



# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

# H-1

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

August 11, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, adopt the attached resolution ordering the vacation of a portion of the alley north of Artesia Boulevard and west of Orange Avenue, and authorize a quitclaim of the reserved utility easement. (District 9)

## DISCUSSION

A new City of Long Beach Fire Station is to be constructed at 1199 East Artesia Boulevard. The development of the proposed 56,181 square foot project site will entail the elimination of the southerly part of the alley system in this block, the creation of a new branch alley 135 feet northerly of the old east-west branch alley, and the relocation of utility lines to the new branch alley. The proposed changes to the alleys in the block north of Artesia Boulevard and west of Orange Avenue are shown on the attached Exhibit A.

On July 14, 2009, the City Council adopted Resolution No. RES-09-0070, declaring its intention to vacate the subject right-of-way and set August 11, 2009, as the date for the public hearing. A copy of the July 14, 2009 City Council letter is attached as Exhibit B.

This matter was reviewed by Deputy City Attorney Linda Trang on May 5, 2009 and Budget and Performance Management Bureau Manager David Wodynski on July 23, 2009.

## TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action.

## FISCAL IMPACT

A vacation processing fee of \$6,874 was deposited to the General Fund (GP) in the Department of Public Works (PW).

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HONORABLE MAYOR AND CITY COUNCIL

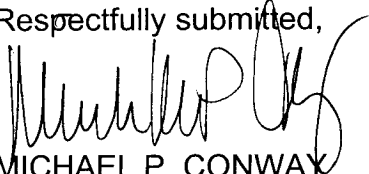
August 11, 2009

Page 2

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

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P\CL\ROW Fire Station 12 1199 E Artesia Res Ord CL.doc

