

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

DEPT: Public Works *Monteith*

BOARD AGENDA # *C-3

Urgent Routine

AGENDA DATE February 28, 2012

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 for the Pelandale Interchange Project

STAFF RECOMMENDATIONS:

1. Approve the Consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto for the Pelandale Interchange Project.
2. 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. 2012-084

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: Chairman O'Brien

1) X 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 for the Pelandale Interchange Project

DISCUSSION:

The City of Modesto, in cooperation with the California Department of Transportation is proposing to reconstruct State Route 99/Pelandale Avenue Interchange in and near the City of Modesto, in Stanislaus County to alleviate traffic congestion and improve operations of State Route 99 and Pelandale Avenue.

Pursuant to Section 1810 of the Streets and Highways 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 (the affected parcels are noted as "Stanislaus County" on the attached Exhibit). By providing consent, the County is allowing the City of Modesto to acquire right-of-way by purchase or eminent domain within the County.

The Consent Form is attached along with the Right-of-Way Requirements Map.

POLICY ISSUES:

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 the 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.

LB:lc

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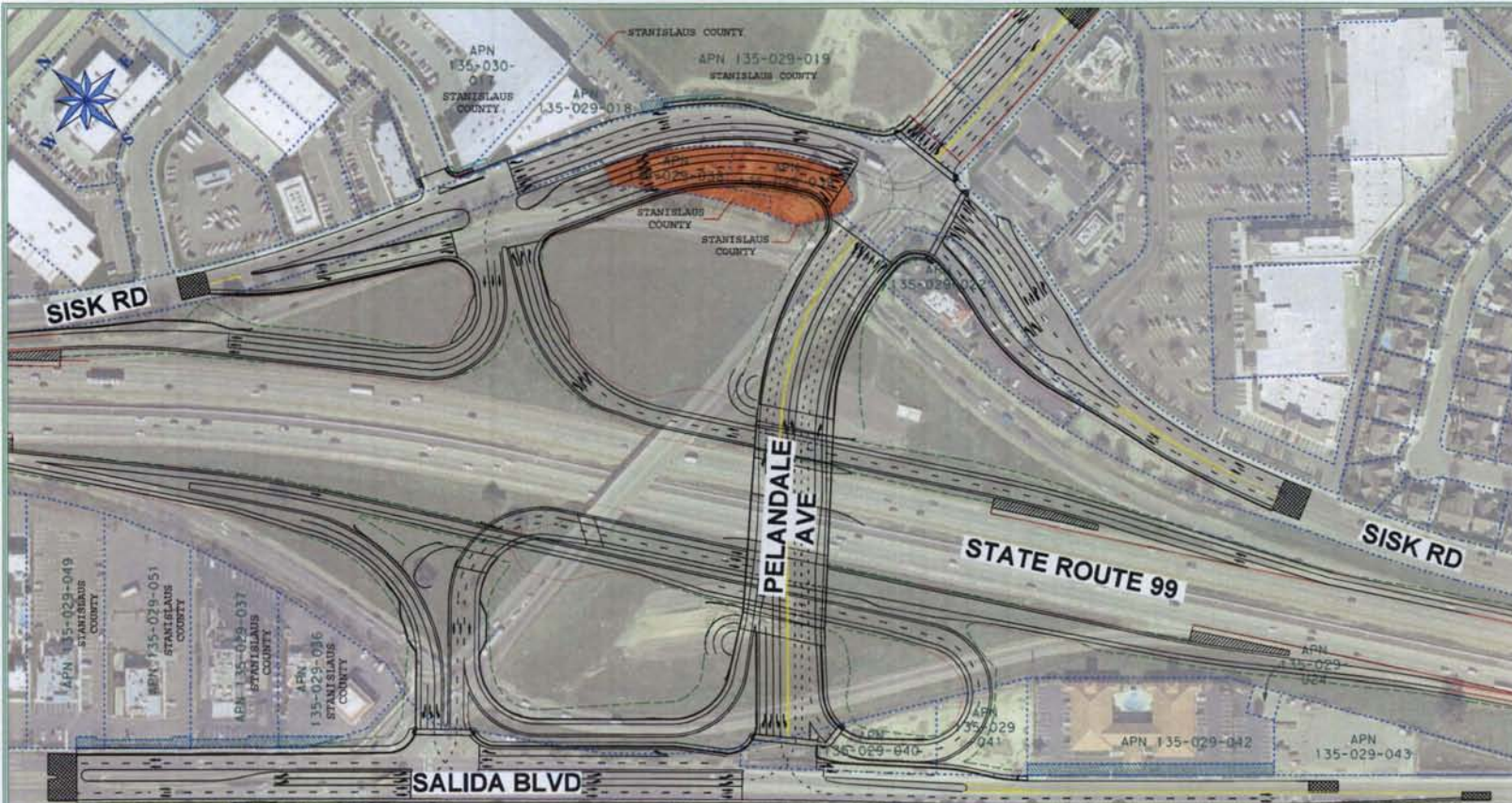
CITY of MODESTO

