



Legislation Details (With Text)

File #: 20-1181

On agenda: 11/24/2020 **Final action:** 11/24/2020

Enactment date: **Enactment #:**

Title: Approve request by City of Fresno to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with City’s development of a traffic signal and intersection improvements at the intersection of E. Olive Avenue and N. Armstrong Avenue, subject to City of Fresno initiating annexation of the acquired right-of-way within six months of completion of the traffic signal project

Attachments: 1. Agenda Item, 2. Attachment A, 3. Attachment B

Date	Ver.	Action By	Action	Result
11/24/2020	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: November 24, 2020

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Request by the City of Fresno to Obtain Right-of-Way in the Unincorporated Area of Fresno County

RECOMMENDED ACTION(S):

Approve request by City of Fresno to acquire right-of-way, excluding eminent domain condemnation actions, from parcels adjacent to existing County right-of-way in an identified unincorporated area of the County as needed in conjunction with the City’s development of a traffic signal and intersection improvements at the intersection of E. Olive Avenue and N. Armstrong Avenue, subject to the City of Fresno initiating annexation of the acquired right-of-way within six months of completion of the traffic signal project.

Approval of the recommended action will authorize the City of Fresno (City) (Attachment A) to acquire additional right-of-way (ROW) in the unincorporated area at E. Olive Avenue and N. Armstrong Avenue, as shown in Attachment B. The City has been advised that your Board’s approval of the recommended action does not include approval to undertake eminent domain proceedings. Further, the must also initiate annexation of the acquired right-of-way within six months of complete of the traffic signal. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

If your Board does not approve the action, the City will be unable to construct the traffic signal and intersection improvements at E. Olive Avenue and N. Armstrong Avenue.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The City will acquire road ROW from property owners and will construct the traffic signal improvements with no fiscal impact to the County. Construction management of the work will be performed by the City and the Department of Public Works and Planning staff will provide oversight inspection of the improvements through application of an encroachment permit for the work in County areas. Each agency will be responsible for the road improvement maintenance within their respective areas, pursuant to the California Streets and Highways Code.

DISCUSSION:

The City plans to make intersection and signal improvements at E. Olive Avenue and N. Armstrong Avenue. East Olive Avenue and N. Armstrong Avenue are designated as Collectors in the County General Plan. Collectors provide for internal traffic movement within communities, and connect local roads to arterials, super arterials, and expressways. Direct access to abutting private property shall generally be permitted. The proposed traffic signal and intersection improvements will reduce traffic queuing at the existing four-way stop caused by increasing urbanization within the city limits.

Section 1810 of the Streets and Highways Code allows the Board of Supervisors to consent to the acquisition of a road easement by a city outside of its city limits when necessary to connect or widen the existing streets of the acquiring city. If your Board consents to the acquisition of ROW by the City, the acquired ROW becomes a city street for all purposes. The proposed ROW acquisition is consistent with the need for easements sufficient to install the intersection and signal improvements per the plans provided by the City. Department staff has reviewed the intersection and signal improvement plans, and any work within the County road ROW will be processed through an encroachment permit. The City will hold title to the ROW and per the City's letter (Attachment A) they will maintain the improvements installed within the area.

OTHER REVIEWING AGENCIES:

The recommended action was initiated at the request of the City of Fresno.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - City of Fresno Request
Attachment B - Right-of-Way Acquisition Plan

CAO ANALYST:

Samantha Buck