



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

**SUBJECT: DOBERN AVENUE BRIDGE
PROPERTY EASEMENT
AGREEMENT**

DATE: 05-24-04

Approved

Date

Council District: 5
SNI: East Valley/680

RECOMMENDATION

Approval of an agreement with Efren D. Ramos and Maria E. Ramos for the purchase of an easement over a portion of the property located at 2506 Dobern Avenue together with an immediate right of entry thereon in the amount of \$14,700 and authorization for the Director of Public Works to execute any additional documents necessary to complete the transaction. CEQA: Negative Declaration and addenda thereto, PP03-11-352.

BACKGROUND

The City has identified the need to construct a pedestrian bridge to meet safety standards for crossing the Lower Silver Creek between Dobern Avenue and Bambi Lane and is working cooperatively with Santa Clara Valley Water District (District) to address this need. The District initiated the design and construction of flood protection facilities on Lower Silver Creek, encompassing the project area. The entire Lower Silver Creek Project consists of trail construction, landscape improvements and construction of a new pedestrian bridge across Lower Silver Creek between Dobern Avenue and Bambi Lane within property currently owned by Pacific Gas and Electric Company and two private landowners. A Cooperative Agreement with the District for construction of the pedestrian bridge was approved by City Council on May 4, 2004.

ANALYSIS

This is the first of three properties consisting of five assessor parcels on which easements will be required for this project. Subsequent Council action will be requested as agreements are negotiated.

On February 27, 2004, the City presented an offer of \$14,700 for this easement and right of entry. The offer was based upon the full appraised value of the easement and right of entry. The portion of the property over which the City will acquire the subject easement consists of a triangular-shaped portion encompassing 442 square feet. An easement is required for placement of the bridge structure and associated trail. Placement of improvements elsewhere on the site is limited due to buried utilities and PG&E permitting conditions.

PUBLIC OUTREACH

Community support for the Dobern bridge and trail connection has been extremely strong throughout the Neighborhood Revitalization Strategy (NRS) and Strong Neighborhoods Initiative (SNI) processes. The project is included as a community priority within the Greenprint for Parks and Community Facilities and Programs. The status of this project is a routine agenda item during the ongoing Dobern-Capitol/Goss NRS and the East Valley/680 Communities Neighborhood Advisory Council (NAC) meetings. Partial funding for the project has been provided through the NRS process, as well as through a recent District grant, for which the NAC wrote a letter of support.

COORDINATION

This memorandum and agreement have been coordinated with the Departments of Planning, Building and Code Enforcement, Parks, Recreation and Neighborhood Services, the City Manager's Budget Office, and the City Attorney's Office.

COST IMPLICATIONS

The amount of \$14,700 is specified in the purchase agreement. In addition, there will be escrow and closing costs estimated at \$715. The total cost is anticipated to be approximately \$15,415.

Cost implications associated with the bridge and trail construction project will be discussed in future Council memorandum concerning those improvements.

BUDGET REFERENCE

Fund #	Appn. #	Appn. Name	RC #	Total Appn.	Amt. For Contract	Budget Page	Last Budget Action (Date, Ord. No.)
001	4013	Lower Silver Creek Pedestrian/ Bicycle Bridge	118593	\$215,000		2004-2005 Proposed Capital Budget, Page V-506	
001	2872	Neighborhood Revitalization Strategy	705001/ 705002	\$ 1,150,364		2004-2005 Proposed Operating Budget, Page IX 10	
		Total		\$ 1,365,364			

CEQA

Negative Declaration and addenda thereto, PP03-11-352.

KATY ALLEN
Director, Public Works Department

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Attachments