

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works *MM*

BOARD AGENDA # \*C-3

Urgent

Routine

AGENDA DATE October 4, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to the Consent by Stanislaus County to Allow Right-of-Way Acquisition by the City of Modesto

STAFF RECOMMENDATIONS:

Authorize the Director of Public Works to sign the consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto.

FISCAL IMPACT:

There is no fiscal impact to Stanislaus County. All costs associated with the right-of-way acquisition will be borne by the City of Modesto.

BOARD ACTION AS FOLLOWS:

No. 2011-568

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

## Approval to the Consent by Stanislaus County to Allow Right-of-Way Acquisition by the City of Modesto

### **DISCUSSION:**

The City of Modesto annexed the entire right-of-way of Sylvan Ave, easterly to Claus Road in 1992. Additionally, the City of Modesto annexed the entire right-of-way of Litt Road from Sylvan Avenue to the north approximately ½ mile in 1999. Currently the City of Modesto is proposing to widen a portion of Litt Road and Sylvan Avenue at the intersection of these roadways. The proposed widening will require additional right-of-way on both Litt Road and Sylvan Ave.

The proposed road improvement project will widen Sylvan Avenue from west of Litt Road to Claus Road and widen and realign Litt Road from Sylvan Avenue to approximately 2000 feet north of Sylvan Avenue. The west side of Litt Road and the south side of Sylvan Avenue of the proposed road widening project are in the City of Modesto. The east side of Litt Road and the north side of Sylvan Avenue are in the unincorporated area of Stanislaus County. The proposed road widening will require acquisition of land by the City of Modesto within the unincorporated area of Stanislaus County.

### **POLICY ISSUES:**

Pursuant to Section 1810 of the Streets and Highway Code, Stanislaus County must consent to the acquisition of the right-of-way by the City of Modesto in the unincorporated area of the County.

Consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto will meet the Board's priorities of providing A Safe Community, A Healthy Community, A Well Planned Infrastructure System, and Effective Partnerships by cooperating with the City of Modesto for needed road improvements.

### **STAFFING IMPACT:**

There are no staffing impacts associated with this item.

### **CONTACT PERSON:**

Matt Machado, Public Works Director. Telephone (209) 525-4130.

MM:lc


H:\MATT MACHADO\BOS\Board Agenda Items\ROW Acquisition By City Of Modesto\ROW Acquisition By City Of Modesto\_BOS 10-4-11

**Consent by Stanislaus County to Allow Right-of-Way Acquisition  
by the City of Modesto**

The City of Modesto is proposing a road improvement project to widen Sylvan Avenue from west of Litt Road to Claus Road and to widen and realign Litt Road from Sylvan Avenue to approximately 2000 feet north of Sylvan Avenue. The west side of Litt Road and the south side of Sylvan Avenue of the proposed road widening project are in the City of Modesto. The east side of Litt Road and the north side of Sylvan Avenue are in the unincorporated area of Stanislaus County. The proposed road widening will require acquisition of land by the City of Modesto within the unincorporated area of Stanislaus County.

Pursuant to Section 1810 of the Streets and Highway Code, Stanislaus County consents to the acquisition of the right-of-way, by purchase or eminent domain, by the City of Modesto in the unincorporated area of the County necessary for the proposed road widening project.

Additionally, it is understood that the City of Modesto will advise at regular intervals the status and progress of such acquisition.



\_\_\_\_\_  
Matt Machado  
Stanislaus County  
Director of Public Works

10/5/11  
\_\_\_\_\_  
Date