

CONSENT CALENDAR
March 19, 2013

To: Honorable Mayor and Members of the City Council

From: (Christine Daniel, City Manager

Submitted by: Andrew Clough, Director, Public Works

Subject: Accepting Funds from Property Owners for Street Improvements to West

Street

RECOMMENDATION

Adopt a Resolution:

- 1. Accepting funds in the amount of \$17,500 from property owners on West Street for street improvements to West Street from Addison Street, south to the cul de sac;
- 2. Accepting West Street, from Addison Street south to the cul de sac, into the City's street system subsequent to completion of the improvements; and
- 3. Assuming future maintenance responsibility for this additional portion of West Street.

FISCAL IMPACTS OF RECOMMENDATION

In addition to funds from private property owners, the City will allocate \$51,358 from the Streets Capital Improvement Fund for these improvements, for a total project budget not to exceed \$68,858.

West Street property owners (610-5212-360-2501-13ST05)	\$17,500
City allocation (610-5212-431-multiple-13ST05)	\$51,3 <u>58</u>
Total Project Budget	\$68,858

CURRENT SITUATION AND ITS EFFECTS

West Street from Addison Street south to the cul de sac is an unimproved dedicated right of way, with unpaved roadway and no sidewalk on the east side of the street. The City adopted the tract map for this area in March 1873, which included West Street (then Third Avenue). For the rights-of-way that existed before 1893, City Ordinance No. 475 (enacted at that time) accepted all recorded proposed streets as public right-of-ways, with the express caveat that the City did not accept these streets for the purpose of improving or maintaining them. In such cases, it is the responsibility of the adjoining property owners to improve the street to City standards before the City accepts the street into the City's street system and assumes future responsibility for maintenance. The City already owns and maintains Strawberry Creek Park on the west side of this block of West Street.

There is insufficient right-of-way to install sidewalk on the east side of West Street, and the City will not require the abutting property owners to install sidewalk. Property owners will be responsible for relocating any encroachments, e.g., fences, in the right-of-way at their expense. Public Works staff will design the street improvements, prepare construction plans, and manage the construction contract. Since the City is also an abutting property owner on the west side of the street, the recommendation includes an allocation of \$51,358 from the City's Capital Improvement Fund toward both contract expenses and staff, and administrative costs. Other adjoining property owners on the east side of the street agreed to pay \$17,500 toward the paving of the roadway, which the City determined was an equitable share toward the anticipated construction costs.

RATIONALE FOR RECOMMENDATION

West Street is a natural continuation of travel along the newly completed West Street Bike/Pedestrian pathway. The street improvements on West Street will provide a smoother roadway for vehicles, bicycles and pedestrians.

ALTERNATIVE ACTIONS CONSIDERED

The City could decide not to accept the funds or accept West Street into the City's street system. This would leave the roadway unpaved.

CONTACT PERSON

Jeffrey Egeberg, Manager of Engineering, Public Works, 981-6406 Kenneth Emeziem, Supervising Civil Engineer, Public Works, 981-6444

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

ACCEPT FUNDS FROM PROPERTY OWNERS ON WEST STREET FOR STREET IMPROVEMENTS TO WEST STREET FROM ADDISON STREET SOUTH TO THE CUL DE SAC, ACCEPT WEST STREET FROM ADDISON STREET SOUTH TO THE CUL DE SAC INTO THE CITY'S STREET SYSTEM UPON COMPLETION OF THE IMPROVEMENTS, AND ASSUME FUTURE MAINTENANCE RESPONSIBILITY FOR THIS ADDITIONAL PORTION OF WEST STREET

WHEREAS, West Street from Addison Street south to the cul de sac is an unimproved public right-of-way; and

WHEREAS, the adjoining property owners want to improve the street up to City standards; and

WHEREAS, the property owners on West Street agreed to pay \$17,500 towards the street improvements for West Street, which will be placed in revenue code 610-5212-360-2501-13ST05; and

WHEREAS, the City has agreed to allocate \$51,358 from the City's Capital Improvement Fund (610-5212-431-multiple-13ST05) towards the street improvements and construct said improvements.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City accepts funds in the amount of \$17,500 from property owners on West Street for street improvements to West Street from Addison Street south to the cul de sac.

BE IT FURTHER RESOLVED that if the improvements to the right-of-way are completed pursuant to the City's standards, the City Council accepts West Street from Addison Street south to the cul de sac into the City's street system, and assumes future maintenance responsibility for it.