PROJECT
**STATE ROUTE 99 /
 PELANDALE INTERCHANGE
 RECONSTRUCTION**

**PROJECT RIGHT-OF-WAY
 REQUIREMENTS**

LEGEND

- (P) PROPOSED
- (E) EXISTING
- (P) STRIPING
- (P) PAVEMENT EDGES
- (P) MEDIAN
- (P) FEE TAKE
- (P) TEMPORARY CONSTRUCTION EASEMENT (TCE)
- (P) RAILROAD TRACKS
- (E) PROPERTY LINE
- (P) CUT / FILL
- (P) CONCRETE BARRIERS
- (P) PAVEMENT CONFORM



APN	TOTAL AREA OF PARCEL		RIGHT OF WAY ACQUISITION AREAS					
			FEE TAKE		REMAINDER		TCE	
			SOFT	ACRES	SOFT	ACRES	SOFT	ACRES
135-029-049	57,499	1.32					907	0.021
135-029-051	57,935	1.33					2,240	0.051
135-029-037	47,045	1.08					2,513	0.058
135-029-036	37,026	0.85					1,619	0.037
135-029-040	27,443	0.63	27,443	0.63	0.00	0.00		
135-029-041	23,522	0.54	23,522	0.54	0.00	0.00		
135-029-042	69,696	1.60					8,568	0.197
135-029-022	43,995	1.01	43,995	1.01	0.00	0.00		
135-029-039	19,166	0.44	19,166	0.44	0.00	0.00		
135-029-038	17,424	0.40	17,424	0.40	0.00	0.00		
135-029-019	379,407	8.71					494	0.011
135-029-018	32,234	0.74	133	0.003	32,101	0.737	1,358	0.031
135-030-017	99,316	2.28	220	0.005	99,096	2.275	373	0.009

UNION PACIFIC RAILROAD



SCALE:

DATE: JANUARY 2012

PREPARED BY: **DOKKEN ENGINEERS**

2205 Union Pacific Ave. Suite 200
 Fair Oaks, CA. 95630
 (916) 999-1642

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


The City of Modesto, in cooperation with the California Department of Transportation ("Caltrans"), is proposing to reconstruct State Route 99/Pelandale Avenue Interchange in and near the City of Modesto, in Stanislaus County to alleviate traffic congestion and improve operations of State Route (SR) 99 and Pelandale Avenue. The project is to be designed consistent with the ultimate planned concept for SR 99.

An initial study with Mitigated Negative Declaration was prepared by the City's consultant and submitted to the State of California Department of Transportation (Caltrans) for approval. This document (SCH# 2009072012) was approved by Caltrans on September 28, 2009.

The proposed SR 99/Pelandale Avenue Interchange reconstruction would require acquisition of the land by the City of Modesto in the unincorporated area of the Stanislaus County necessary for the proposed interchange reconstruction.

Pursuant to Section 1810 of 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 interchange reconstruction project.

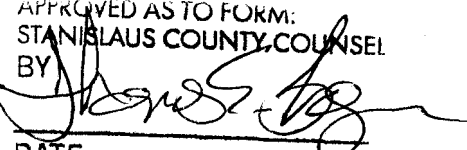
The County's consent is conditioned upon the City of Modesto advising at regular intervals the status and progress of such acquisition.



Matt Machado
Stanislaus County
Director of Public Works

3/1/12

Date

APPROVED AS TO FORM:
STANISLAUS COUNTY COUNSEL
BY 

DATE: _____