



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

CH-2

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

July 17, 2007

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 and adopt the attached resolution ordering the vacation of the westerly 613 feet of Sixty-Eighth Street. (District 9)

DISCUSSION

The westerly 613 feet of Sixty-Eighth Street is bounded on the north and south by the Bel-Art Waste Transfer Station owned by Consolidated Disposal Services (CDS), and terminates (dead-ends) at the boundary of the Union Pacific rail right-of-way. In 1998, CDS received approval for the improvement of their facility and in February of 2007 they received permission to install a 20,000 gallon liquefied natural gas tank to supply their fleet of 30 LNG-powered refuse collection vehicles.

As a condition of approval for development, CDS was given the choice of either widening Sixty-Eighth Street to current street standards or obtaining a vacation of that right-of-way. In pursuance of the street vacation, CDS constructed a standard cul-de-sac at the proposed new terminus of 68th Street. As the westerly 613 feet of street is not needed for access to any other property and the cul-de-sac has been satisfactorily constructed, it is proposed that the westerly 613 feet of this street now be vacated as shown on Exhibit A.

On April 24, 2007, the City Council adopted Resolution No. RES-07-0054, declaring its intention to vacate the subject right-of-way and set June 12, 2007, as the date for the public hearing. On June 12, 2007, the hearing was continued to July 17, 2007, to allow time for all of the project conditions to be met. The April 24, 2007, and June 12, 2007, City Council letters are attached as Exhibits B and C, respectively. The proposed resolution was prepared by Deputy City Attorney Lori A. Conway on March 22, 2007.

**ADMINISTRATION,
PLANNING & FACILITIES**
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6383
Fax (562) 570-6012

AIRPORT
4100 Donald Douglas Dr.
Long Beach, CA 90808
Ph. (562) 570-2600
Fax (562) 570-2601

**ENGINEERING & STREET
MAINTENANCE**
333 W. Ocean Blvd., 9th Floor
Long Beach, CA. 90802
Ph. (562) 570-6634
Fax (562) 570-6012

**ENVIRONMENTAL
SERVICES**
2929 E. Willow Street
Long Beach, CA 90806
Ph. (562) 570-2850
Fax (562) 570-2861

FLEET SERVICES
2600 Temple Avenue
Long Beach, CA 90806
Ph. (562) 570-5400
Fax (562) 570-5414

