

Agenda Report

TO: CITY COUNCIL

Date: October 19, 1998

FROM: City Manager

SUBJECT: The Street Closing Without Vacation of Portions of
Bellevue Drive, Pico Street, Fillmore Street, and State Street
(Said Streets) for the Pasadena Blue Line Light Rail Project

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- A. Hold a public hearing on the proposed closing without vacation;
- B. Adopt the attached Resolution that:
 1. Affirms that the City Council has approved the Environmental Initial Study, adopted the Mitigated Negative Declaration, incorporated by reference the Mitigation Measure prescribed for the traffic impact due to the closing of Fillmore Street and approved the De Minimis Impact Finding on the State Fish and Wildlife Habitat at the September 14, 1998, City Council meeting,
 2. Finds that the closing without vacation of portions of said Streets is consistent with and implements the Mobility Element of the General Plan and that such portions are unnecessary for present or prospective public use and are not presently needed for vehicular traffic,
 3. Finds that the closing without vacation of portions of said Streets is necessary for the safety and protection of the general public during the times that the Pasadena Blue Line light rail trains are crossing said streets,
 4. Orders the closing without vacation of said Streets and provides that the actual physical closing will not precede the construction but, rather, will occur at or about the time of the issuance of the Notice to Proceed and the start of construction of the specific Pasadena Blue Line Project Contract that includes the construction of said street closings.

- C. Direct the City Clerk to file a Notice of Determination in accordance with Section 15075 of the State California Environmental Quality Act (CEQA) Guidelines together with the environmental documents approved or adopted September 14, 1998, by the City Council, with the Los Angeles County Recorder, as per the hearing to be held at the October 19, 1998, City Council meeting.

BACKGROUND:

The Public Works and Transportation Department is requesting that the City Council adopt a Resolution of Closing to close without vacation certain portions of Bellevue Drive, Pico Street, Fillmore Street and State Street (said Streets) at their intersections with the Metropolitan Transportation Authority (MTA) railroad right-of-way. The actual physical closing of Bellevue Drive, Fillmore Street, and State Street will occur with the construction of the Pasadena Blue Line light rail project. Pico Street is already closed off with barrier railings, curb and gutter. These closings are described in Exhibits "A-1", "B-1", "C-1", and "D-1" and are shown on Exhibits "A-2", "B-2", "C-2", and "D-2" attached hereto and on file in the office of the Director of Public Works and Transportation. This right-of-way was formerly owned by the Atchison, Topeka and Santa Fe Railroad and runs north-south between Raymond Avenue and Arroyo Parkway. The objective of the proposed street closing is safety related and will minimize potential conflicts between vehicular/pedestrian traffic and the light rail trains at these grade crossings. This action enhances the safe operation of the Pasadena Blue Line project, which is a component of the Mobility Element of the City's Revised General Plan. While the Blue Line project is the responsibility of the MTA, these street closings are consistent with the objectives and strategies of said Mobility Element and facilitate safe implementation of the Pasadena Blue Line Light Rail Project.

PLANNING COMMISSION REVIEW:

On June 10, 1998, the Planning Commission reviewed the proposed closing without vacation of said streets. The conditions in the Resolution of Closing are consistent with those of the Planning Commission, and the Planning Commission recommends that the City Council approve the proposed closings provided the closings do not precede the construction of the light rail line. The Resolution of Closing will be recorded at or about the time of the Notice to Proceed on said construction; hence, the actual closing will not precede construction.

ENVIRONMENTAL CLEARANCE:

At the September 14, 1998 City Council Meeting, the City Council approved the Environmental Initial Study, adopted the Mitigated Negative Declaration and approved the De Minimis Impact Finding on the State Fish and Wildlife Habitat. These actions, which are in accordance with

ENVIRONMENTAL CLEARANCE;, Continued

CEQA, found the closing of said streets to be consistent with the Mobility Element of the General Plan and found them to have no impact on the environment after mitigation. The mitigation measure originates from earlier MTA documentation ("Traffic and Transportation Task 10 Report" adopted by the MTA on January 27, 1993).

AUTHORITY AND PROCESSING:

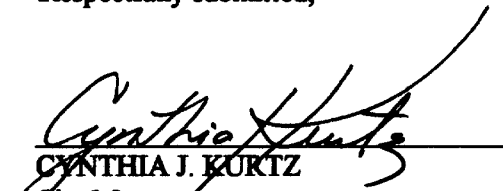
Authority for the Planning Commission to recommend and for the City Council to close streets without vacation comes from Chapter 12.25 of the Pasadena Municipal Code. In a closing without vacation, the City does not vacate its public easement rights nor rescind its rights to the use of the street right-of-way, but only closes the designated portion of the street to vehicular and/or pedestrian traffic, at a specific location, thus retaining its authority over the street right-of-way and the right to reopen the street as a public street at a later date.

The Pasadena Municipal Code establishes a two step process before the City Council. The first step is adoption of a Resolution of Intention and setting of a public hearing which was accomplished at the September 14, 1998, City Council meeting. The second step is the holding of a public hearing and adoption of a Resolution of Closing which is being presented to the City Council today. Staff has forwarded courtesy notices to all utilities and City departments specifying the proposed closure of each street mentioned herein. A Master Cooperative Agreement for the Pasadena Blue Line Project (Agreement) exists between the MTA and the City. The Agreement ensures that the MTA will be responsible for costs associated with the Blue Line. This includes adjustments to water and power facilities and other utilities, as well as the design and public improvement components of the street closings.

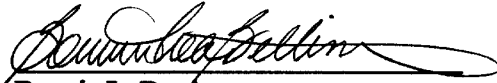
FISCAL IMPACT:

As indicated herein, the MTA Budget for the Pasadena Blue Line includes the construction of all improvements associated with the street closings.

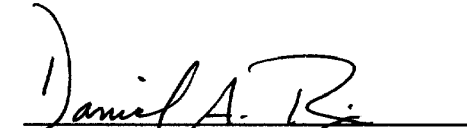
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

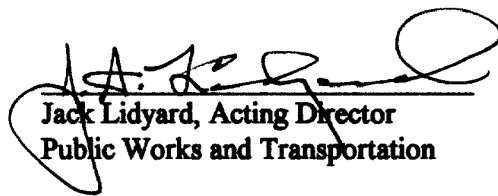
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JM:bs