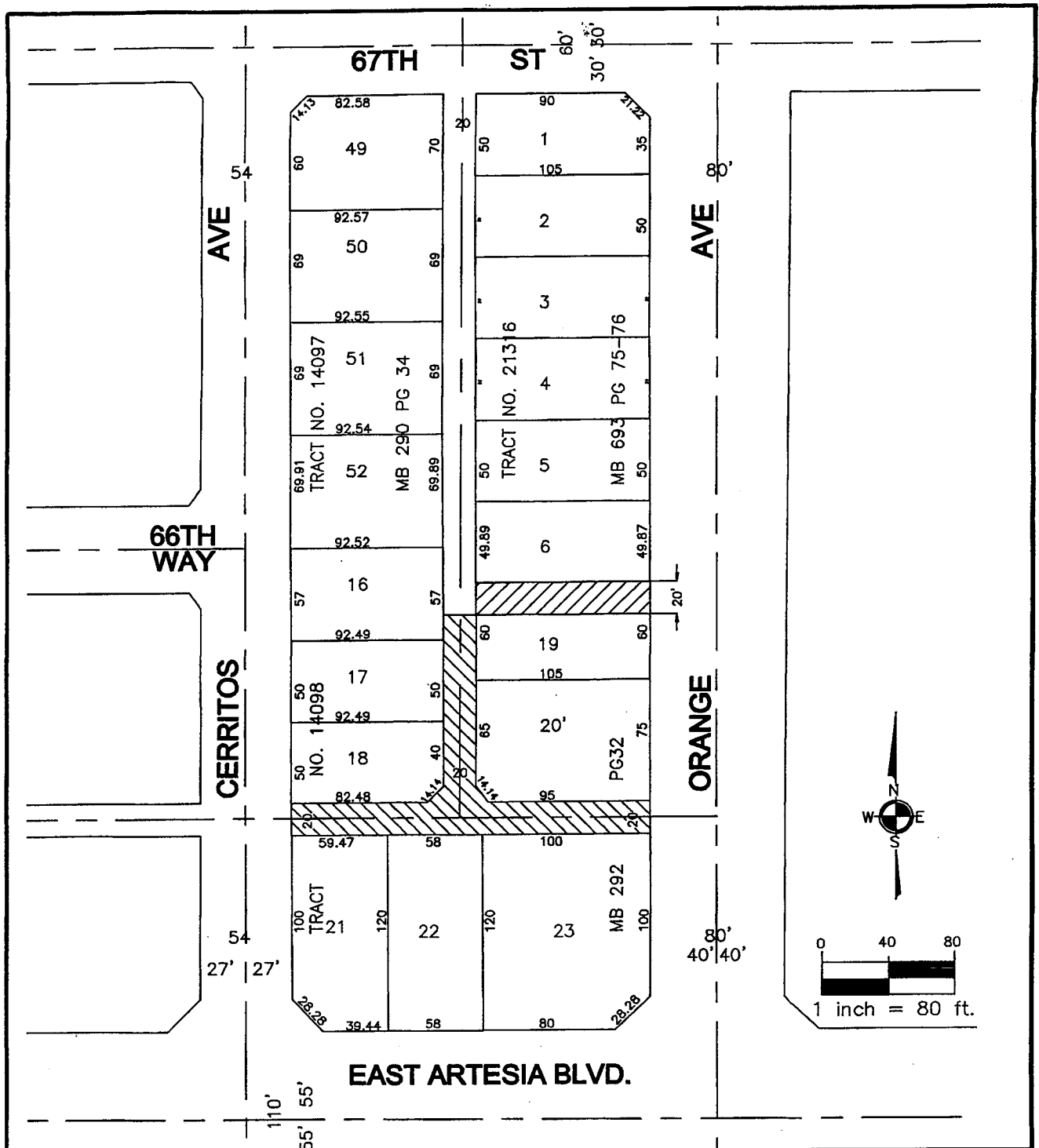
Attachments

APPROVED:

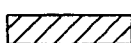


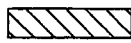
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PATRICK H. WEST  
CITY MANAGER



**LEGEND:**

 AREA TO BE DEDICATED FOR ALLEY PURPOSES

 AREA TO BE VACATED

**CITY OF LONG BEACH**

STREET DEDICATION & VACATION

1199 E. ARTESIA BLVD.  
LONG BEACH, CALIFORNIA 90805

DWG No. 1.0

1 OF 1

**EXHIBIT A**

12-09-08



# CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

~~C-12~~

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

July 14, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a resolution of intention to vacate a portion of the alley north of Artesia Boulevard and west of Orange Avenue, accept the dedication of a new branch alley, and set a date for a public hearing on the vacation for August 11, 2009. (District 9)

## DISCUSSION

A new City of Long Beach Fire Station is to be constructed at 1199 East Artesia Boulevard. The development of the proposed 56,181 square foot project site will entail the elimination of the southerly part of the alley system in this block, and the creation of a new branch alley 135 feet northerly of the old east-west branch alley. The proposed changes to the alleys in the block north of Artesia Boulevard and west of Orange Avenue are shown on the attached Exhibit A. The site development plan for the new fire station is shown on Exhibit B.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use.

1. On December 4, 2008, the City of Long Beach Planning Commission approved plans for a new 11,080 square foot fire station and a 4,632 square foot Emergency Support Center at 1199 E. Artesia Boulevard.
2. Also on December 4, 2008, the Planning Commission determined that the subject alley vacation is consistent with the City's General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law. In conformance with the California Environmental Quality Act, Negative Declaration Number ND 14-08 was issued for this project. The Planning Department staff report is included as Exhibit C.

**EXHIBIT B**

**Page 1 of 2**

HONORABLE MAYOR AND CITY COUNCIL

July 14, 2009

Page 2

3. A new 20-foot wide branch alley will be dedicated and constructed to maintain through alley access to all of the private properties in this block.
4. There are existing public utilities in the alley portion to be vacated. These utilities will be rerouted from the alley to be vacated during the construction of the fire station. Upon completion of the utility relocation, the easement reserved for public utilities will be quitclaimed by the City of Long Beach.
5. The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and land development, and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies, are shown on Exhibit D.

The public hearing on this matter to be held on August 11, 2009, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Trang on May 5, 2009, and by Budget and Performance Management Bureau Manager David Wodynski on May 13, 2009.

TIMING CONSIDERATIONS

City Council action is requested on July 14, 2009, in order to allow the construction of the fire station to proceed on schedule.