**TRAFFIC &
TRANSPORTATION**
333 W. Ocean Blvd., 10th Floor
Long Beach, CA 90802
Ph. (562) 570-6331
Fax (562) 570-7161

TIMING CONSIDERATIONS

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

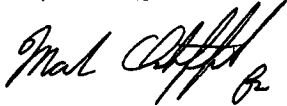
FISCAL IMPACT

A final vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

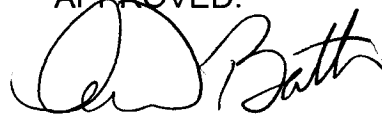


CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

SC:db
PCL\ROW 68th St Res ord CL

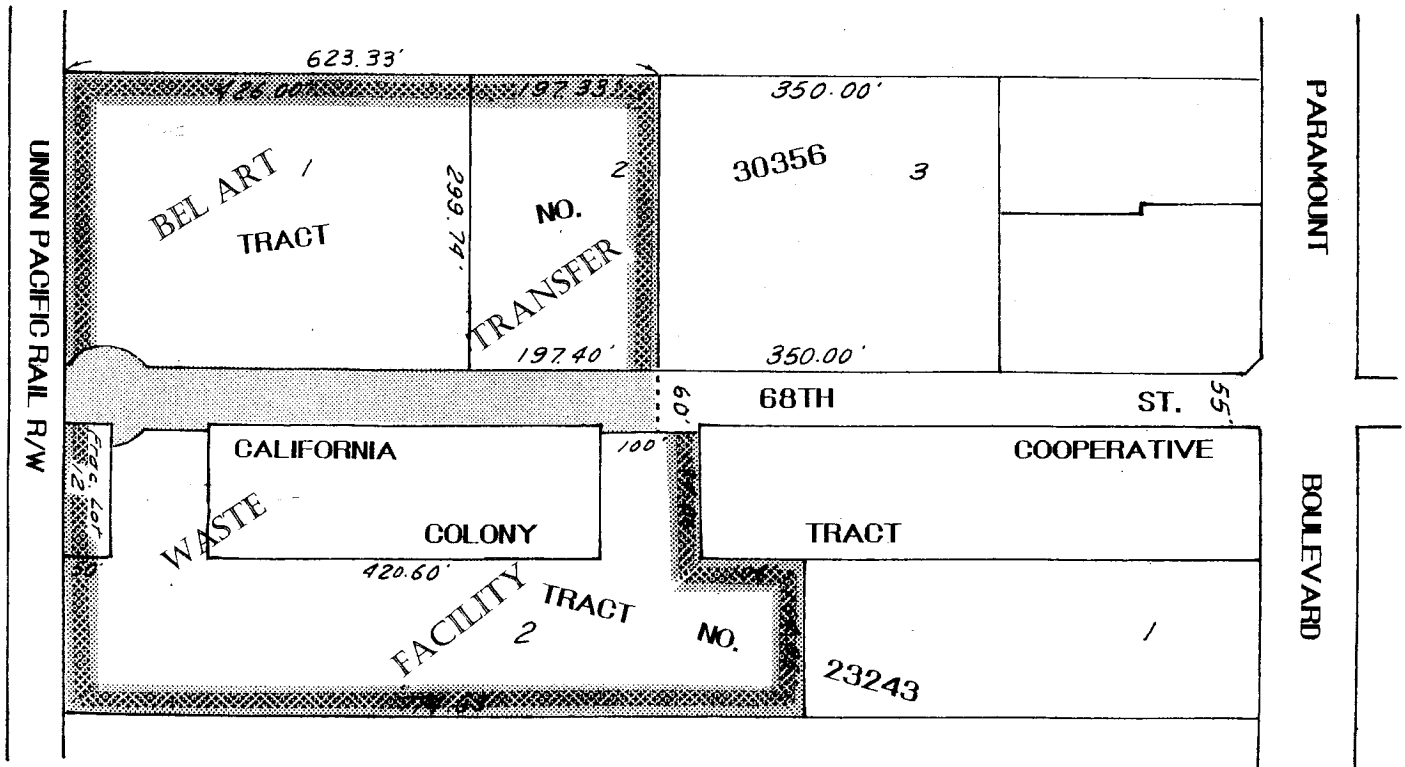
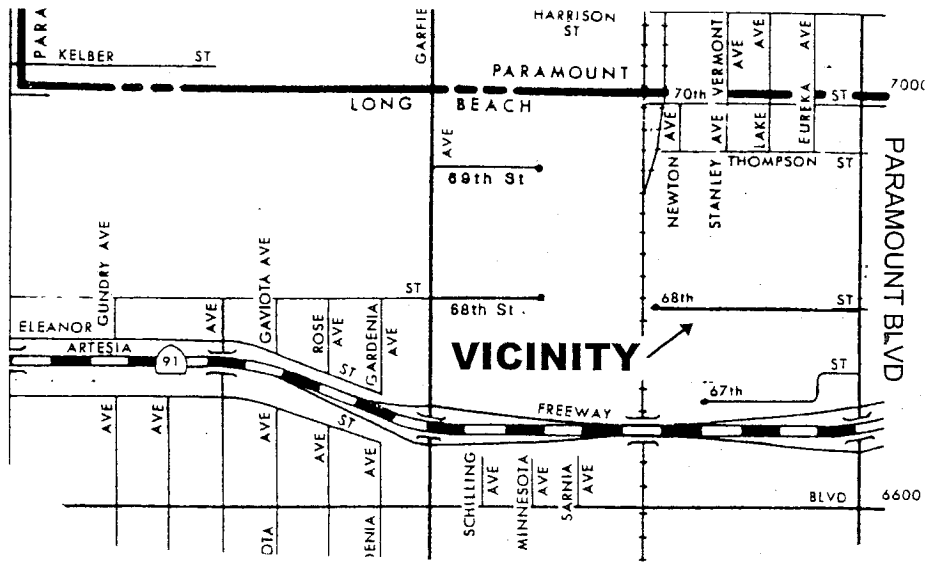
Attachments

APPROVED:

