

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Yugal K. Lall, City Engineer/Public Works Director



**DATE:** October 9, 2009 (CC Meeting of 10/21/09)

**SUBJECT:** Consider Resolution Adopting a Mitigated Negative Declaration (MND) for Los Angeles Avenue Road Widening between Moorpark Avenue and Approximately 426 Feet East of Spring Road, and Consider Authorizing Staff to Proceed with Required Property Acquisitions Using the Services of Hamner, Jewell and Associates

**SUMMARY**

On September 30, 2009, the City received the finalized Supplemental Initial Study/Environmental Assessment (SIS/EA), which includes a Mitigated Negative Declaration (MND) for the widening of Los Angeles Avenue between Moorpark Avenue and approximately 426 feet east of Spring Road, Capital Improvement Project (Project) 8013. Staff is requesting that City Council adopt the MND and Mitigation Monitoring and Reporting Program in the SIS/EA. Once the MND is adopted and the Agreement signed, staff can proceed with the required acquisitions and complete the construction plans, specifications and cost estimates.

**BACKGROUND**

On August 16, 2006, the City Council amended its Agreement for Engineering Services with Tetra Tech, Inc., for preparation of the Final Environmental Document or Initial Study and Mitigated Negative Declaration for Project 8013. The scope of work to complete the final environmental document included:

1. Updating the Air Quality Analysis, Hazardous Waste Initial Site Assessment, and Noise Impact Analysis technical studies.
2. Preparing additional Air Quality Studies.
3. Administrating the Draft Initial Study and Mitigated Negative Declaration.
4. Prepared Final Initial Study and Mitigated Negative Declaration.

Related to the study, on November 1, 2006, the City entered into a Cooperative Agreement

with the State of California (Caltrans) for construction of street improvements between Los Angeles Avenue and Moorpark Avenue and 500 feet east of Spring Road. The Agreement notes that the City will contract for and pay for the construction.

### **DISCUSSION**

Tetra Tech completed the Final Environmental Document and the City received the finalized SIS/EA from Caltrans on September 30, 2009 (Attachment 1). The document includes the MND, and finds that Project 8013 will not have a significant effect on the environment because any negative effects created by Project 8013 will be mitigated through various measures. Staff is requesting that City Council adopt the MND by resolution. Once adopted, City staff can begin the required acquisitions and complete the construction documents for Project 8013.

The City currently has an Agreement with Hamner, Jewell and Associates to perform right-of-way acquisition services for a total not-to-exceed amount of \$100,000 in FY 2009/10. Staff intends to utilize this Agreement for acquisition services for Project 8013. Right-of-way acquisitions will be needed from 11 parcels, of which 3 will require full take, and 2 owned by the Redevelopment Agency. If it is determined that costs for Hamner, Jewell and Associates' service for Project 8013 as well as other open tasks exceed the original Agreement amount, staff will return to Council to request an Amendment to the original Agreement.

### **FISCAL IMPACT**

Costs for the preparation of environmental documents, beginning with the Preliminary Environmental Study in 2005, through today's final SIS/EA totaled \$201,583.62. Environmental documentation has been funded through the Los Angeles Avenue Area of Contribution Fund (2501).

The FY 2009/10 budget for Project 8013 includes \$723,730.00 for land acquisition. As mentioned previously, the City currently has an Agreement with Hamner, Jewell and Associates for acquisition services. If costs exceed the original Agreement amount, staff will return to City Council with a separate request.

### **STAFF RECOMMENDATIONS**

1. Adopt Resolution No. 2009 - \_\_\_\_\_.
2. Authorize staff to proceed with the required property acquisitions using the services of Hamner, Jewell and Associates.

#### Attachments

1. Mitigated Negative Declaration
2. Resolution

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

SCH #2001101158  
07-VEN-118 KP 28.2/29.0 (PM 17.5/18.0)  
EA: 241500

**MITIGATED NEGATIVE DECLARATION (MND)**  
Pursuant to: Division 13, California Public Resources Code

**Description:**

The California Department of Transportation (Caltrans) along with the City of Moorpark (City) propose to widen Los Angeles Avenue (State Route 118) from a four lane to a six lane conventional highway from Moorpark Avenue to approximately 130 meters (426 feet) east of Spring Road in Moorpark, California. The total length of the project is 804 meters (0.5 mile). In addition, the project would require installation of traffic signal at Millard Street and traffic signal modifications at Moorpark Avenue and Spring Road.

