



DATE: May 14, 2019

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Approve the Acquisition of Fee Title from a Portion of 967 North Shoreline Boulevard (APN 153-16-008) for the Shoreline Reversible Transit Lane Project**

RECOMMENDATION

1. Approve the acquisition of fee title for a portion of 967 North Shoreline Boulevard (APN 153-16-008), owned by 967 Shoreline Associates, L.P., in the amount of \$205,700.
2. Authorize the City Manager, or his designee, to execute all documents and take all necessary actions related to the acquisition of fee title for a portion of 967 North Shoreline Boulevard (APN 153-16-008) for the Shoreline Reversible Transit Lane Project, Projects 18-43 and 18-47.

BACKGROUND

The Shoreline Boulevard Reversible Transit Lane Project is the first step in transforming Shoreline Boulevard into a multi-modal corridor as envisioned in the "Shoreline Boulevard Corridor Study" approved by the City Council in November 2014. The study provided for a phased program of transportation improvements to accommodate anticipated increases in employment and development in the North Bayshore Area.

The scope of the project includes a dedicated, center-running, reversible bus lane to reduce transit travel time and improve efficiency and reliability. A new 12' wide dedicated bus lane with a 2' wide raised buffer separating it from adjacent lanes will be installed in the center of Shoreline Boulevard between Middlefield Road and Pear Avenue. The new lane will replace the existing two-way left-turn lane or landscaped median. The project will not eliminate any existing vehicle through-lanes. The bus lane will operate northbound in the morning peak hours and southbound in the afternoon peak hours on weekdays. Bus stops are planned at Terra Bella Avenue and Pear Avenue.

The project also includes protected bicycle lanes to enhance safety and increase ridership for bicyclists of all riding skills. Pedestrian improvements include sidewalks varying from 5' to 8' wide, protective sidewalk improvements at the Middlefield Road intersection, and modifications to crosswalks at the Highway 101 interchange. A cross-section of the project features is shown on Figure 1.

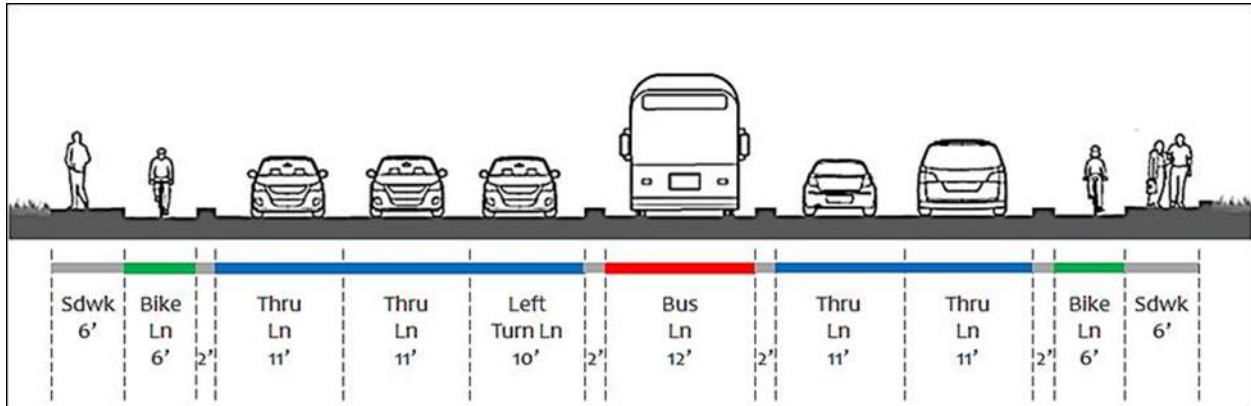


Figure 1

The project will require the acquisition of right-of-way from nine parcels between West Middlefield Road and Highway 101 to keep the buffer and sidewalk widths to acceptable minimums. Council has previously approved the acquisition of right-of-way from two of these nine parcels, including one such approval last week at the May 7, 2019 Council meeting. One of the remaining properties is the office property located at 967 North Shoreline Boulevard owned by 967 Shoreline Associates, L.P. The property being acquired is a 737 square foot strip of land, shown on Figure 2, from a 59,430 square foot (1.36-acre) property. The acquisition also includes a 10' wide temporary construction easement to be used for construction staging, stockpiling, construction activities, and landscape restoration during the period of construction.