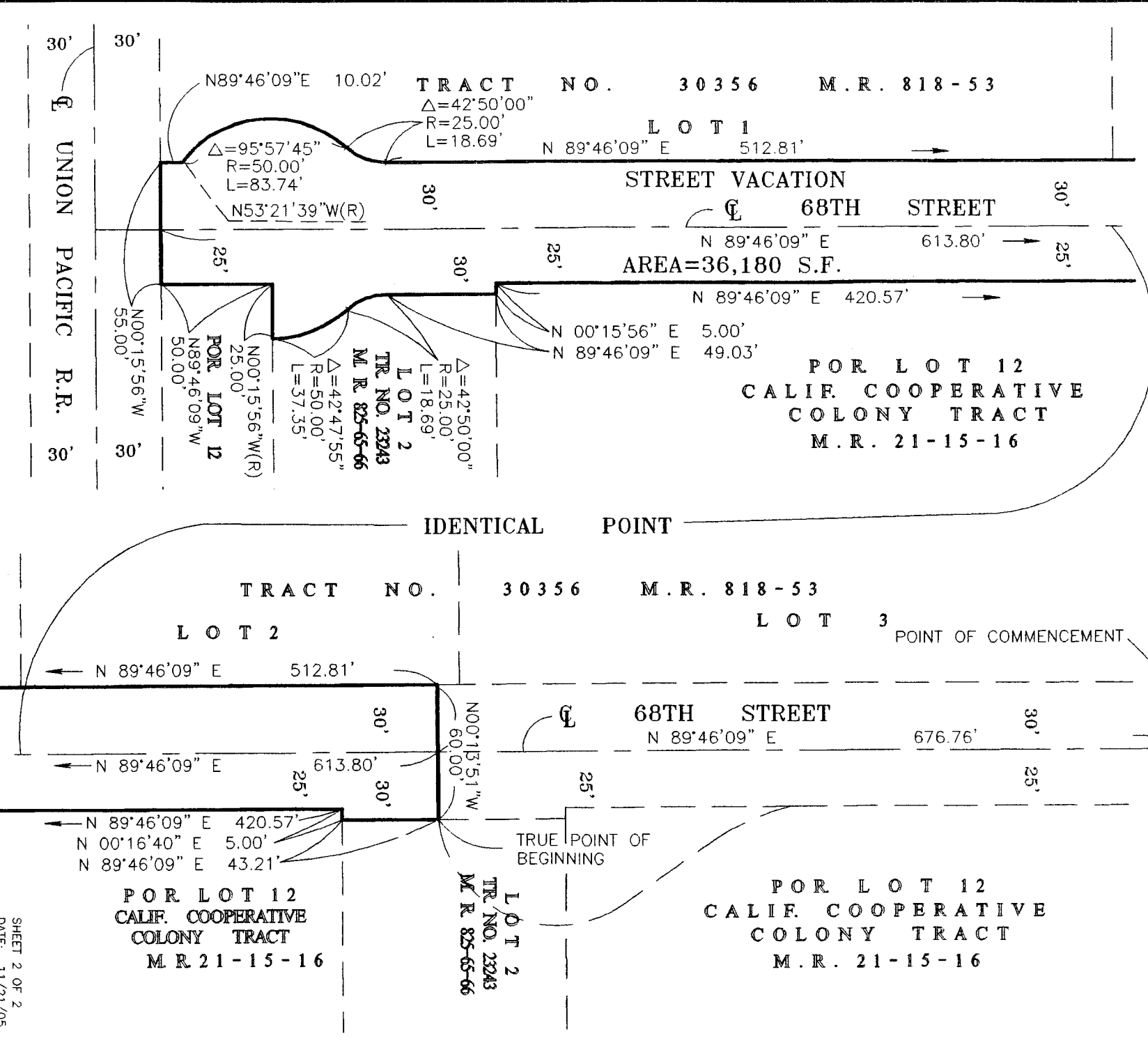


ANTHONY W. BATTS
CITY MANAGER

**SKETCH SHOWING THE WESTERLY 613 FEET
OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT
BOULEVARD TO BE VACATED BY
THE CITY OF LONG BEACH.**



SCALE: 1" = 30'



PARAMOUNT BOULEVARD

UNION PACIFIC R.R.