**Determination:**

An Initial Study (IS) has been prepared by the California Department of Transportation (Caltrans). On the basis of this study, it has been determined that the proposed project would not have a significant effect on the environment for the following reasons:

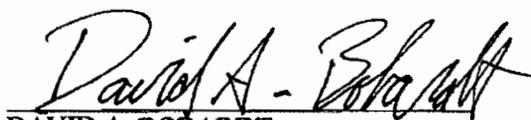
- The proposed project would not significantly impact any scenic resources, cultural resources, or habitat conservation plans.
- The proposed project would not significantly impact any sensitive plant or animal species, other wildlife, riparian habitat, or wetlands or agricultural land.
- The proposed project would not result in exposure to hazardous materials or seismic hazards. All necessary surveys will be performed to see if such hazardous material exist and all standard controls will be implemented for removal of such material.
- The proposed project would not impact mineral or natural resources.
- The proposed project will promote improve regional air quality.
- The proposed project would not impact access to public services or recreational facilities.
- The proposed project will result in increased noise levels along its route but with the addition of soundwalls, these effects will be reduced to acceptable levels.
- The proposed project would not impact transportation or traffic patterns, and would not impact utilities and services.

The proposed project would result in some environmental impacts; however, measures to minimize harm are included as part of the project that would reduce impacts to a level below significance. The project would improve the safety and operation of the existing Los Angeles Avenue (SR 118) and operation of the adjoining intersections.



RON KOSINSKI  
Deputy District Director, District 7  
Division of Environmental Planning  
California Department of Transportation  
District 7- Los Angeles

Sept. 28, 2009  
Date



DAVID A. BOBARDT  
Community Development, Director  
City of Moorpark

9/28/2009  
Date

**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

FOR

**LOS ANGELES AVENUE ROAD WIDENING PROJECT**

The California Department of Transportation (Caltrans) has determined that Alternative 1, the Proposed Build Alternative, will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment (EA), which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA.

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

Notwithstanding any other provision of law, a claim arising under federal law seeking judicial review of a permit, license or approval issued by a federal agency for a highway or public transportation project shall be barred unless it is filed within 180 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the federal law pursuant to which judicial review is allowed.

*Sept 28, 2009*

Date of Approval



RON KOSINSKI

Deputy District Director

Division of Environmental Planning District 7

California Department of Transportation

RESOLUTION NO. 2009 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR PROJECT NO. 8013: LOS ANGELES AVENUE WIDENING – MOORPARK AVENUE TO APPROXIMATELY 426 FEET EAST OF SPRING ROAD

WHEREAS, the California Environmental Quality Act (CEQA) requires public agencies to conduct environmental review on certain projects that would result in a physical change to the environment; and

WHEREAS, an Initial Study was prepared in compliance with CEQA for proposed Project No. 8013: Los Angeles Avenue Widening – Moorpark Avenue to approximately 426 feet east of Spring Road, in order to determine if any significant environmental effects would result from the project; and

WHEREAS, the conclusion of the Initial Study was that, with the incorporation of mitigation measures as conditions of approval, no significant effects would result from proposed Project No. 8013 and a Mitigated Negative Declaration was prepared; and

WHEREAS, public notice of the Mitigated Negative Declaration was given in accordance with CEQA with comments accepted between April 2, 2009 and May 1, 2009.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CONSIDERATION OF MITIGATED NEGATIVE DECLARATION: The City Council has considered the Mitigated Negative Declaration prepared for Project No. 8013: Los Angeles Avenue Widening – Moorpark Avenue to approximately 426 feet east of Spring Road, together with any comments received during the public review process.

SECTION 2. ADOPTION OF MITIGATED NEGATIVE DECLARATION: The City Council finds on the basis of the whole record for Project 8013: Los Angeles Avenue Widening – Moorpark Avenue to approximately 426 feet east of Spring Road, including the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment with the inclusion of mitigation measures identified in the Mitigated Negative Declaration, that these mitigation measures are incorporated into the project as conditions of approval, and that the Mitigated Negative Declaration prepared for the project reflects the independent judgment and analysis of the City of Moorpark and is hereby adopted.

SECTION 3. MITIGATION MONITORING AND REPORTING PROGRAM: The Mitigation Monitoring and Reporting Program identified in the Initial Study prepared on behalf of Project 8013: Los Angeles Avenue Widening – Moorpark Avenue to approximately 426 feet east of Spring Road, is hereby adopted.

SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 21<sup>st</sup> day of October, 2009.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

Exhibit "A" – Los Angeles Avenue Road Widening – Moorpark Avenue to approximately 426 feet east of Spring Road, Mitigated Negative Declaration and Supplemental Initial Study/Environmental Assessment

LOS ANGELES AVENUE ROAD WIDENING  
MOORPARK AVENUE TO APPROXIMATELY 426 FEET EAST OF SPRING ROAD

Ventura County, California  
District 7 – 07-VEN-118  
KP 28.2/29.0 (PM 17.5-18.0)  
EA 241500

Full document will be attached to final Resolution and  
has been provided to City Council under separate cover

Electronic version (PDF) is available upon request: 805-517-6256

A hard copy is available for public viewing at  
Moorpark City Hall Front Counter:  
799 Moorpark Avenue  
Moorpark, CA 93021