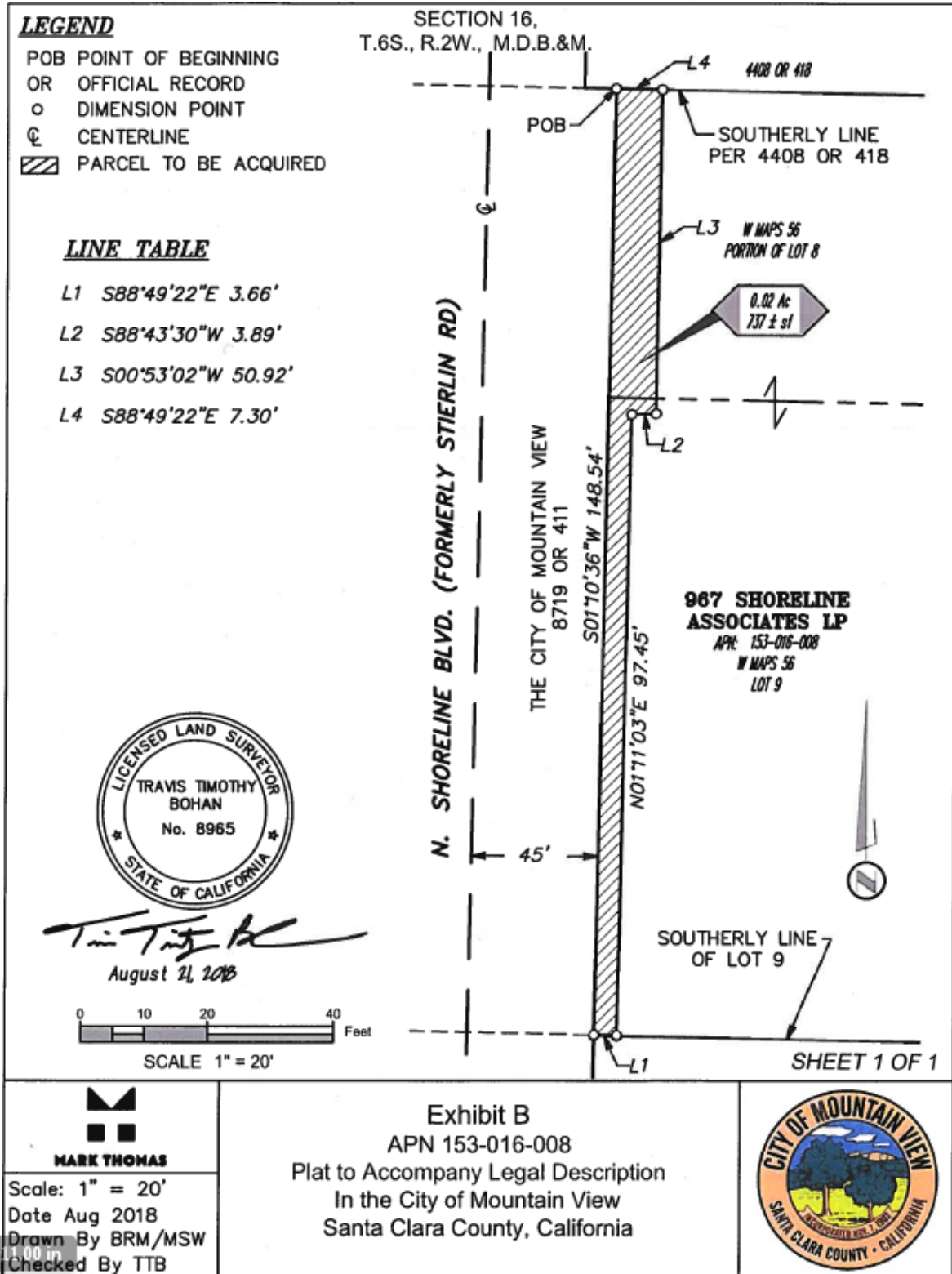


Figure 2

MARK THOMAS
 Scale: 1" = 20'
 Date Aug 2018
 Drawn By BRM/MSW
 Checked By TTB

Exhibit B
 APN 153-016-008
 Plat to Accompany Legal Description
 In the City of Mountain View
 Santa Clara County, California



ANALYSIS

California law (California Government Code §7267, *et seq.*) requires public agencies to appraise the value of property it intends to acquire and to offer no less than the approved appraised fair market value as “fair and just compensation.” Section 1263.320 of the California Code of Civil Procedure defines fair market value as:

- (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

The City had the acquisition parcel appraised by a qualified, independent real estate appraiser, and the City made a formal offer of fair and just compensation as required by State law. The City and the owner reached a negotiated agreement for the City to purchase the necessary property for \$205,700. Staff recommends approval of the purchase of the property rights. Negotiations are ongoing with the remaining property owners and agreements will be brought forward for Council approval as agreements are reached.

FISCAL IMPACT

Shoreline Bus Lane Property Acquisition, Project 18-47, is funded with \$4.26 million from the Shoreline Regional Park Community Fund. There is sufficient funding for the recommended action.

ALTERNATIVES

1. Do not approve the acquisition.
2. Direct staff to renegotiate the price and terms of the acquisition.
3. Provide other direction.

PUBLIC NOTICING

Agenda posting. A copy of this report was also provided to the property owner.

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