



County of Fresno

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Legislation Text

File #: 21-1041, **Version:** 1

DATE: November 16, 2021

TO: Board of Supervisors

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

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

RECOMMENDED ACTION(S):

Approve request by the City of Clovis to acquire right-of-way 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, intersection, and street improvements at, and adjacent to, the northwest corner of the intersection of N. Armstrong Avenue and Nees Avenue. Authorization under the full extent of Section 1810 of the Streets and Highways Code allows the City of Clovis to acquire, by purchase or eminent domain, the right-of-way from these parcels.

Approval of the recommended action will authorize the City of Clovis (City) (Attachment A) to acquire right-of-way (ROW) from parcels adjacent to existing County right-of-way in an identified unincorporated area at, and adjacent to, the northwest corner of the intersection of N. Armstrong Avenue and Nees Avenue (Improvement Location), to construct a traffic signal, street, and intersection improvements as shown in Attachment B. 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 acquire the right-of way and construct the traffic signal, street and intersection improvements at the Improvement Location.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The City will acquire the road ROW from property owners and will construct the street, intersection and 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. The City of Clovis will be responsible for continued maintenance of the traffic signal, street, and intersection improvements as noted in Attachment A.

DISCUSSION:

The City plans to construct street, intersection, and traffic signal improvements at the Improvement Location (Attachment B). The City is requesting authorization to acquire the ROW, at and adjacent to, the northwest corner of N. Armstrong Avenue and Nees Avenue. The improvements shown on the southwest corner of the intersection are within the city limits and not a part of this action. North Armstrong Avenue is designated as a Collector in the County General Plan and transitions to a Local Road north of Nees Avenue. 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. Nees Avenue is designated as Arterial in the County General Plan. Arterials provide for mobility within the county and its cities, carrying through traffic on continuous routes and joining major traffic generators, freeways, expressways, super arterials, and other arterials. Access to abutting private property and intersecting local streets is generally restricted. The proposed traffic signal, intersection and street improvements will reduce traffic queuing at the existing four-way stop, at the intersection of N. Armstrong Avenue and Nees Avenue, caused by increasing urbanization within the city limits.

Section 1810 of the Streets and Highways Code allows acquisition, by purchase or eminent domain, of a road easement by a city outside of its city limits, in the unincorporated area of the county in which the city is located, when necessary to connect or widen the existing streets of the acquiring city if the county consents to the acquisition. If your Board consents to the acquisition of the 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 street, intersection, and signal improvements per the plans provided by the City. Department staff has reviewed the intersection, street 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 traffic signal, street, and intersection improvements installed within the area.

OTHER REVIEWING AGENCIES:

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

ATTACHMENTS INCLUDED AND/OR ON FILE:

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

CAO ANALYST:

Ron Alexander