



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

October 18, 2017

DEPARTMENT:

City Attorney's Office

DIVISION:

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:Acquisition of Right-of-Way: 14th Street and 3rd Avenue and 13th Street and 3rd Avenue**SUMMARY RECOMMENDATION:**

Authorize the acquisition of three different 50-square foot parcels of right-of-way by gift, exchange, purchase, easement or eminent domain for improvements to the public roadway, utility infrastructure and other related public purposes at the intersections of 14th Street and 3rd Avenue and 13th Street and 3rd Avenue. (City Attorney) (Richard Files)

REPORT:

The Capital Improvements Program (C.I.P. 0172-Road) titled, *3rd and Orange Avenue – 8th to 14th Street, 3rd to 4th Avenue Paving*, provides for improvements and widening at the 3rd Avenue and 14th Street intersection and the 3rd Avenue and 13th Street intersection. The existing pavement has deteriorated with severe cracking, making replacement of the road surface necessary. The water infrastructure in this segment of road is also outdated, and replacing it in combination with the road improvements is more cost effective, will prevent future failure, and will improve service levels for the affected customers.

In conjunction with the roadway and utility infrastructure improvements, the City has identified the need to acquire certain rights-of-way in the following locations:

Parcel 1 - APN 665-19-013 - A partial acquisition of approximately 50 square feet is needed from the northwest corner of 3rd Avenue and 14th Street.

Parcel 2 – APN 665-19-006- A partial acquisition of approximately 50 square feet is needed from the northeast corner of 3rd Avenue and 14th Street.

Parcel 3 – APN 665-19-065 - A partial acquisition of approximately 50 square feet is needed from the southwest corner of 3rd Avenue and 13th Street.

Each location is depicted in the engineering drawings attached. It is recommended that the City acquire these additional rights-of-way so that the proposed improvements will conform to the current design plans for the 3rd Avenue Improvement Project. The attached proposed Ordinance authorizes staff to proceed with the acquisitions.

FISCAL REQUIREMENTS	CITY FUNDS:	\$1,000.00	BUDGETED:	\$1,000.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: C.I.P. Project 0172-Road	
	TOTAL:	\$1,000.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input checked="" type="checkbox"/> Document to be recorded			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		9/25/2017	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard Files		9/25/2017	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Richard W. Files		9/13/2017		
WRITTEN/SUBMITTED BY:		DATE:		
Erica Ruiz		8/30/2017		