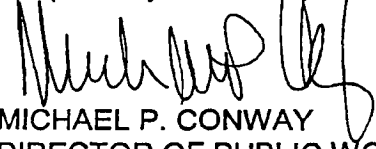
FISCAL IMPACT

A vacation processing fee of \$3,180 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:SC  
P:\CL\ROW vac Fire Station 12 CL.doc  
Attachments – Exhibit A  
Exhibit B  
Exhibit C  
Exhibit D  
Resolution

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

**EXHIBIT B**

**Page 2 of 2**

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO.  
2

3 A RESOLUTION ORDERING THE VACATION OF A  
4 PORTION OF THE ALLEY NORTH OF ARTESIA  
5 BOULEVARD AND WEST OF ORANGE AVENUE IN THE  
6 CITY OF LONG BEACH, COUNTY OF LOS ANGELES,  
7 STATE OF CALIFORNIA  
8

9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on  
10 the \_\_\_\_\_ of \_\_\_\_\_, 2009, by Resolution No. \_\_\_\_\_,  
11 declare its intention to order the vacation, pursuant to the provisions of the Public Streets,  
12 Highways, and Service Easements Law, a portion of the alley north of Artesia Boulevard  
13 and west of Orange Avenue, in the City of Long Beach, County of Los Angeles, State of  
14 California, described more particularly as follows:  
15

16 All those certain alleys lying within Tract No. 14098, in the  
17 City of Long Beach, County of Los Angeles, State of  
18 California, as shown on the map recorded in Book 292, Page  
19 32 of Maps, recorded in the office of the County Recorder of  
20 said County, lying southerly of a line parallel with and 20.00  
21 feet southerly of the northerly line of Lot 19 of said Tract.  
22

23 Reserving unto the City of Long Beach, its successors and  
24 assigns a perpetual easement and right-of-way, at any time  
25 or from time to time, to lay, construct, maintain, operate,  
26 repair, renew, replace, change the size of and remove the  
27 existing utility lines, including, but not limited to, sanitary  
28 sewers and appurtenant structures, together with all

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necessary gates, valves, fittings, hydrants and appurtenances for the transportation of water and gas, with the right of ingress to and egress from the same, over, through, under, along and across that certain property vacated herewith; and pursuant to any existing franchises or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of conduits, cables, wires, poles and other convenient structures, equipment and fixtures for the operation of telephone lines and other communication lines, and for the transportation or distribution of electric energy, and incidental purposes including access and the right to keep the property free from inflammable materials, and wood growth, and otherwise protect the same from all hazards in, upon and over the part vacated. Access for maintenance of the above-mentioned facilities must be maintained at all times. No improvements shall be constructed within the easement which would impede the operation, maintenance or repair of said facilities. Construction of any improvements, including changes of grade, shall be subject to the prior written approval of all the City departments and public utilities responsible for the above said facilities.

WHEREAS, the City Council did, at said time, fix Tuesday, the \_\_\_\_\_ day of \_\_\_\_\_, 2009, at the hour of \_\_\_\_\_ p.m., as the time and the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard; and

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1           WHEREAS, notice of the resolution of the intention to vacate, stating the  
2 time and place of said hearing, was duly posted in the manner prescribed by law; and

3           WHEREAS, said hearing was called and held before the City Council at the  
4 time and place so fixed and evidence taken and received on the matter of said proposed  
5 vacation, and the City Council, upon said evidence, now makes those findings of fact set  
6 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

7           NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
8 follows:

9           Section 1. Pursuant to the foregoing resolution of intention, the  
10 proceedings had thereunder, Vacation Sketch No. 990V showing a portion of the alley  
11 north of Artesia Boulevard and west of Orange Avenue to be vacated by the City of Long  
12 Beach attached hereto as Exhibit "A", and the City Council Findings attached hereto as  
13 Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution  
14 vacating and closing a portion of the alley hereinabove described.

15           Section 2. That this resolution shall take effect immediately upon its  
16 adoption by the City Council, and the City Clerk is hereby instructed to certify to the  
17 adoption thereof, and to cause a certified copy to be recorded in the Office of the County  
18 Recorder of the County of Los Angeles, California.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

