

CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to vacating an alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway (VAC-E1400900).

Recommendations for Council action:

1. FIND that the vacation of an alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. ADOPT the FINDINGS of the City Engineer dated April 24, 2013, as the Findings of the Council, as modified by the Public Works and Gang Reduction Committee, as attached to the Council file.
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 B of the April 24, 2013 City Engineer report, as attached to the Council file:

Alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway.

4. ADOPT the accompanying City Engineer report dated April 24, 2013 to approve the vacation with the amendment to delete Recommendation B and Conditions 5 and 7 from the City Engineer report, as attached to the Council file.
5. INSTRUCT the City Clerk to set a public hearing date for **SEPTEMBER 24, 2013**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of \$10,700 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.

Community Impact Statement: None submitted.

SUMMARY

At its regular meeting held on August 7, 2013, the Public Works and Gang Reduction Committee considered the recommendations of the City Engineer as contained in its April 24, 2013 report. The City Engineer reports that the area sought to be vacated is an alley northeasterly of Cesar E. Chavez Avenue between State Street and the Golden State Freeway (a map of the area is included as Exhibit B in the April 24, 2013 City Engineer report, as attached to the Council file). The purpose of the vacation request is to consolidate the vacated alley with the adjoining properties to construct a medical office building. This vacation procedure is being processed under procedures established by Council on March 5, 2002 as detailed in Council file No. 01-1459. Council District 14 staff requested to delete Recommendation B and Conditions 5 and 7 from the City Engineer report. Council District 14 staff stated that Recommendation B and Condition 5 require a 5-foot dedication for a public street, which is not needed as a 12-foot sidewalk already exists. Condition 7 is not needed as the adjacent property owner is the applicant himself.

After providing an opportunity for public comment, the Committee moved to recommend approval of the recommendations as contained in said City Engineer report with the amendment to delete Recommendation B and Conditions 5 and 7 from the City Engineer report, as attached to the Council file. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
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BUSCAINO:	YES
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PRICE:	YES
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CEDILLO:	YES
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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**