



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Details (With Text)

**File #:** 16-1229 **Name:** Right-of-Way Acquisition for Jensen Avenue and Temperance Avenue Traffic Signal Project - Federal Project No. HSIP-5942(229)

**In control:** Public Works & Planning

**On agenda:** 9/27/2016 **Final action:** 9/27/2016

**Enactment date:** **Enactment #:**

**Title:** Accept easement deed and authorize Chairman to execute right-of-way contract and temporary construction permit required for Jensen Avenue and Temperance Avenue Traffic Signal Project for total monetary consideration of \$2,800

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Location Map, 3. Exhibit A, 4. Right-of-Way Contract, 5. Grant of Easement, 6. Temporary Construction Permit

Date	Ver.	Action By	Action	Result
9/27/2016	1	Board of Supervisors	Consent Agenda be approved	Pass

**DATE:** September 27, 2016

**TO:** Board of Supervisors

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

**SUBJECT:** Right-of-Way Acquisition for Jensen Avenue and Temperance Avenue Traffic Signal Project - Federal Project No. HSIP-5942(229)

### RECOMMENDED ACTION(S):

**Accept the easement deed and authorize the Chairman to execute the right-of-way contract and temporary construction permit required for the Jensen Avenue and Temperance Avenue Traffic Signal Project for a total monetary consideration of \$2,800.**

Approval of the recommended action will authorize the purchase of additional right-of-way at a cost of \$2,800 on Temperance Avenue (shown on Exhibit A, attached). This acquisition will facilitate the construction of traffic signals at the intersection of Jensen and Temperance Avenues.

### ALTERNATIVE ACTION(S):

The Board may reject the purchase of this right-of-way and may elect to acquire it through the eminent domain process, which was authorized on May 24, 2016; however, the amount of the proposed settlement is consistent with the original offer and litigation is therefore unnecessary. Additionally, the Board may elect not to acquire this right-of-way, but, if the right-of-way is not acquired, the project will have to be cancelled and funds received for the project would have to be returned.

### FISCAL IMPACT:

There will be no Net County Cost associated with the recommended action. A warrant or check will be drawn on the Road Fund 0010, made payable to the individual grantors listed below. Sixty seven percent of the funding required for the right-of-way for this project is eligible for reimbursement under the Highway Safety Improvement Program (HSIP). The remaining 33% will be paid out of the Road Fund. Sufficient appropriations for this project are included in the FY 2016-17 Public Works and Planning - Roads Org 4510 Adopted Budget.

The property owner names, address and the basis of the compensation associated with this parcel is as follows: Parcel 3 - William D. Magnuson and Brenda I. Magnuson, 7088 E. Jensen Avenue, Fresno, CA 93727 - \$2,800. This payment is for 0.084 acre road easement, temporary construction permit and severance damages to the remainder, if any.

Of the total compensation provided pursuant to this agenda item, \$100 is for a temporary construction permit with a useful life of 12 months, and \$2,700 is for a permanent roadway easement.

#### DISCUSSION:

The proposed project consists of the installation of traffic signals at the intersection of Jensen and Temperance Avenues. Jensen Avenue will have protected left-turn lanes with left-turn signal phasing. Temperance Avenue will have left-turn pockets with no left-turn signal phasing. Left-turn signal phasing is not warranted on Temperance Avenue at this time based on traffic counts.

The construction of the left-turn pockets on Temperance Avenue requires widening the roadway to accommodate the additional roadway width created by the addition of turn pockets. In addition, ditches will be constructed along the roadway in the acquired right-of-way to control runoff during storm events.

It is anticipated that construction will commence in the spring of 2017.

#### REFERENCE MATERIAL:

BAI#51, December 10, 2013  
BAI#61, August 11, 2015  
BAI#47, November 17, 2015  
BAI#47, April 26, 2016  
BAI#56, May 10, 2016  
BAI#14, May 24, 2016  
BAI#57, July 12, 2016

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map  
Exhibit A  
On file with Clerk - Right-of-Way Contract  
On file with Clerk - Grant of Easement  
On file with Clerk - Temporary Construction Permit

#### CAO ANALYST:

John Hays