



County of Fresno

Hall of Records, Rm. 301
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Fresno, California
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Legislation Details (With Text)

File #: 21-0168 **Name:** Request by the City of Fresno to Obtain Right-of-Way at Olive and Temperance Avenues

On agenda: 4/27/2021 **In control:** Public Works & Planning
Final action: 4/27/2021

Enactment date: **Enactment #:**

Title: Approve request by the 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 street and intersection improvements at E. Olive Avenue and N. Temperance Avenue

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Attachment A & B - City of Fresno Request and Right-of-Way Acquisition Plan

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: April 27, 2021

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 the 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 street and intersection improvements at E. Olive Avenue and N. Temperance Avenue.

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. Temperance Avenue (Attachment B), to provide street and intersection improvements. The City has been advised that your Board's approval of the recommended action does not include approval to undertake eminent domain proceedings. 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 right-of way and construct street and intersection improvement at E. Olive Avenue and N. Temperance 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 street 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 Fresno will be responsible for continued maintenance of the improvements, per Attachment A.

DISCUSSION:

The City plans to make street and intersection improvements at E. Olive Avenue and N. Temperance Avenue (Attachment B) to accommodate increased traffic from urbanization. East Olive Avenue is designated as a Collector road in the County General Plan. Collector roads provide for internal traffic movement within communities, and connect local roads to arterials, super arterials, and expressways. Direct access to abutting private property is generally permitted. North Temperance Avenue is designated as an Expressway in the County General Plan. Expressways provide for rapid through-traffic movement on continuous routes which connect the cities and communities within the county with each other, with freeways and other expressways, and with communities in adjoining counties. Expressways provide a high degree of access control. The proposed street and intersection improvements will improve traffic safety by signalizing the E Olive Avenue and N. Temperance Avenue intersection to accommodate increasing traffic demands caused by 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 street improvements per the plans provided by the City. Department staff has reviewed street 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:

Attachments A and B - City of Fresno Request and Right-of-Way Acquisition Plan

CAO ANALYST:

Samantha Buck