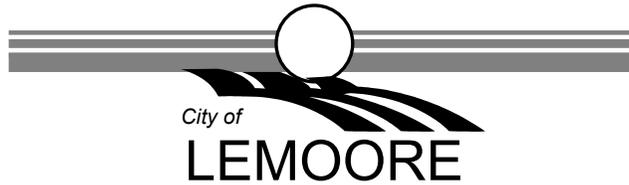


Mayor  
Willard Rodarmel  
Mayor Pro Tem  
John Plourde  
Council Members  
John Gordon  
John Murray  
William Siegel



**Public Works  
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**Staff Report**

**JOINT  
CITY/RDA  
ITEM NO. 8**

**To: Lemoore City Council and  
Lemoore Redevelopment Agency Board**

**From: Judy Holwell, Redevelopment Project Manager  
David Wlaschin, Director of Public Works**

**Date: September 14, 2011**

**Subject: Dedication of Rights-of-Way to Caltrans  
for the 19<sup>th</sup> Avenue Interchange Project**

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**Discussion:**

As you know, the City has been working with Caltrans to construct an interchange at State Route 198 (SR 198) and 19<sup>th</sup> Avenue. On October 15, 1958, the length of road from 19<sup>th</sup> Avenue to 0.2 miles east of 18 ½ Avenue was declared to be a freeway by the California Transportation Commission.

At that time, it was recognized by all parties that an Interchange at 19<sup>th</sup> Avenue would be necessary at some point in the future and on February 7, 1984, the City entered into a Freeway Agreement with the State of California (Exhibit A), whereby the City agreed to the closing of certain City streets, relocation of City streets, construction of frontage roads and other local roads, and other construction affecting City streets, all of which were required as part of the Interchange Project.

Construction of an interchange at 19<sup>th</sup> Avenue will improve access to the highway system and greatly enhance the safety of travelers. It will improve the connectivity between the majority of the community which lies north of SR 198 and the Lemoore Industrial Park to the south. By doing such, access will be improved to jobs, housing, and commerce, and it will improve the safety of employees and patrons of the businesses in the Lemoore Industrial Park. Development in the Industrial Park is expected to increase as well once access to the Park improves.

Over the years, staff has worked diligently to bring items associated with this project to Council so that when the time comes to proceed with construction, the City would be prepared. Caltrans is now in the final design stages (attached as Exhibit B) and funding for this project is programmed in the adopted State Transportation Improvement Program (STIP) in the amount of \$36,234,000 as shown in Exhibit C. An Environmental

Impact Report for this project was completed and approved on June 20, 2005 and the project is identified in the 2008 Kings County Regional Transportation Improvement Program.

An appropriations request was submitted to Congressman Jim Costa for an additional \$3,000,000 to fund the remaining gap. The request and letters of support are attached as Exhibit D. Unfortunately, none of the Congressman's appropriations requests were funded.

In addition, an effort was pursued to capture a portion of the excess Corridor Mobility Improvement Account (CMIA) funds from the State Route 198 Widening Project between Hanford and Visalia. Savings on the project occurred upon the awarding of a contract that came in under the estimated cost. The expectation was that since the funds were awarded to a project in Kings County, the funds should be able to transfer to another project in Kings County. Attached as Exhibit E are documents which were prepared by Caltrans and the Kings County Association of Governments (KCAG) for said effort and presented to the California Transportation Commission (CTC). Also included in the exhibit are several whitepapers prepared for meetings with CTC staff.

In the 27 years that this project has been in the works, many changes have taken place in Lemoore:

- ◆ The population has more than doubled
- ◆ Infrastructure for an industrial park was added
- ◆ Approximately 1,000 employees work in the Lemoore Industrial Park (700 seasonal/300 year round)
- ◆ Several businesses are located in the area
  - Agusa – tomato powder plant
  - B & C Enterprises – card-lock facility
  - Cemex – concrete plant
  - Chevron – petroleum jobber
  - Fastenal – construction supply store
  - Lemoore Auto Mall (opening soon)
  - Master Storage – mini storage
  - Motel 6 – a 3-story motel
  - McCann & Sons – tractor & farm implement sales & repair
  - Olam Tomato Processors – tomato processing plant
  - Valero – gas station & mini mart
- ◆ The truck traffic for the industries and commercial businesses utilizing the exit at 19th Avenue is substantial
- ◆ Potential for additional commercial and industrial development

The necessity for the interchange escalated when on October 8<sup>th</sup>, 1982, a passenger van was involved in a traffic accident along SR 198 at 19<sup>th</sup> Avenue. Nine of the eleven passengers were killed in the collision and another later died from injuries.

