



# City of Morgan Hill

## Legislation Details (With Text)

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<b>Title:</b>	APPROVE RIGHT OF WAY AND SLOPE EASEMENT DEDICATIONS TO THE COUNTY OF SANTA CLARA FOR THE DEWITT AVENUE S-CURVE REALIGNMENT PROJECT				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Resolution-Dewitt S-curve Dedication, 2. Exhibit A to Resolution, 3. Project Location Map				

Date	Ver.	Action By	Action	Result
12/16/2015	1	City Council	approved	Pass

## CITY COUNCIL STAFF REPORT MEETING DATE: DECEMBER 16, 2015

PREPARED BY: David Gittleson, Associate Engineer, Public Works-Engineering  
APPROVED BY: City Manager

## APPROVE RIGHT OF WAY AND SLOPE EASEMENT DEDICATIONS TO THE COUNTY OF SANTA CLARA FOR THE DEWITT AVENUE S-CURVE REALIGNMENT PROJECT

### RECOMMENDATION(S)

Adopt resolution approving the following actions:

1. Approve right of way and slope easement dedications to the County of Santa Clara for the DeWitt Avenue S-Curve Realignment Project, and
2. Authorize the City Manager to sign the right of way and slope easement grant deeds, and
3. Direct the City Clerk to record the right of way and slope easement deeds with the County of Santa Clara.

### COUNCIL PRIORITIES, GOALS & STRATEGIES:

#### Ongoing Priorities

Enhancing public safety  
Maintaining fiscal responsibility

#### 2015 Focus Areas

Participate in Regional Issues

Infrastructure Funding and Advocacy  
Advance Regional Transportation

**REPORT NARRATIVE:**

The County of Santa Clara is proposing to complete the DeWitt Avenue "S" Curve Realignment project between Spring Avenue and Edmundson Avenue. The realignment will substantially improve the safety of the roadway at that location. The County of Santa Clara is the lead agency for the project because that portion of DeWitt lies within their jurisdiction. The City has agreed to help pay for the project and has allocated funds in the approved FY 15/16 Capital Improvement Program (CIP) budget.

The design of the project is roughly 95% complete and the realignment requires right of way purchases from the adjacent land owners. The City of Morgan Hill is one such land owner as the City owns APN 767-15-024 (Edmundson Reservoir property). Thus, the County needs 2,131.95 SF of right of way and 4,014.29 SF of slope easement from the City to construct the improvements. Attached are the legal descriptions and plats of the land needed for the project.

Staff has evaluated the area requested for the taking and finds the impacts to the City-owned property to be minimal. In addition, the value of this land is considered minimal and that the costs of documenting the sale would come close to the value of land, therefore, granting the land to the County of Santa Clara is a reasonable contribution by the City. Given that and the City's role as a stakeholder in the project, staff recommends granting the right of way and easement to the County for no charge.

The latest schedule from the County shows them completing the right of way acquisitions in May 2016 and commencing with construction in July 2016. Construction is estimated to take 150 working days which would place the completion roughly in December 2016.

**COMMUNITY ENGAGEMENT: Inform**

The project is not estimated to begin construction until July 2016 at the earliest. Staff will work closely with County officials to ensure they notify affected property owners and the community prior to construction activities. Notifications may include, email, website, mail, and/or newspaper. Residential driveway and emergency vehicle access will be provided. Those residents who own property required by the project have already been notified by the County of Santa Clara.

**ALTERNATIVE ACTIONS:**

- City Council could elect to not dedicate the necessary easements for the road improvements; however, this would force the County of Santa Clara to re-engineer the project thereby increasing cost and delaying the safety improvements.
- City Council could choose to sell the required land in fee title; however, this method of property transfer would cost more and take longer to process.

**PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

- City Council first approved this project in June 2012, when the FY 12/13 Capital Improvement Program was adopted. City Council also approved the project in the following FY 13/14 and FY 14/15 Capital Improvement Program years.
- On June 17, 2015, City Council adopted the FY 15/16 Capital Improvement Program, which also included the DeWitt Avenue S curve Realignment Project.

**FISCAL AND RESOURCE IMPACT:**

No impact to the fiscal budget. The City's portion of the project is budgeted in the FY 15/16 CIP Program under #562012-DeWitt Avenue "S" Curve Realignment with a total budget of \$1,003,000. Of that, \$520,000 is funded from Traffic Impact Fund (309), \$350,000 from Water System Replacement Fund (653) bonds, and \$133,000 from the Water System Replacement Fund (653).

**CEQA (California Environmental Quality Act):**

Not a Project

**LINKS/ATTACHMENTS:**

Resolution

Exhibit A to Resolution

Project Location Map