

PUBLIC WORKS COMMITTEE REPORT relative to a non-financial transfer of jurisdiction of properties for the Sixth Street Viaduct Replacement Project.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. REQUEST that the Department of Recreation and Parks (RAP) be the designated entity to operate and maintain the public right-of-way areas depicted in Exhibit A of the RAP, Bureau of Sanitation (BOS), and Bureau of Engineering (BOE) joint report dated March 16, 2022, attached to the Council file, as a landscaped and open space area.
2. REQUEST the City Attorney to prepare and present an ordinance that would transfer jurisdiction and control of the property depicted in Exhibit A of said report from the Department of Public Works (DPW) to the RAP.
3. REQUEST the RAP to consider, approve, and accept the area in Exhibit A of said report for use as public open space.
4. DESIGNATE the Board of Recreation and Parks Commissioners as the sole entity responsible for issuing any permits for use of the areas shown in Exhibit A of said report.
5. REQUEST the RAP to establish any necessary funds and/or accounts to receive any revenues generated from the operation of the land in Exhibit A or said report and to expend funds related to operation, maintenance, landscaping and improvements of the land in Exhibit A of said report.
6. REQUEST that the RAP determine that funds or revenues generated from the use of the land in Exhibit A of said report shall solely be used for the operations, maintenance, programming, and improvements of the land in Exhibit A of said report.
7. INSTRUCT the DPW to retain control and jurisdiction of the public right-of-way and serve as the designated City entity to inspect and maintain the viaduct, in accordance with applicable maintenance agreements with the California Department of Transportation, along with all associated structures including, but not limited to tunnel and access ways, bicycle ramps, stairs, sanitary sewers, storm drains, and lighting as depicted in Exhibit B of said report. Storm drains that serve the park shall be maintained by the RAP as depicted in Exhibit B of said report.
8. AUTHORIZE the DPW, Office of Community Beautification, to issue Right-of-Entry permits to City graffiti contractors to remove graffiti and other items from the bridge and all associated structures, including, but not limited to, the bicycle ramps, stairs, and lighting as depicted in Exhibit B of said report.
9. INSTRUCT the BOE, in coordination with the RAP, to conduct all necessary surveys, execute all land dedications, and perform other actions as necessary to establish the legal description of all easements, maintenance boundaries, right of way maps or other documentation needed to effectuate this action.
10. INSTRUCT the RAP to issue a master Right of Entry agreement to the BOS for maintenance of City storm drains and sewers.

Fiscal Impact Statement: None submitted by the RAP, BOS, nor BOE. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on April 13, 2022, your Public Works Committee considered a RAP, BOS, and BOE joint report relative to a non-financial transfer of jurisdiction of properties for the Sixth Street Viaduct Replacement Project.

After an opportunity for public comment, the Committee moved to approve the recommendations as amended in said report, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PUBLIC WORKS COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
BLUMENFIELD	YES
LEE	YES
DE LEÓN	YES
O'FARRELL	YES
KORETZ	ABSENT

ME 4/13/22

-NOT OFFICIAL UNTIL COUNCIL ACTS-