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**Title:** Staff Report for Resolution for Adopting a Mitigated Negative Declaration for the East 14th Street/Hesperian Boulevard/150th Avenue Street Improvements Project, Project No. 144-39-001, as Complete and in Compliance with the California Environmental Quality Act (CEQA)

**Sponsors:** Uchenna Udemezue

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Staff Report for Resolution for Adopting a Mitigated Negative Declaration for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements Project, Project No. 144-39-001, as Complete and in Compliance with the California Environmental Quality Act (CEQA)

**RECOMMENDATIONS**

The Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration was circulated for a 30-day review and comment period from December 16, 2011 to January 17, 2012. General, non-substantive comments were received.

Staff recommends that the City Council, as lead agency, adopt a Mitigated Negative Declaration for the construction of the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements Project.

**BACKGROUND**

In 1997, the City identified the intersection of East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue, known as "The Triangle", as an area requiring improvement to reduce traffic congestion and improve safety. In 2002, this project was approved as part of the Alameda County Transportation Improvement Authority (ACTIA) Measure B 1/2-cent tax reauthorization program.

**Analysis**

The primary improvements will include: 1) widen East 14<sup>th</sup> Street at 150<sup>th</sup> Avenue to add an additional eastbound left turn lane; 2) add a dedicated southbound left turn lane on Bancroft Avenue at East 14<sup>th</sup> Street; and 3) install dual northbound left turn lanes on Hesperian Boulevard at East 14<sup>th</sup> Street. Property acquisition was required to accommodate the required improvements.

Adoption of the Mitigated Negative Declaration is the appropriate City Council Action at this time as the Department of Transportation (Caltrans) requires the adoption to proceed with the right-of-way acquisition process on East 14<sup>th</sup> Street, State Route 185.

### **Current Agency Policies**

To improve safety of bicyclists, pedestrians and vehicular traffic, and to improve traffic circulation on City roadways.

### **Previous Actions**

- On May 1, 2000 by Resolution No. 2000-63, the City Council recommended that Alameda County place Measure B (extension of the 1/2 cent sales tax for transportation projects) on the November ballot
- On March 18, 2002 by Resolution No. 2002-35, the City Council authorized the City Manager to enter into a Master Funding Agreement with ACTIA for Measure B Programmatic Pass-Through Funds
- On July 1, 2002 by Resolution No. 2002-96, the City Council authorized the City Manager to enter into a Master Funding Agreement with ACTIA for Measure B capital project funds
- On September 16, 2002 by Resolution No. 2002-129, the City Council authorized the City Manager to enter into a Project Scoping Agreement with Alameda County Transportation Improvement Authority (ACTIA) for ACTIA Project No. 19--East 14th Street/Hesperian Boulevard/150th Avenue Improvements for Measure B 2000 Capital Project Funds
- On September 2, 2008 by Resolution No. 2008-108, the Council authorized the City Manager to execute real property agreements for the properties required for this project
- On December 15, 2008 by Resolution No. 2008-025 RDA, the Redevelopment Agency of the City approved a cooperative agreement between the City and the Redevelopment Agency for the purpose of undertaking redevelopment activities within the redevelopment area at a cost of \$1,300,000 to the Redevelopment Agency for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Improvements project, Project No. 144-39-001
- On January 18, 2011 by Resolution No. 2011-006, the City Council approved a Contractual Services Agreement with Ninyo & Moore relating to the East 14<sup>th</sup> Street/Hesperian Boulevard/150th Avenue Intersection Improvement project (provided for consultant services related to soil remediation at 14901 East 14<sup>th</sup> Street for the subject project)
- On May 16, 2011 by Resolution No. 2011-090, the City Council approved Plans and Specifications and Calling for Bids for the demolition of the existing building at 14901 East 14th Street
- On September 6, 2011 by Resolution No. 2011-154, the City Council awarded a Construction Contract to Musco Excavators, Inc. for the 14901 East 14th Street Demolition
- On September 19, 2011 by Resolution No. 2011-171, the City Council awarded a Construction Contract to Dillard Trucking, Inc. for the 14901 East 14<sup>th</sup> Street Remediation Project
- On October 17, 2011 by Resolution No. 2011-178, the City Council adopted Resolution Authorizing the Interim City Manager to File an Application with the Metropolitan Transportation Commission (MTC) for the Regional Transportation Improvement Program (RTIP) Funding for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Improvements project, Appropriating Grant Funds, and Assuring the Completion of the Project
- On December 5, 2011 by Resolution No. 2011-200, the City Council adopted a Resolution

Seeking Authorization from the State to Conduct Resolution of Necessity Hearings for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements Project

- On December 5, 2011, the City Council adopted Resolution No. 2011-202, Rescinding Resolution No. 2011-154, Award of Construction Contract to Musco Excavation, Inc.; and adopted Resolution No. 2011-203, Award of Construction Contract to VEM General Engineering, Inc. for the 14901 East 14<sup>th</sup> Street Demolition

### **Applicable General Plan Policies**

- Policy 16.02: Level of Service: Use Level of Service (LOS) “D” as the minimum acceptable service standard for streets and intersections, except as otherwise indicated in the Transportation Element
- Policy 18.02 - Capital Improvements: Identify capital improvements and other measures which improve the safety of bicyclists, pedestrians, and motor vehicles on San Leandro streets

### **Environmental Review**

A Mitigated Negative Declaration has been prepared for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements Project. A “Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration” was prepared on December 15, 2011. The 30-day public review period on the Initial Study and Negative Declaration began on December 16, 2011 and concluded on January 17, 2012. General, non-substantive comments were received from East Bay Municipal Utility District (EBMUD) and California Department of Transportation (Caltrans). These comments will be incorporated as conditions of approval.

### **Board/Commission Review and Actions**

On August 28, 2008, the Planning Commission found that the acquisition of the property necessary for this project is in conformance with the General Plan.

### **Summary of Public Outreach Efforts**

The Proposed Mitigated Negative Declaration was circulated for a 30-day review and comment period from December 16, 2011 to January 17, 2012 for public review and comments.

### **ATTACHMENTS**

None

**PREPARED BY:** Nelson Lam, Assistant Engineer, Engineering and Transportation