

CONSIDERATION OF PROTESTS, CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue (VAC-E1401171).

Recommendations for Council action:

1. CONSIDER protests relative to the proposed vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue.
2. FIND that the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of way indicated below and shown colored blue on Exhibit A of the May 19, 2015 City Engineer report, attached to the Council file:

Colorado Boulevard (a portion of the northeasterly side), variable width from approximately 26 feet to 15 feet adjoining Lots 5 and 6, Tract No. 2280, southeasterly of College View Avenue.

4. FIND that there is a public benefit to the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.
5. FIND that the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue is in substantial conformance with the purposes, intent and provisions of the General Plan, in conformance with Section 556 of the City Charter.
6. FIND that the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue is not necessary for non-motorized transportation facilities, in conformance with Section 892 of the California Streets and Highways Code.
7. FIND that the vacation of a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue is not necessary for present or prospective public use, in conformance with Section 8324 of the California Streets and Highways Code.
8. ADOPT the City Engineer's report dated May 19, 2015 with the conditions contained therein.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$22,857.44 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

Community Impact Statement: None submitted.

SUMMARY

At the meeting held on June 17, 2015, your Public Works and Gang Reduction Committee considered the recommendations of the City Engineer as contained in its May 19, 2015 report. The City Engineer reports that the area sought to be vacated is a portion of the northeasterly side of Colorado Boulevard adjoining Lots Five and Six, Tract No. 2280, southeasterly of College View Avenue (a map of the area is included as Exhibit A in the May 19, 2015 City Engineer report, attached to the Council file). The purpose of the vacation request is to consolidate the vacation area with the adjoining lots to be developed. This vacation procedure is being processed under procedures established by Council on March 5, 2002 as detailed in Council file No. 01-1459. After having provided an opportunity for public comment, the Committee moved to recommend approval of the recommendations as contained in said City Engineer report as detailed above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BUSCAINO:	YES
PRICE:	YES
CEDILLO:	ABSENT

ME

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**