



Legislation Text

File #: 21-0913, **Version:** 1

Recommendation to authorize City Manager, or designee, to grant easement deeds and temporary construction easements to the Department of Transportation and enter into Temporary Construction Easement (TCE) Agreements, for portions of the properties located at 998 and 941 East Pacific Coast Highway to facilitate improvements of a State highway project on Pacific Coast Highway;

Authorize City Manager, or designee, to execute quitclaim deeds to terminate the temporary Construction Easements for portions of the properties located at 998 and 941 East Pacific Coast Highway after expiration; and

Accept Categorical Exemption No. CE-201903012. (District 6)

The Department of Transportation requests a grant of easement for portions of City-owned property located at 998 and 941 East Pacific Coast Highway (PCH) for a State highway improvement project. The Department of Transportation's State highway project consists of pedestrian safety and monitoring improvements, including upgrading signals, installing protected left turn signals for northbound and southbound PCH, installing pedestrian push buttons, audible pedestrian signals, bicycle detection systems, and upgrading all the curb ramps to comply with current American with Disabilities Act standards.

The TCE is required to provide the Department of Transportation with sufficient access to construct this State highway improvement project. The proposed TCE Agreements grant the Department of Transportation, its authorized agents, employees and contractors the non-exclusive right-of-entry over the TCE areas for purposes of construction during implementation of the project. The term of the TCE Agreements will begin upon commencement of construction within the TCE areas and expire on June 1, 2026, with full restoration of the TCE areas by the Department of Transportation.

In addition to the grant easement deeds and temporary construction easements, the Department of Public Works seeks City Council approval to execute quitclaim deeds to terminate the temporary Construction Easements upon their expiration no later than June 1, 2026 (Attachment A).

The necessary City departments, including Economic Development, have reviewed the proposed easements and have no objections to the action. In conformance with the California Environmental Quality Act, Categorical Exemption No. 201903012 was issued on July 1, 2019 (Attachment B).

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on August 6, 2021 and by Budget Management Officer Rhutu Amin Gharib on August 17, 2021.

City Council action is requested on September 7, 2021, to execute the necessary TCE Agreements in a timely manner.

A Grant of Easement processing fee in the amount of \$6,627 was deposited in the General Fund Group in the Public Works Department and a consideration for this easement value was provided at \$10,000 and was deposited in the General Fund Group in the Economic Development Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA
CITY MANAGER