

REPORT OF GENERAL MANAGER

APPROVED
NOV 21 2011

NO. 11-300

DATE November 21, 2011

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. 7

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: WESTWOOD PARK – TEMPORARY CONSTRUCTION EASEMENT FOR
CALTRANS SAN DIEGO 405 FREEWAY WIDENING PROJECT

R. Adams _____
H. Fujita _____
V. Israel _____

K. Regan _____
*M. Shull _____
N. Williams _____

General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve the temporary use of a portion of the Department of Recreation and Parks' (Department) Westwood Park located at 1350 South Sepulveda Boulevard in Westwood as shown on Exhibit A for a staging area for the California Department of Transportation (CalTrans) San Diego 405 Freeway widening project;
2. Accept the offer of \$204,500 from CalTrans as compensation for the temporary use of a portion of the Department's Westwood Park to be deposited into an account to be determined by the Department's Chief Financial Officer and to be used for Department related work at various facilities including, but not limited to, Westwood Park, as determined by the General Manager or his designee;
3. Direct the Board Secretary to forward the proposed Temporary Construction Easement document, substantially on file in the Board Office, to the Mayor in accordance with Executive Directive No. 3 for review, and concurrently, to the City Attorney for review and approval as to form; and,
4. Authorize the General Manager to execute the Temporary Construction Easement document upon receipt of all necessary approvals.

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SUMMARY:

In late 2010, CalTrans met with Department staff to discuss the possibility of using a portion of the Department's Westwood Park located at 1350 South Sepulveda Boulevard in Westwood as shown on Exhibit A, for a temporary staging area for the San Diego 405 Freeway Widening project. The Department's Westwood Park comprises approximately 7.49 acres or 326,264 square feet. The proposed area is adjacent to the area commonly known as the Bad News Bears Field. The field contains three baseball fields, digital scoreboards, pitching/batting cages, walkways, parking lot, and various landscaping. The area intended to be used as a construction staging area measures approximately 5,679 square feet and is essentially vacant land aside from some minor concrete curbing and chain link fencing. CalTrans has indicated that it will need the area for a term of not-to-exceed forty (40) months and is requesting a temporary construction easement which shall terminate on December 31, 2013. The CalTrans project adds a High Occupancy Vehicle (HOV) lane to the San Diego 405 Freeway.

CalTrans has offered the Department compensation in the amount of \$204,500 for the use of park property. CalTrans provided staff with a copy of the appraisal used to determine the compensation amount which has been reviewed by the Department of General Services (GSD). GSD has concluded that the offered amount "is overall reasonable and reflects the typical compensation for like property". The offered compensation translates to \$5,112.50 per month.

Department staff has reviewed the proposed plans for the utilization of park property as a staging area for the CalTrans San Diego 405 Freeway Widening project and find the plans to be acceptable. It is our understanding that CalTrans has completed its outreach efforts for the proposed project and have the support of the community.

Department staff recommends approval of the proposed use of park property, acceptance of the compensation offered and the execution of the Temporary Construction Easement (TCE) which memorializes all the details for the use of park property.

Staff has determined that the proposed freeway widening project has been previously evaluated in accordance with the California Environmental Quality Act (CEQA) in the Environmental Impact Report (EIR) for the proposed San Diego 405 Freeway Widening Project. The EIR was certified by CALTRANS acting as the CEQA Lead Agency on January 8, 2008. Staff has reviewed the administrative record for the EIR, and has determined the proposed freeway widening project has been adequately evaluated for potential environmental effects. Therefore, no additional CEQA determination is required for the Board to act upon the recommendations in this report as a Responsible Agency to the proposed project under CEQA.

The Board should be informed that although staff and CalTrans are in agreement with the terms of the TCE, CalTrans has filed a condemnation action against the City to take possession of the

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subject Department's property. They have done this in order to complete the proposed freeway widening project within its timetable. The City Attorney has represented the City in several court hearings on this matter and has indicated that the next hearing date is scheduled for the first week of December.

The City Attorney had indicated that it is likely that CalTrans will shortly get an "Order of Possession" and commence construction on the project. Should the Board approve the TCE, it is contemplated that CalTrans will dismiss the case.

It is recommended that the compensation received for the TCE be allowed to be used for various Department projects to be determined by the General Manager or his designee. A potential use would be to fund the various due diligence or acquisition costs for the 50 parks initiative.

