



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

September 5, 2006

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Adopt the attached resolution summarily ordering the realignment of a pedestrian path south of Willow Street and west of San Vicente Avenue, and the attached resolution setting apart and dedicating to public use a realigned pedestrian path and additional sidewalk width, all adjacent to the 5950 East Willow Street. (District 5)

### DISCUSSION

As part of the San Diego Freeway construction, a pedestrian route was built to maintain a connection between Prisk Elementary and Stanford Middle Schools (south of the freeway), and the neighborhood north of the freeway. Caltrans built a pedestrian walkway under the freeway and across a strip of land approximately 30 feet wide between the freeway and Willow Street. This land was not needed for freeway purposes and was relinquished by Caltrans to the City in 1966 (Relinquished Parcel). The Community Development Department is arranging for the sale of this Relinquished Parcel to the owner of the adjacent parcel, the Los Altos United Methodist Church (Church). They wish to use the parcel for the construction of a parking lot and a playground. In order to maximize the usability of the Relinquished Parcel, the walkway across it is being realigned as shown on the attached Exhibit A.

Proceedings for this vacation are being conducted in accordance with Chapter 4, Summary Vacation, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Section 8330 of that Chapter states that the legislative body of a local agency may summarily vacate that portion of right-of-way that has been superceded by relocation. 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 November 6, 2003, the City of Long Beach Planning Commission approved a plan for the expansion of the Church and determined that the realignment of the pedestrian path is consistent with the 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 No. 31-02 was certified for this project. The Planning Commission staff report is attached as Exhibit B.

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2. On April 6, 2004, the City Council authorized the City Manager to enter into a Purchase and Sale Agreement with the Church for the Relinquished Parcel. The realignment of the pedestrian walkway as shown on Exhibit A is a condition of that agreement. The Council action on that matter is attached as Exhibit C.
3. Recently, the pedestrian walk has been realigned and the Willow Street sidewalk widened to 9.5 feet, from the westerly boundary of the Relinquished Parcel to the intersection with San Vicente Avenue as shown in Exhibit A. The area to be dedicated is shown on Exhibit A.
4. The interested City departments, including Fire and Police, have reviewed the pedestrian path realignment and have no objections to this action. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit D.

Deputy City Attorney Lisa Peskay Malmsten prepared the attached resolution of summary vacation on April 6, 2005, and reviewed this matter on August 1, 2006.

TIMING CONSIDERATIONS

City Council action is being requested on September 5, 2006, in order to proceed with the property exchange between the City and the Church now that they have constructed the required improvements.

FISCAL IMPACT

A vacation processing fee of \$1,500 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

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Attachments

APPROVED:



GERALD R. MILLER  
CITY MANAGER