



# City of Rialto

## Legislation Details (With Text)

**File #:** 22-716      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Agenda Ready  
**File created:** 7/27/2022      **In control:** City Council  
**On agenda:** 8/9/2022      **Final action:**  
**Title:** Request City Council to (1) Approve a Temporary Construction Easement Agreement with Syed Saidi and Sumera Sabir for the Property Located at 858 S. Riverside Avenue, Rialto, CA 92376 (APN:0131-231-12); and (2) Authorize the City Manager to Execute all Documents.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - TCE.pdf

Date	Ver.	Action By	Action	Result
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For City Council Meeting [August 9, 2022]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Marcus Fuller, Acting City Engineer

Request City Council to (1) Approve a Temporary Construction Easement Agreement with Syed Saidi and Sumera Sabir for the Property Located at 858 S. Riverside Avenue, Rialto, CA 92376 (APN:0131-231-12); and (2) Authorize the City Manager to Execute all Documents.

### **BACKGROUND:**

The City of Rialto is about to begin construction of the Randall Avenue Street Improvements Project, City Project No. 140809-A. The Project consists of various modifications including sidewalk, curb and gutter, retaining curbs, and curb ramps.

The retaining curb, fence, and gate at the northwest corner of Randall Avenue and Riverside Avenue at 858 S Riverside Avenue will be relocated and reconstructed to increase the width of the existing walking path. A photo of the current condition is shown in Figure 1 below.

**Figure 1**



Figure 1

**ANALYSIS/DISCUSSION:**

Staff met with the property owners, Syed Saidi and Sumera Sabir, to review and discuss the proposed improvements. The owners have agreed to relocate their fence and gate. This approach will allow the City to push back the curb ramp retaining curb to extend the current sidewalk width.

Performing this work will be added to the scope of the City’s Project at no cost to the property owner, but requires the property owner to grant the City temporary access to the property to relocate their fence and gate back to allow for additional walking path width. The City Attorney’s office has prepared a Temporary Construction and Access Easement Agreement to accommodate this work; a copy is included as **Attachment 1**.

**ENVIRONMENTAL IMPACT:**

Section 21084 of the California Public Resources Code requires that the guidelines for implementation of the California Environmental quality (CEQA) include a list of classes of projects that have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment and are declared categorically exempt from the requirement for the preparation of environmental documents. In accordance with 14 CCR Section 15301 “Existing Facilities”, Class 1 projects consist of the repair, maintenance, or minor alteration of existing structures and facilities; therefore, the Randall Avenue Street Improvements Project, City Project No. 140809-A is considered categorically exempt from CEQA. A Notice of Exemption has been filed for the project.

**GENERAL PLAN CONSISTENCY:**

This action is consistent with Guiding Principle 3A in the General Plan:

*Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.*

Approval of this action also complies with the following City of Rialto General Plan Goals and

Policies:

**Goal 4-1: Provide transportation improvements to reduce traffic congestion associated with regional and local trip increases.**

Policy 4-1.1: Establish and maintain standards for a variety of street classifications to serve both local and regional traffic, including Major Arterial Highways, Major Arterials, Secondary Arterials, Collector Streets, and Local Streets.

**LEGAL REVIEW:**

The City Attorney has reviewed and supports the staff report and Temporary Construction Easement Agreement.

**FINANCIAL IMPACT:**

Operating Budget Impact

The proposed action will not affect the Operating Budget.

Capital Improvement Budget Impact

The proposed action is within the project budget for construction.

Licensing:

A Business License application and payment of a Business License tax is not required for this action.

**RECOMMENDATION:**

Staff recommends that City Council:

- (1) Approve a Temporary Construction Easement Agreement with Syed Saidi and Sumera Sabir for the Property Located at 858 S. Riverside Avenue, Rialto, CA 92376 (APN:0131-231-12); and
- (2) Authorize the City Manager to Execute all Documents