FISCAL IMPACT STATEMENT:

It is anticipated that this transaction will not have a fiscal impact to the Department's General Fund. Approval of this action will provide the Department with \$204,500 that can be used in various Department projects.

This report was prepared by Cid Macaraeg, Senior Management Analyst II, Real Estate and Asset Management Section, Planning, Construction and Maintenance Division.

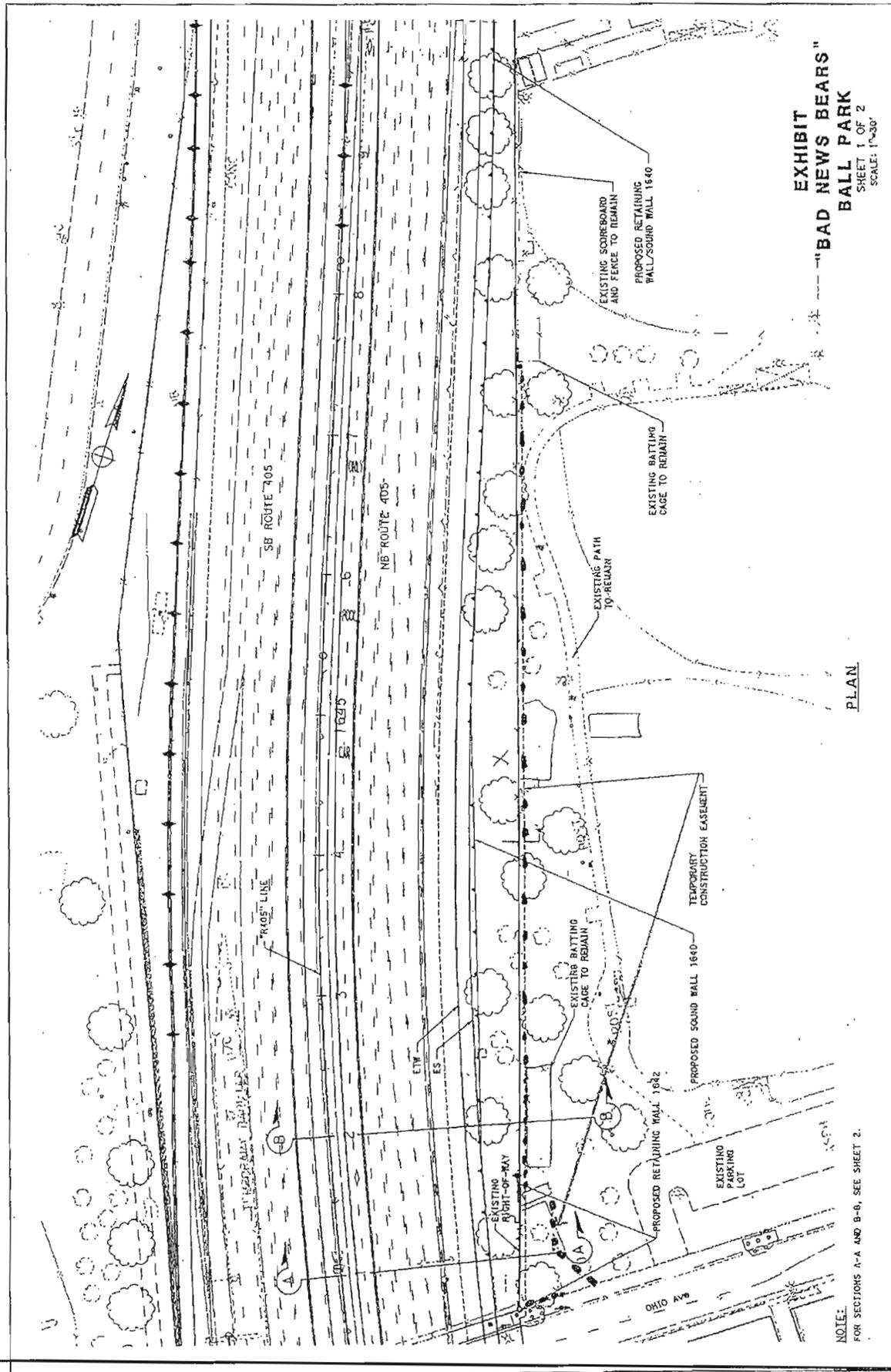


EXHIBIT
"BAD NEWS BEARS"
BALL PARK
SHEET 1 OF 2
SCALE: 1"=30'

PLAN

NOTE:
FOR SECTIONS A-A AND B-B, SEE SHEET 2.

