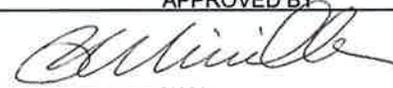


AGENDA ITEM NO. 1 N  
COUNCIL MEETING 4-8-2010  
APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

April 8, 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 TWO STREET EASEMENTS FROM PROPERTY OWNED BY CECIL E. FERGUSON AND HELEN WOODWARD 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 Cecil E. Ferguson for 8 square feet; and a public street easement from Helen Woodward for 271 square feet.
2. Authorize the Public Works Director or his designee to accept the two deeds of easement from property owned by Cecil E. Ferguson and Helen Woodward 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 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 amount of \$2,900.00. 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.

## REPORT TO THE CITY COUNCIL

Approve Acquisition of Two Properties Peach Ave Widening – Ferguson and Woodward

April 8, 2010

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### **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 4-lane road open to traffic in 2013.

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 amount of \$2,900.00. 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.

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 Declaration has been issued for the project. The Mitigated Negative Declaration was filed with the Fresno County Clerk's office on October 08, 2008, with this number E200810000399.

**REPORT TO THE CITY COUNCIL**

**Approve Acquisition of Two Properties Peach Ave Widening – Ferguson and Woodward**

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**FISCAL IMPACT**

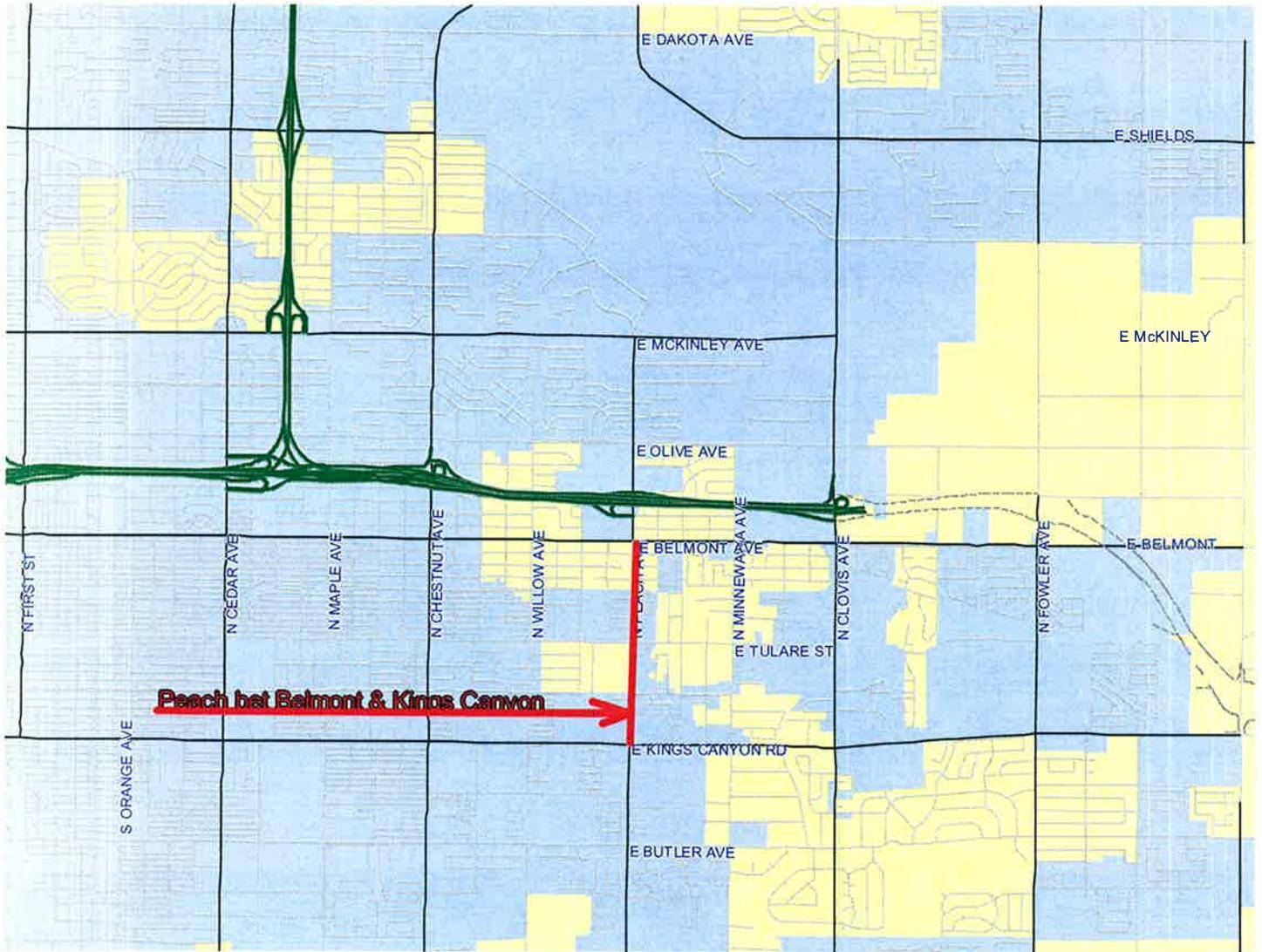
The project is funded by a combination of State TCRP grant funds and Measure “C” Tier 1 funds. There will be no General Fund dollars required to construct the project. Funds for this acquisition for the Peach Avenue Widening Project are funded by City of Fresno Project No. PW00212, Fund 22504, ORG 189901,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

