



# City of Culver City

Mike Balkman  
Council Chambers  
9770 Culver Blvd.  
Culver City, CA 90232  
(310) 253-5851

## Staff Report Details (With Text)

**File #:** 22-789      **Version:** 1      **Name:** Resolution of Jackson Ave Project is statutorily exempt from CEQA  
**Type:** Minute Order      **Status:** Consent Agenda  
**File created:** 2/17/2022      **In control:** City Council Meeting Agenda  
**On agenda:** 3/14/2022      **Final action:**  
**Title:** CC - CONSENT ITEM: Adoption of a Resolution (1) Certifying the Jackson Gate Project (Consisting of the Opening of the Ballona Creek Access Gate at the Southern End of Jackson Avenue and Related Public Improvements) will be Completed by a Skilled and Trained Workforce; and (2) Determining the Jackson Gate Project is Statutorily Exempt from the California Environmental Quality Act (CEQA)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2022-03-14\_ATT\_Reso Certifying Skilled Workforce and Determining CEQA Exemption for Jackson Gate Opening and Improvements.pdf

Date	Ver.	Action By	Action	Result
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**CC - CONSENT ITEM: Adoption of a Resolution (1) Certifying the Jackson Gate Project (Consisting of the Opening of the Ballona Creek Access Gate at the Southern End of Jackson Avenue and Related Public Improvements) will be Completed by a Skilled and Trained Workforce; and (2) Determining the Jackson Gate Project is Statutorily Exempt from the California Environmental Quality Act (CEQA)**

**Meeting Date:** March 14, 2022

**Contact Person:** Andrew Maximous/Public Works Department  
310-253-5628

**Attachments:** [X]

**Fiscal Impact:** [ ]      **General Fund:** [ ]

**Public Notice:** (E-Mail) Meetings and Agendas - City Council (03/09/2022)

**Department Approval:** Yanni Demitri, Public Works Director/City Engineer (03/04/2022)

## **RECOMMENDATION**

Staff recommends the City Council adopt a resolution (1) certifying the Jackson Gate Project (consisting of the opening of the Ballona Creek access gate at the southern end of Jackson Avenue and related public improvements) will be completed by a skilled and trained workforce; and (2)

determining the Jackson Gate Project is statutorily exempt from the California Environmental Quality Act (CEQA) (Attachment 1).

## **BACKGROUND/DISCUSSION**

On August 9, 2021, the City Council directed Public Works staff to open the existing Ballona Creek access gate at the southern end of Jackson Avenue to provide bicycle access to the Ballona Creek Bike Path. In addition to opening the gate, the City's consultant, KOA, is designing several safety improvements consisting of installation of a bollard to restrict vehicle access, removal of a portion of the existing curb and overgrown landscaping, installation of new curb aligned with the northern-most gate post, and modifications to the gate hinges to allow the gate to swing into the bike path (collectively, "Improvements"). Once completed, the final design of the Improvements will be approved by the Public Works Director/City Engineer.

KOA's environmental subconsultant reviewed the scope of the Jackson Gate Project, inclusive of the Improvements, and issued a Letter of Applicability determining the Project qualifies for a statutory exemption from CEQA, pursuant to Public Resources Code (PRC) Section 21080.25(c), which provides an exemption for certain projects, including improvements of pedestrian and bicycle facilities, including new facilities as defined in Section 890.4 of the Streets and Highways Code (see Exhibit A to Attachment 1).

PRC Section 21080.25(c) states that a project exempt from CEQA shall meet all the following criteria:

1. A public agency is carrying out the project and is the lead agency for the project.
2. The project is located in an urbanized area.
3. The project is located on or within an existing public right-of-way.
4. The project shall not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles, such as extended merging lanes.
5. The project shall not include the addition of any auxiliary lanes.
6. The construction of the project shall not require the demolition of affordable housing units.

There are additional requirements for applying this statutory exemption for projects greater than \$100 million which do not apply in this case because the Project does not exceed that threshold.

As set forth in the Letter of Applicability (see Exhibit A to Attachment 1), the opening of the Jackson Avenue access and related Improvements meet all applicable PRC Section 21080.25 criteria and meet the definition of a bicycle facility as it consists of a new access point to the Ballona Creek Bike Path.

Further, in accordance with PRC Section 21080.25(d)(1), in order for the Project to qualify for this statutory exemption, the City must certify the Project will be completed by a skilled and trained workforce.

If the City Council adopts the proposed Resolution, the Public Works Department will file a Notice of Exemption with the Los Angeles County Clerk's Office.

## **FISCAL IMPACT**

There is no fiscal impact associated with the adoption of the proposed Resolution. The Improvements will be implemented by Public Works staff once the final design is completed and approved by the Public Works Director/City Engineer.

## **ATTACHMENTS**

2022-03-14\_ATT\_Proposed Resolution

## **MOTIONS**

That the City Council:

1. Adopt a Resolution certifying the Jackson Gate Project (consisting of the opening of the Ballona Creek access gate at the southern end of Jackson Avenue and related public improvements) will be completed by a skilled and trained workforce; and (2) determining the Jackson Gate Project is statutorily exempt under CEQA; and
2. Authorize the Public Works Director/City Engineer to file a Notice of Exemption with the Los Angeles County Clerk's Office.