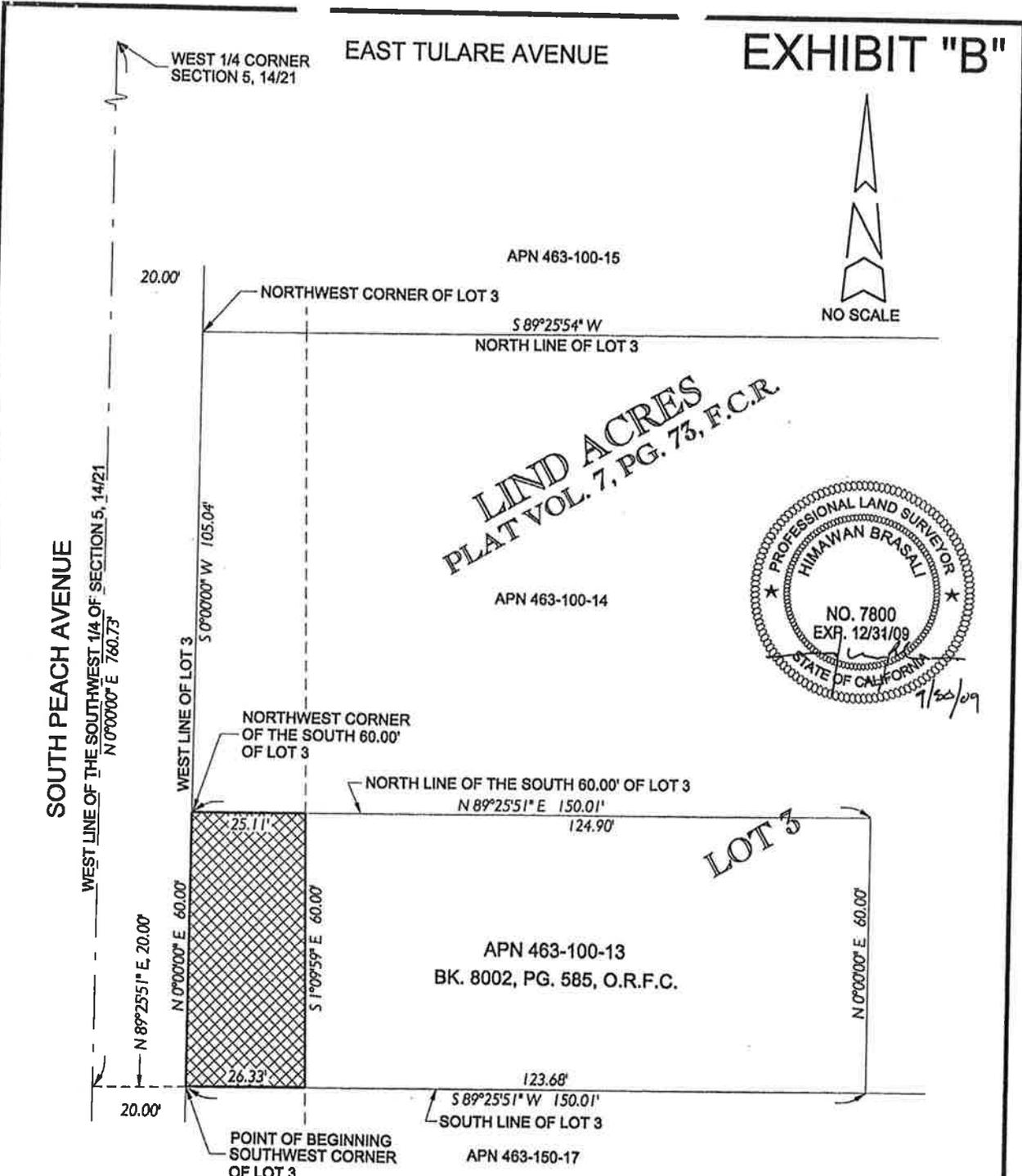
CITY OF FRESNO
 DEPARTMENT OF PUBLIC WORKS

PARCEL TO BE DEDICATED TO THE CITY OF FRESNO
 AS AN EASEMENT AND RIGHT-OF-WAY FOR
 PUBLIC STREET PURPOSES

PROJ. ID. PWD0212	CO# CP001
FUND NO. 22049	RES TYPE
ORG. NO. 189901	
DR. BY A.J.	SHEET NO. 1
CH. BY H.B.	OF 1 SHEETS
DATE AUG. 26, 2009	15-A-8651
SCALE NO SCALE	

ORNELAS

EXHIBIT "B"