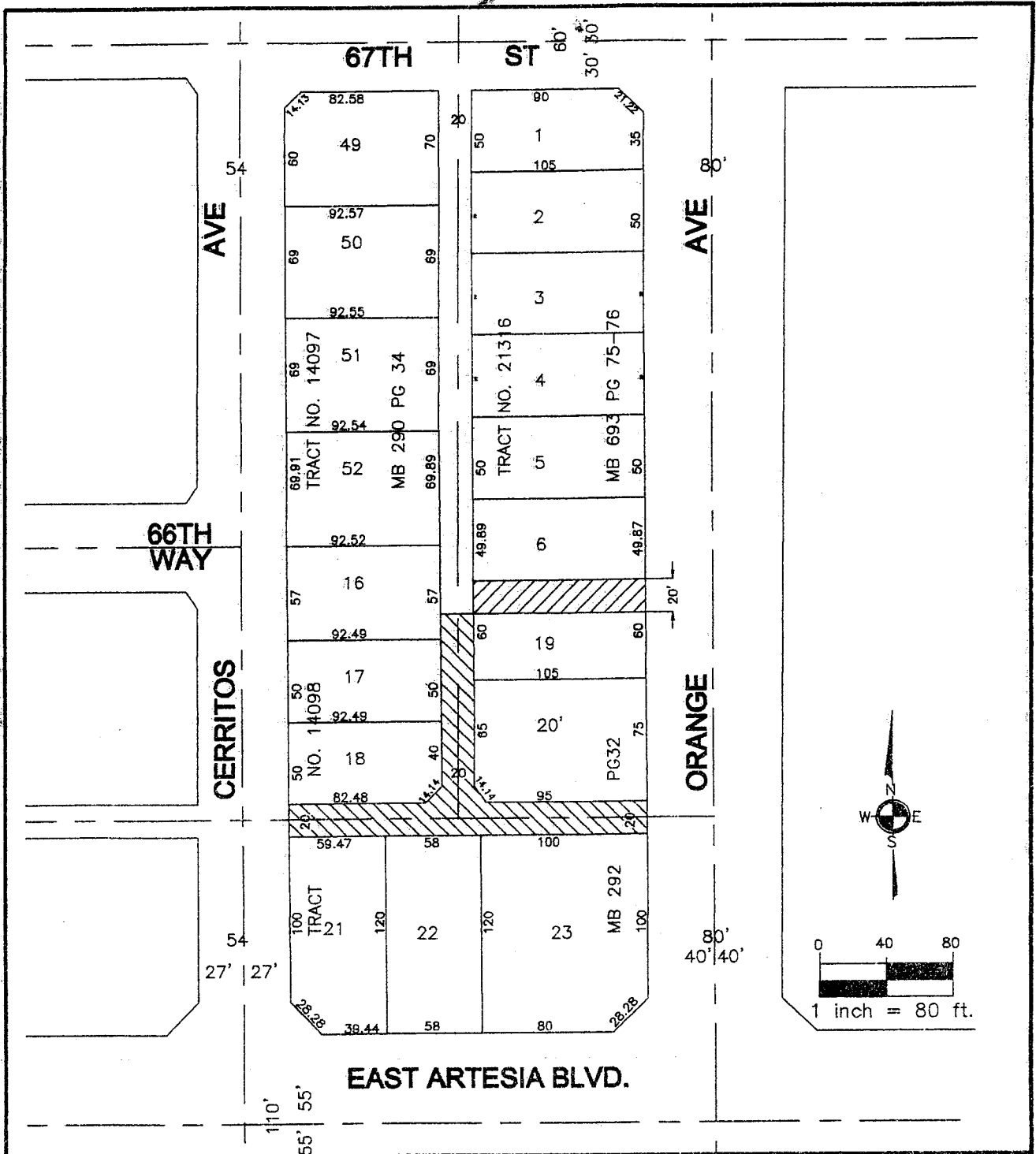
\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664



**LEGEND:**

 AREA TO BE DEDICATED FOR ALLEY PURPOSES

 AREA TO BE VACATED

**CITY OF LONG BEACH**

STREET DEDICATION & VACATION

1199 E. ARTESIA BLVD.  
LONG BEACH, CALIFORNIA 90805

DWG No.

1.0

1 OF 1

12-09-08

**EXHIBIT A**

## **CITY COUNCIL FINDINGS**

### **VACATION OF A PORTION OF THE ALLEY NORTH OF ARTESIA BOULEVARD AND WEST OF ORANGE AVENUE Reference Sketch No. 990V**

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1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) On December 4, 2008, the City of Long Beach Planning Commission approved plans for a new 15,712 square foot fire station at 1199 E. Artesia Boulevard and determined that the subject alley vacation is consistent with the City's General Plan.
  - b) A new 20-foot wide branch alley will be dedicated and constructed to maintain through alley access to all of the private properties in this block.
  - c) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. A utility easement will be reserved as a condition of approval, to be quitclaimed upon satisfactory relocation of the public utilities.
  - d) The rights-of-way would not be useful for exclusive bikeway purposes.
2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- e) In conformance with the California Environmental Quality Act, Negative Declaration Number ND 14-08 was issued for this project.