PNW/SLM/PC/eam

Apprv Acq 2 Str Esmnts – Peach Ave Widening – Ferguson& Woodward 4-8-2010

**Attachment:** Vicinity Map  
Exhibit “A”  
Exhibit “B” (2 locations)

# PEACH AVENUE VICINITY MAP



# EXHIBIT A

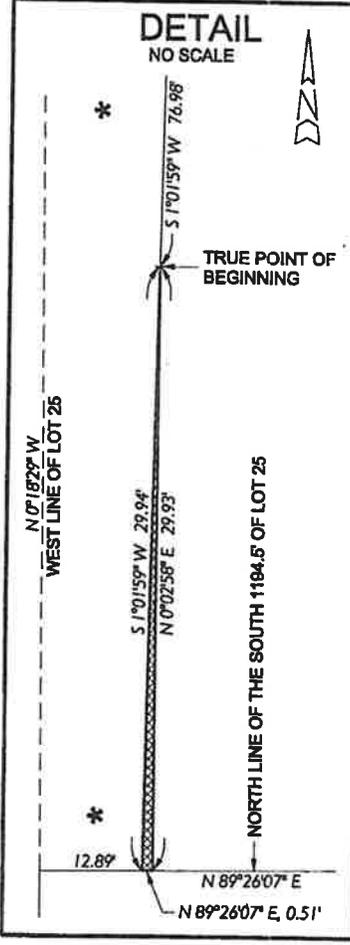
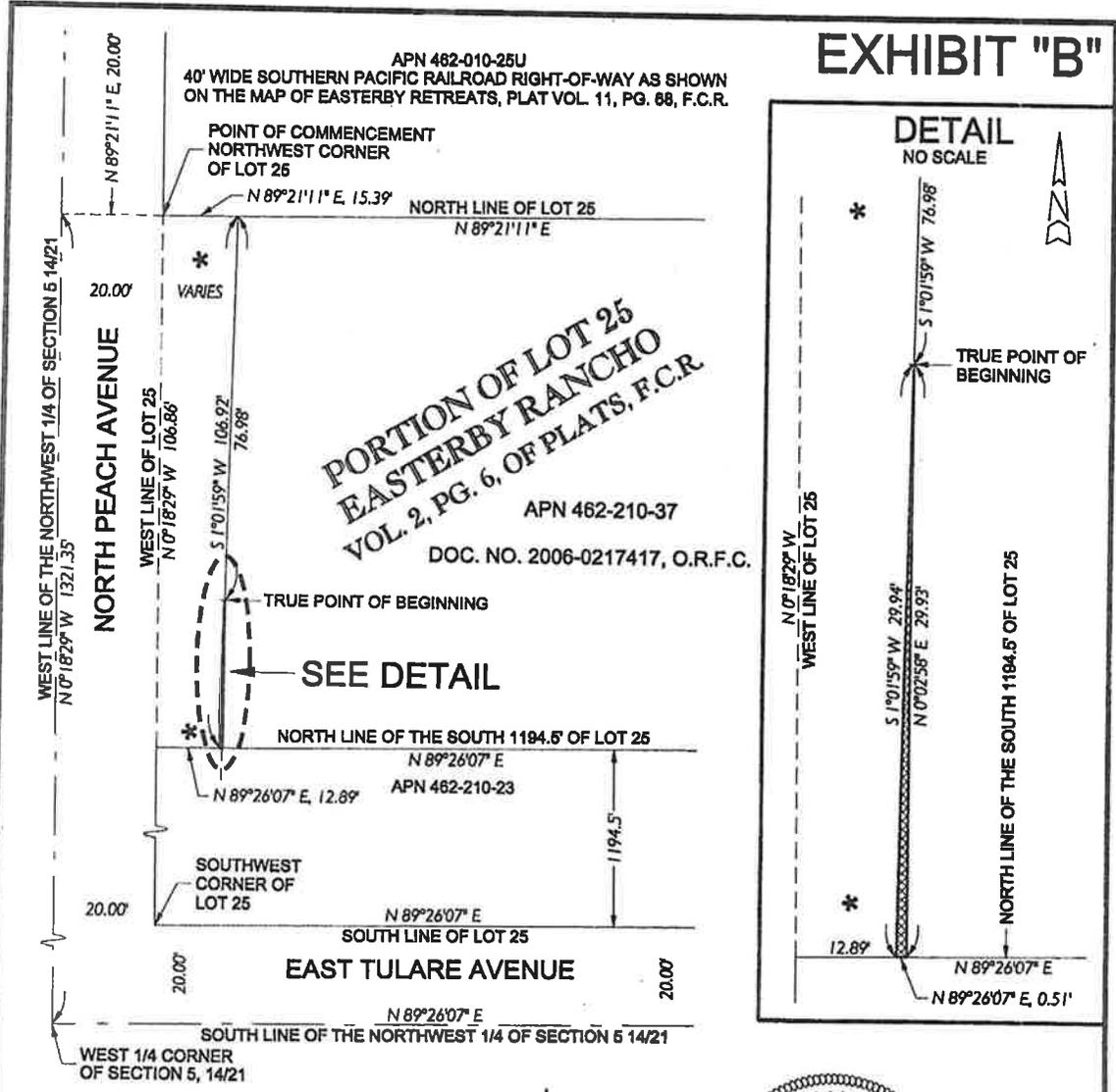
## Peach Avenue between Belmont Avenue and Kings Canyon

		Appraised Value
APN 462-210-37	Cecil E. Ferguson*	\$ 1,200.00
APN 462-210-38	Helen Woodward	\$ 1,700.00
<b>TOTALS</b>		\$ 2,900.00

\* The vast majority of the cost for the Ferguson parcel is for reconstruction of a fence impacted by the acquisition.

FERGUSON

EXHIBIT "B"



\* = GRANTED TO THE COUNTY OF FRESNO BY A GRANT DEED RECORDED 8/14/1976 IN BOOK 6468 AT PAGE 938, O.R.F.C.

INDICATES AREA TO BE DEDICATED  
8 S.F. ±



REF. & REV. 2009-082 PWF 10343 PLAT 2564	<b>CITY OF FRESNO</b> DEPARTMENT OF PUBLIC WORKS	PROJ. ID. P100212 FUND NO. 22049 ORG. NO. 189901	CO# CP001 RES TYPE
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY AJ CH. BY H.B. DATE AUG. 26, 2009 SCALE NO SCALE	SHEET NO. 1 OF 1 SHEETS <b>15-A-8625</b>