PREPARED FOR:
BELLART TRANSFER STATION
2495 EAST 68TH STREET
LONB BEACH, CALIFORNIA 90805

EXHIBIT A
Page 2 of 2

PREPARED BY:
HB SURVEYING
10502 MEADS AVENUE
ORANGE, CA. 92669
(714) 744-4625
(714) 744-6354 FAX

SHEET 2 OF 2
DATE: 11/21/05



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

April 24, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached resolution of intention to vacate the westerly 613 feet of Sixty-Eighth Street west of Paramount Boulevard, authorize the acceptance of the dedication of additional street area for a cul-de-sac, and set a date for a public hearing on the vacation for June 12, 2007. (District 9)

DISCUSSION

The westerly 613 feet of Sixty-Eighth Street is bounded on the north and south by Bel-Art Waste Transfer Station owned by Consolidated Disposal Services (CDS), and terminates (dead-ends) at the boundary of the Union Pacific rail right-of-way. In 1998, CDS received approval for the improvement of their facility, and in February of 2007 they received permission to install a 20,000-gallon liquefied natural gas tank to supply their fleet of 30 LNG-powered refuse collection vehicles.

As a condition of approval for development, CDS was given the choice of either widening Sixty-Eighth Street to current street standards or obtaining a vacation of that right-of-way. In pursuance of the street vacation, CDS constructed a standard cul-de-sac at the proposed new terminus of Sixty-Eighth Street. As the westerly 613 feet of street is not needed for access to any other property and the cul-de-sac has been satisfactorily constructed, it is proposed that the westerly 613 feet of this street now be vacated, as shown on Exhibit A.

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 August 16, 1998, the City of Long Beach Planning Commission approved plans for the construction and expansion of an existing recycling center with an administration building and an appurtenant truck terminal facility.
2. On October 19, 2000, the Planning Commission determined that the subject vacation action 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 Number ND 26-98 was issued for this project. The Planning Department staff report is included as Exhibit B.
3. Title to the parcels adjacent to the area proposed to be vacated is held by the Bal (aka Bel) Art Paper Stock Company, with the exception of the Union Pacific rail line. No property owned by others will be affected by this vacation action, as shown on Exhibit C.
4. Plans for the construction of a standard cul-de-sac at the proposed new terminus of Sixty-Eighth Street were reviewed and approved in 2006. The cul-de-sac was satisfactorily constructed and the Bal Art Paper Stock Company executed an easement deed for the cul-de-sac. The area to be dedicated is shown on Exhibit D.
5. The interested City departments have reviewed the proposed right-of-way vacation, and have no objections to this action. Fire Department access needs are satisfied by the construction of the cul-de-sac. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit E. The street portion vacated will remain subject to a utility easement.

The public hearing on this matter to be held on June 12, 2007, will allow all persons interested in or objecting to the proposed vacation to appear and be heard. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lori A. Conway on March 22, 2007.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

A vacation processing fee of \$2,000 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

GMM:SC:km
PCL\ROW vac 68th St Res of Int CL.doc

Attachments

APPROVED:


for CHRISTINE F. ANDERSEN
GERALD R. MILLER
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

June 12, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Continue the public hearing for the vacation of the westerly 613 feet of 68th Street west of Paramount Boulevard to July 17, 2007. (District 9)

DISCUSSION

The street area to be vacated lies adjacent to parcels operated as the Bel-Art Waste Transfer Station and is not needed for access to any other property. The owners of the transfer station constructed a cul-de-sac terminus to city standards near the entrance to their property, but have not completed the easement process to dedicate the extra street area needed for the cul-de-sac. It is therefore recommended that the public hearing be continued to July 17, 2007, to provide time to complete easement processing. The area to be vacated is shown on the attached Exhibit A.

On April 24, 2007, the City Council adopted Resolution No RES-07-0054, declaring its intention to vacate the subject right-of-way, and set June 12, 2007, as the date for the public hearing. A copy of the April 24, 2007, City Council letter is attached as Exhibit B. Deputy City Attorney Lori A. Conway reviewed this matter on May 31, 2007.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

A final vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

EXHIBIT C

Page 1 of 2

HONORABLE MAYOR AND CITY COUNCIL
June 12, 2007
Page 2

SUGGESTED ACTION:

Continue the public hearing to July 17, 2007.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:SC
P:\CL\RW Vac 68th St cont.doc

