

MITIGATED NEGATIVE DECLARATION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to the vacation of the Mission Road and Jesse Street Vacation District (VAC-E1401195).

Recommendations for Council action:

1. REAFFIRM the determination of the Mitigated Negative Declaration (W.O.SZC 11545) which was adopted by the City Council on August 1, 2012 under Council file No. 12-0458-S1. The vacation of Mission Road and Jesse Street Vacation District is an element of the Air Treatment Facility at Mission Road and Jesse Street and Street Vacation at Mission Road and Jesse Street Project, for which the Mitigated Negative Declaration was certified by the City Council and pursuant to the City's Environmental Guidelines complies with the California Environmental Quality Act of 1970 for this vacation.
2. ADOPT the FINDINGS of the City Engineer dated December 20, 2012, as the Findings of Council.
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 December 20, 2012 City Engineer report, attached to the Council file:

Mission Road and Jesse Street Vacation District.

4. FIND that there is a public benefit to the vacation of the Mission Road and Jesse Street Vacation District. Upon vacation of the streets, 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 easements.
5. FIND that the vacation of the Mission Road and Jesse Street Vacation District 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 the Mission Road and Jesse Street Vacation District 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 the Mission Road and Jesse Street Vacation District 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 December 20, 2012 with the conditions contained therein.
9. INSTRUCT the City Clerk to set a public hearing date for **JANUARY 14, 2015**.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee \$ 35,000.00 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 its regular meeting held on December 3, 2014, the Public Works and Gang Reduction Committee considered the recommendations of the City Engineer as contained in its December 20, 2012 report. The City Engineer reports that the area sought to be vacated is the Mission Road and Jesse Street Vacation District (a map of the area is included as Exhibit A in the December 20, 2012 City Engineer report, attached to the Council file). The purpose of the vacation request is to join adjacent lots currently separated by a dead ended street as part of the Air Treatment Facility project for the East Central Interceptor Sewer. 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. 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:	ABSENT
CEDILLO:	YES

ME

-NOT OFFICIAL UNTIL COUNCIL ACTS-