



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 3, 2009

ITEM NUMBER:

SUBJECT: RESOLUTION ACCEPTING CITY OWNED ALLEY WAYS INTO CITY STREET SYSTEM

DATE: FEBRUARY 19, 2009

FROM: PUBLIC SERVICES DEPARTMENT

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, DEPARTMENT OF PUBLIC SERVICES

**FOR FURTHER INFORMATION CONTACT: MELANIE EUSTICE, MANAGEMENT ANALYST
(714) 754-5024**

RECOMMENDATION:

Adopt Resolution (Attachment 1) to accept the alleys listed in Exhibit "A" of Attachment 1 into the City's Street and Road System.

BACKGROUND:

An alley is defined in the City Municipal Code as a "public unnamed roadway which does not exceed 25-feet in width between property lines." The City owns and maintains 129 alley segments. The surface conditions of these alleys vary from newly paved to considerably deteriorated sections. In some cases, poor drainage conditions contribute to their continued deterioration. Some of these alleys were incorporated into the City from the County of Orange, while others were accepted as dedications to provide utility easements and/or drainage easements and in most cases as a means of vehicular ingress and egress to adjoining private properties.

On November 20, 2007, a Citywide Alley Report was presented to the City Council where the Council approved an Alley Improvement List that established funding priorities for the rehabilitation of the 129 alleys located throughout the City. The approved Priority List sets those alleys exhibiting significant pavement and/or drainage deficiencies as the highest priority.

ANALYSIS:

Improvements to the alleys are dependent on annual allocations of available revenues. Generally, the City has used Gas Tax and Traffic Congestion Relief revenues for repair and maintenance. These funds, like most transportation grant revenue, can only be used for the rehabilitation of streets that are part of the City's Streets and Road System.

The Streets and Highways Code Section 1806, defines a street or road as being at least 40-feet in width. Since the City's alleys are 25-feet or less they are not currently part of the City's Street and Road System as they do not meet the definition. However, the

Streets and Highways Code allows the City to approve a Resolution by a four-fifths vote of the governing body to determine that public convenience and necessity demands the maintenance of streets less than 40-feet (alleys). Once the City makes the declaration and approves the attached Resolution, the State Controller's Office will allow the expenditure of Gas Tax and possibly other transportation funds for alley improvements. In addition, adoption of the attached Resolution will prevent Staff from needing to present an alley designation resolution for each individual alley improvement project, which could slow down a competitive application process for funds.

ALTERNATIVES CONSIDERED:

The City Council could choose to not approve the Resolution, and maintain current alley designations. This would disqualify the use of Gas Tax and Traffic Congestion Relief funds for alley improvement projects.

FISCAL REVIEW:

There is no direct fiscal impact related to this item.

LEGAL REVIEW:

The City Attorney has reviewed and approved the attached Resolution.

CONCLUSION:

It is recommended that the City Council adopt the Resolution (Attachment 1) to accept the alleys listed in Exhibit A of Attachment 1 into the City's Street and Road System. This will expand the City's eligibility for transportation funding that could be used for alley improvements.

PETER NAGHAVI, DIRECTOR
Department of Public Services

ERNESTO MUÑOZ
City Engineer

MELANIE EUSTICE
Management Analyst

DISTRIBUTION: City Manager
 City Attorney
 Finance Director
 City Clerk
 Staff

ATTACHMENTS: 1 [Resolution](#)