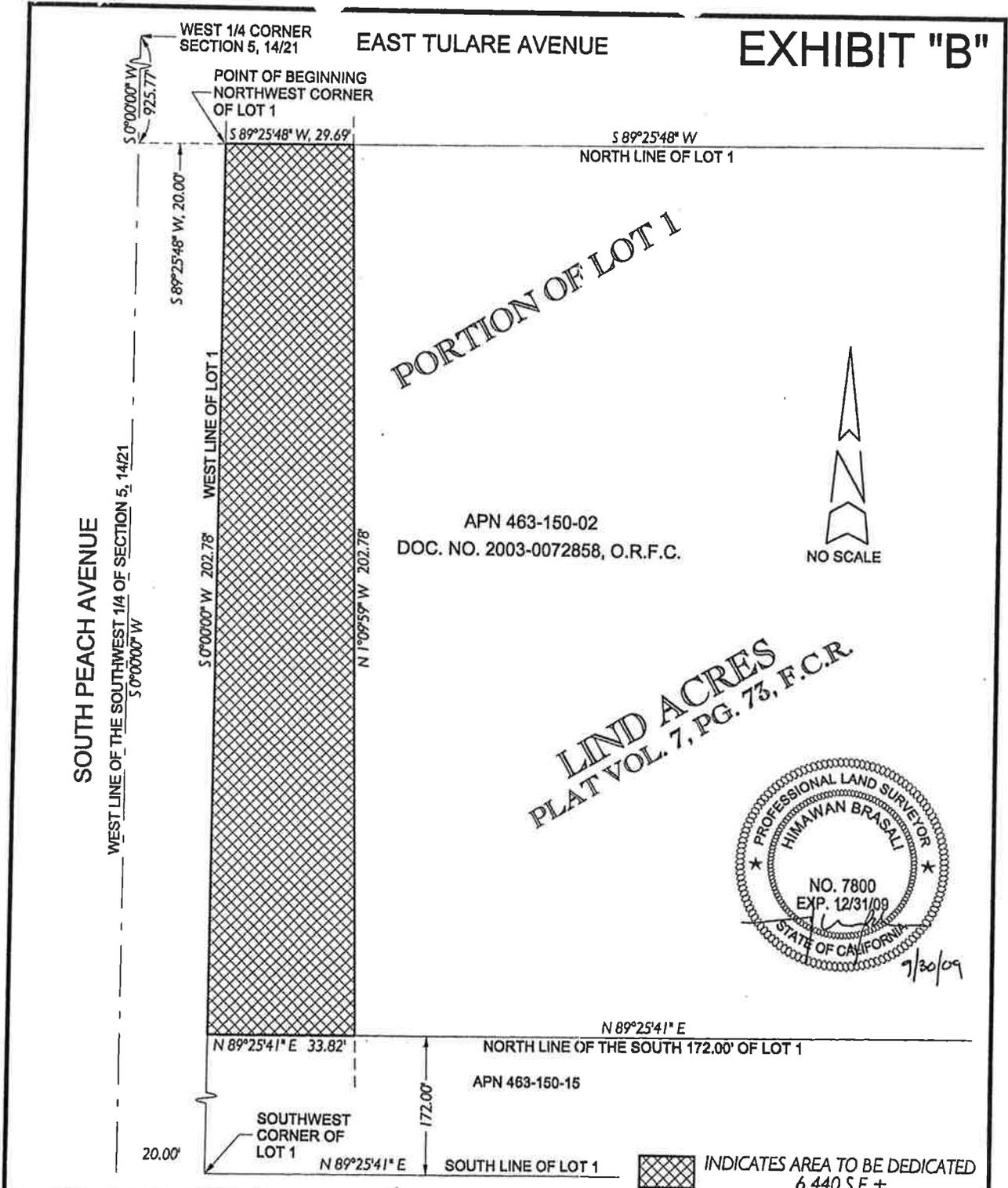


 INDICATES AREA TO BE DEDICATED
1,543 S.F. ±

REF. & REV. 2009-097 PWF 10343 PLAT 2664	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. <u>PW00212</u> CD# <u>CP001</u> FUND NO. <u>22049</u> RES TYPE <u> </u> ORG. NO. <u>189901</u>
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY <u>A.J.</u> SHEET NO. <u>1</u> CH. BY <u>H.B.</u> OF <u>1</u> SHEETS DATE <u>AUG. 26, 2009</u> SCALE <u>NO SCALE</u> 15-A-8640

CAMPOS

EXHIBIT "B"



APN 463-150-02
DOC. NO. 2003-0072858, O.R.F.C.

LIND ACRES
PLAT VOL. 7, PG. 73, F.C.R.