More recently, more than 40 accidents occurred on SR 198 at 19<sup>th</sup> Avenue and Vine Street during the two-year period of 2008 and 2009; nine of which resulted in injuries. Of the nine injury accidents, 12 persons were injured and 2 died. Some of these deaths and injuries may have been prevented if the interchange had been in place.

Recently, staff has been working with Caltrans on several agreements for the construction of the 19<sup>th</sup> Avenue Interchange. Council has approved agreements for the design and construction of the canal relocation in the park/ponding basin, the design of sewer line and lift station, the design of water line, and the relocation design of the 19<sup>th</sup> Avenue park/ponding basin. The construction phases of the sewer, water, and ponding basin improvements are being prepared to go to bid and construction of said improvements is scheduled to begin before the end of this calendar year.

Staff is working with Caltrans to finalize an agreement to include all costs associated with the relocation of the utilities and the park/ponding basin. These are costs that the City would not have to bear if not for the construction of the interchange, and therefore, should be included in the overall project cost and paid by the project.

Caltrans has indicated to us that they are ready for the necessary rights-of-way (ROW) to be dedicated to the State. Some of the ROW is on property owned by our Redevelopment Agency. As you know, the Governor is in the process of trying to eliminate redevelopment agencies and we are instructed not to enter into any new agreements, which includes the transfer of property. Since this project is part of an existing agreement and holding up the transfer of the ROW would delay the project, it is the determination of our City Attorney that the RDA Board can approve such transfer on the basis that if the transfer is not approved, then the property needed could be "taken" for the project. Therefore, the transfer of the ROW is in lieu of condemnation.

In addition, the Lemoore Redevelopment Agency (RDA) has acquired properties on Carmel Drive and Stinson Drive that will be affected by the construction of the project. The work will require the removal of one home at 752 Carmel Drive. The other properties will require only a reduction in rear yard areas. These properties were purchased with the full intent that at some point, Caltrans would require the ROW and that the RDA would dedicate the property for the benefit of the project. The properties are identified on Exhibit F as Lots 3, 4 and 5. Additionally, the RDA purchased 1.15 acres for the relocation of the park/ponding basin as identified in Exhibit G.

The property needed for the ROW is described in the attached Grant Deed and Easement Deed documents labeled Exhibit H. Corresponding maps are included as Exhibit I. To keep this project on schedule, we ask that City Council/RDA Board approve the Grant Deeds and Easement Deeds needed for the project and authorize the City Manager/RDA Executive Director to execute such documents upon the completion of a satisfactory agreement between Caltrans and the City for the payment of costs associated with the relocation of utilities and the park/ponding basin. Previously, the City and RDA granted easements to P.G. & E. and the Southern California Gas Company, respectively, for the relocation utility lines.

Mike Rastegar, Caltrans District 6 Deputy District Director, will be in attendance Tuesday evening to provide a presentation and answer any questions you may have. In

addition, we expect Terri King, Executive Director of Kings County Association of Governments to be in attendance to address any concerns.

**Table of Exhibits:**

- Exhibit A – Freeway Agreement
- Exhibit B – Interchange Design
- Exhibit C – CTC Recommended STIP Actions
- Exhibit D – Appropriations Request
- Exhibit E – CMIA Funding Request
- Exhibit F – Map of Carmel Drive & Stinson Drive Lots
- Exhibit G – Property Acquisition for Park/Ponding Basin
- Exhibit H – Grant Deed & Easement Deed Documents
- Exhibit I – ROW Maps

**Budget:**

There are no costs associated with granting the required rights-of-way necessary for the 19<sup>th</sup> Avenue Interchange Project.

**Recommendation:**

It is recommended that Council/RDA Board approve the transfer of the rights-of-way identified in the attached Grant Deeds and Easement Deeds to the State of California Department of Transportation (Caltrans) and authorize the City Manager/RDA Executive Director to execute such documents upon the completion of a satisfactory agreement between Caltrans and the City of Lemoore concerning the reimbursement of all expenses associated with the 19<sup>th</sup> Avenue Interchange Project.