



## Legislation Text

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**File #:** 11-369, **Version:** 1

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Staff Report 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

### **RECOMMENDATIONS**

Staff recommends that Council request that the State of California authorize it to Conduct Resolution of Necessity Hearings if needed for the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements project ("Project").

### **BACKGROUND**

To proceed with the East 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> Avenue Street Improvements project, certain portions of land will be needed to accommodate the widening of the roadway at this intersection. This action will allow the City, rather than the State, to hear Resolutions of Necessity if negotiations for any of the properties needed for the project are unsuccessful.

### **Analysis**

The Project requires certain property and property interests from numerous parcels along East 14<sup>th</sup> Street, a street within the State's highway system. To proceed with construction of the Project, the property and property interests within the Project area that are owned by private parties will have to be acquired. The City will be the acting acquisition agent for the Project. The State requires that any property along its highway system, including East 14<sup>th</sup> Street, be in its control, therefore, the easements will be transferred from the City to the State. Because of this, the State requires that the City follow its procedures to acquire and transfer the property. To determine whether to acquire property by condemnation for the State Highway System, the State has its Board hear Resolutions of Necessity, which can be time consuming and costly. To save local agencies time and funds, the State allows local agencies to hear these Resolutions if they request to do so and if the State grants its approval. This action will allow the City Council to hear these Resolutions for this Project if they are necessary.

### **Current Agency Policies**

To improve safety of bicyclists, pedestrians and vehicular traffic 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 14<sup>th</sup> Street/Hesperian Boulevard/150<sup>th</sup> 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 improvement project, Project No. 144-39-001
- On January 18, 2011, by Resolution No. 2011-006, the Council approved a contractual services agreement with Ninyo & Moore for consulting services related to the soil remediation at 14901 East 14<sup>th</sup> Street

### **Committee Review and Actions**

The Facilities and Transportation Committee heard this item at its meeting on November 8, 2011. The Committee recommended Council approval of this action.

### **Applicable General Plan Policies**

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**

This project is categorically exempt.

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