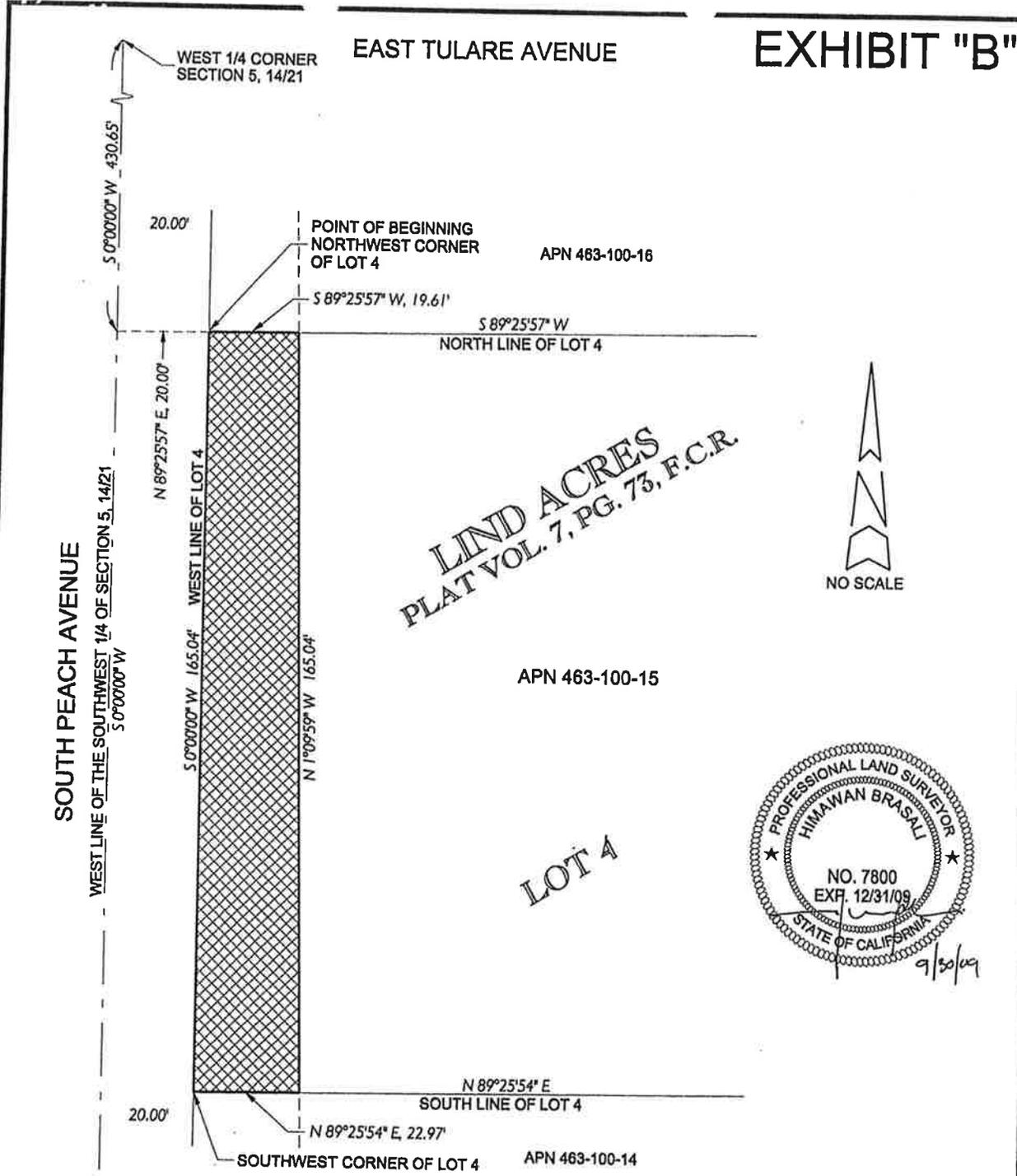


INDICATES AREA TO BE DEDICATED
6,440 S.F. ±

REF. & REV. 2009-106 PWF 10343 PLAT 2664	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PWD0212 CO# CP001 FUND NO. 22049 RES TYPE ORG. NO. 189901	DR. BY AJ. CH. BY H.B. DATE AUG. 26, 2009 SCALE NO SCALE
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES		SHEET NO. 1 OF 1 SHEETS 15-A-8649

SOTO - REYNA

EXHIBIT "B"



 INDICATES AREA TO BE DEDICATED
3,514 S.F. ±

REF. & REV. 2009-099 PWF 10343 PLAT 2664	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. PWD0212 CO# CPO01 FUND NO. 22049 RES TYPE ORG. NO. 189901
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES		DR. BY A.J. CH. BY H.B. DATE AUG. 26, 2009 SCALE NO SCALE
			SHEET NO. 1 OF 1 SHEETS 15-A-8642