



DATE: May 23, 2018

TO: Council Infrastructure Committee

FROM: Interim Director of Public Works

SUBJECT: FY 2018 and FY 2019 New Sidewalks Project - Review of Muir Street Issues

RECOMMENDATION

That the Committee reviews and comments on the Muir Street issues for the FY 2018 and FY 2019 New Sidewalks Project.

SUMMARY

The FY 2018 and FY 2019 New Sidewalks Project calls for three locations for new sidewalks: Calhoun Street, corner of Whitesell Street and Depot Road, and Muir Street. Tampa Street is currently under consideration; however, due to an upcoming Weekes Community Park renovation project by the Hayward Area Recreation and Park District, it may not be included in this round.

Residents on Muir Street have filed a petition against the project over issues regarding deferred improvement agreements, sidewalk conflicting with existing fences and trees, reduction in parking and travel lane width, keeping non-standard driveways in place, and conflicts with PG&E utility poles. City Staff met with several residents and have agreed on resolutions for most issues; however, some issues remain.

The project budget is \$1,565,000. The funding is from Measure BB and Measure B allocations.

BACKGROUND

The FY 2018 and FY 2019 New Sidewalks Project identifies three locations for new sidewalks:

1. Calhoun Street, north side of the street along St. Clements church
2. Southeast corner of Depot Road and Whitesell Street
3. Muir Street, between Orchard Avenue and Frederic Street, on both sides of the street.

Muir Street requires the installation of approximately 1,190' of new sidewalk, driveways, and curb and gutter. In December 2017, City staff sent a preliminary notice to residents and

property owners along the street with information regarding the new sidewalks project. In February 2018, City staff met with residents to discuss concerns about the various issues regarding the project. In March 2018, residents submitted a petition protesting the project due to several issues. Staff and the residents have managed to identify solutions to resolve most of the issues; however, the unresolved ones are being presented to the Committee for review and comment.

The following are the issues that have a proposed resolution:

1. Deferred Improvement Agreements

Only two properties located at 24965 and 25101 Muir Street are subject to deferred improvement agreements that require property owners to pay for improvements, such as sidewalk, driveway, and curb and gutter in front of their property. The property owners have expressed concerns about their agreements primarily due to the age of the agreements (one was executed almost 38 years ago), and the fact that one of the property owners had not been made aware of the agreement. Staff requests a special exception to waive deferred improvement agreements for these two properties. If approved, this issue will be resolved.

2. Redesign Project to Include Sidewalk Abutting Curb and Gutter

Property owners have expressed concerns with the original design of: curb and gutter, 4' planter area, and 4' sidewalk. This design may conflict with several existing fences, gates, and trees that encroach on to the City right-of-way, and significantly reduce front yards.

The resolution to mitigate these issues is to redesign the facilities to: curb and gutter, 5' sidewalk, and remaining portion up to City right-of-way to be utilized as an extension of the front yard. This will prevent relocation of most existing fences, trees, and mitigates front yard size reduction.

3. Reduction in Parking and Travel Lane Width

Muir Street has 34'-wide travel way and allows parking on both sides of the street. Property owners are currently accustomed to parking vehicles partially on pavement and partially on pervious area to widen the travel lanes. The project will add curb and gutter and force vehicles to fully park on the street, and reduce the travel lanes widths on Muir Street. Property owners expressed concerns with the potential increase of damage to parked cars due to narrow travel lanes. After discussions with City staff, property owners have agreed to accept and adjust to this change.

DISCUSSION

City staff and Muir Street Residents have the following outstanding issues to resolve:

1. Non-Standard Driveways

Property owners of 24965, 24979, and 25011 Muir Street have asked to keep the existing non-standard driveways in front of their properties without modifications, and have new improvements conform to the existing driveways. The driveways are in fair condition, but staff recommends installing standard driveways to assure consistency with City standards in the public right-of-way and mitigate risk to the City.

2. Utility Pole Conflicts

Muir Street contains several utility pole conflicts: one PG&E utility pole is located in the middle of the driveway of 25101 Muir Street, and three PG&E utility poles do not have sufficient clearance between the face of the curb and the centerline of utility pole which can make opening car doors parked next to utility poles challenging. Staff will request that PG&E relocate the poles. The project budget and schedule will heavily depend on the cost and schedule for PG&E to relocate these poles. The City needs to decide whether to wait until PG&E relocates the poles, or make an exception and build the project around utility poles.

ECONOMIC IMPACT

This project is fully funded by the City's Capital Improvement Program.

FISCAL IMPACT

The estimated project funding sources are as follows:

- | | |
|--------------------|------------------|
| • 213 - Measure BB | \$715,000 |
| • 211 - Measure B | <u>\$850,000</u> |
| <i>Total:</i> | \$1,565,000 |

STRATEGIC INITIATIVES

This agenda item supports the Complete Streets Strategic Initiative. The purpose of the Complete Streets Strategic Initiative is to build streets that are safe, comfortable and convenient for travel for everyone, regardless of age or ability, including motorist, pedestrians, bicyclists, and public transportation riders. This item supports the following goals and objective:

Goal 1: Prioritize safety for all modes of travel.

Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way.

Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

SUSTAINABILITY FEATURES

This project will improve existing the pedestrian system (General Plan Policy M-5.2) on Muir Street, Calhoun Street, Depot Road, and Whitesell Street, and serves to balance the diverse needs of users of the public right-of-way.

PUBLIC CONTACT

Staff sent letters to the affected property owners notifying them of the proposed work and preliminary schedule. Staff has met with residents on Muir Street several times to discuss their concerns.

NEXT STEPS

Fall 2018:	Council approval of plans, specifications, and call for bids
Winter 2018:	Bid Opening and Award of Contract
March 2019:	Start of Construction
July 2019:	End of Construction

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Interim Director of Public Works

Approved by:



Kelly McAdoo, City Manager