Attachments

APPROVED:


for GERALD R. MILLER
CITY MANAGER

1 RESOLUTION NO.

2
3 A RESOLUTION ORDERING THE VACATION OF THE
4 WESTERLY 613 FEET OF SIXTY-EIGHTH STREET WEST
5 OF PARAMOUNT BOULEVARD, IN THE CITY OF LONG
6 BEACH, COUNTY OF LOS ANGELES, STATE OF
7 CALIFORNIA

8
9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on the
10 _____ day of, _____, 200__, by Resolution No. _____, declare its
11 intention to order the vacation, pursuant to the provisions of the Public Streets, Highways,
12 and Service Easements Law, the westerly 613 feet of Sixty-Eighth Street west of
13 Paramount Boulevard, in the City of Long Beach, County of Los Angeles, State of
14 California, described more particularly as follows:

15 Being that portion of 68th Street in the City of Long Beach,
16 County of Los Angeles, State of California, As shown on Tract
17 No. 23243 as recorded in Book 825, Pages 65 and 66 of
18 Miscellaneous Records and Tract No. 30356 as recorded in
19 Book 818, Page 53 of Miscellaneous Records, both of said
20 County of Los Angeles, lying easterly of the easterly line of the
21 Union Pacific R.R. Right-of-Way as shown on said Tract No.
22 23243 and said Tract No. 30356, and lying westerly of the
23 following described line:

24 Commencing at the centerline intersection of 68th Street and
25 Paramount Boulevard as shown on said map of Tract No.
26 23243; thence south 89°46'09" west 676.76 feet along the
27 centerline of said 68th Street; thence south 00°13'51" east
28 30.00 feet to a point on the northerly line of said lot 2, said
northerly line also being the southerly line of said 68th Street,
said point also being the **TRUE POINT OF BEGINNING**;
thence north 00°13'51" 60.00 feet to the northerly line of said
68th Street.

Reserving unto the City of Long Beach, its successors and
assigns a perpetual easement and right-of-way, at any time or
from time to time, to lay, construct, maintain, operate, repair,
renew, replace, change the size of and remove the existing
utility lines, including, but not limited to, sanitary sewers and
appurtenant structures, together with all necessary gates,
valves, fittings, hydrants and appurtenances for the
transportation of water and gas, with the right of ingress to and

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 egress from the same, over, through, under, along and across
2 that certain property vacated herewith; and pursuant to any
3 existing franchises or renewals thereof, or otherwise, to
4 construct, maintain, operate, replace, remove, renew and
5 enlarge lines of conduits, cables, wires, poles and other
6 convenient structures, equipment and fixtures for the operation
7 of telephone lines and other communication lines, and for the
8 transportation or distribution of electric energy, and incidental
9 purposes including access and the right to keep the property
10 free from inflammable materials, and wood growth, and
11 otherwise protect the same from all hazards in, upon and over
12 the part vacated. Access for maintenance of the
13 above-mentioned facilities must be maintained at all times. No
14 improvements shall be constructed within the easement which
15 would impede the operation, maintenance or repair of said
16 facilities. Construction of any improvements, including changes
17 of grade, shall be subject to the prior written approval of all the
18 City departments and public utilities responsible for the above
19 said facilities

20 WHEREAS, the City Council did, at said time, fix Tuesday, the ___ day of
21 _____, 200__, at the hour of _____ .m., as the time and the City Council
22 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long
23 Beach, California, as the place for hearing for all persons interested in or objecting to the
24 proposed vacation to appear and be heard; and

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

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

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings
had thereunder, the Sketch 879V showing the westerly 613 feet of Sixty-Eighth Street west
of Paramount Boulevard to be vacated by the City of Long Beach attached hereto as
Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council
of the City of Long Beach hereby makes its resolution vacating and closing a portion of the

Robert E. Shannon
 City Attorney of Long Beach
 333 West Ocean Boulevard
 Long Beach, California 90802-4664
 Telephone (562) 570-2200

1 street hereinabove described.

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

6

7 I hereby certify that the foregoing resolution was adopted by the City Council
 8 of the City of Long Beach at its meeting of _____, 200__, by the following votes:

9 Ayes: Councilmembers: _____
 10 _____
 11 _____
 12 _____

13 Noes: Councilmembers: _____
 14 _____

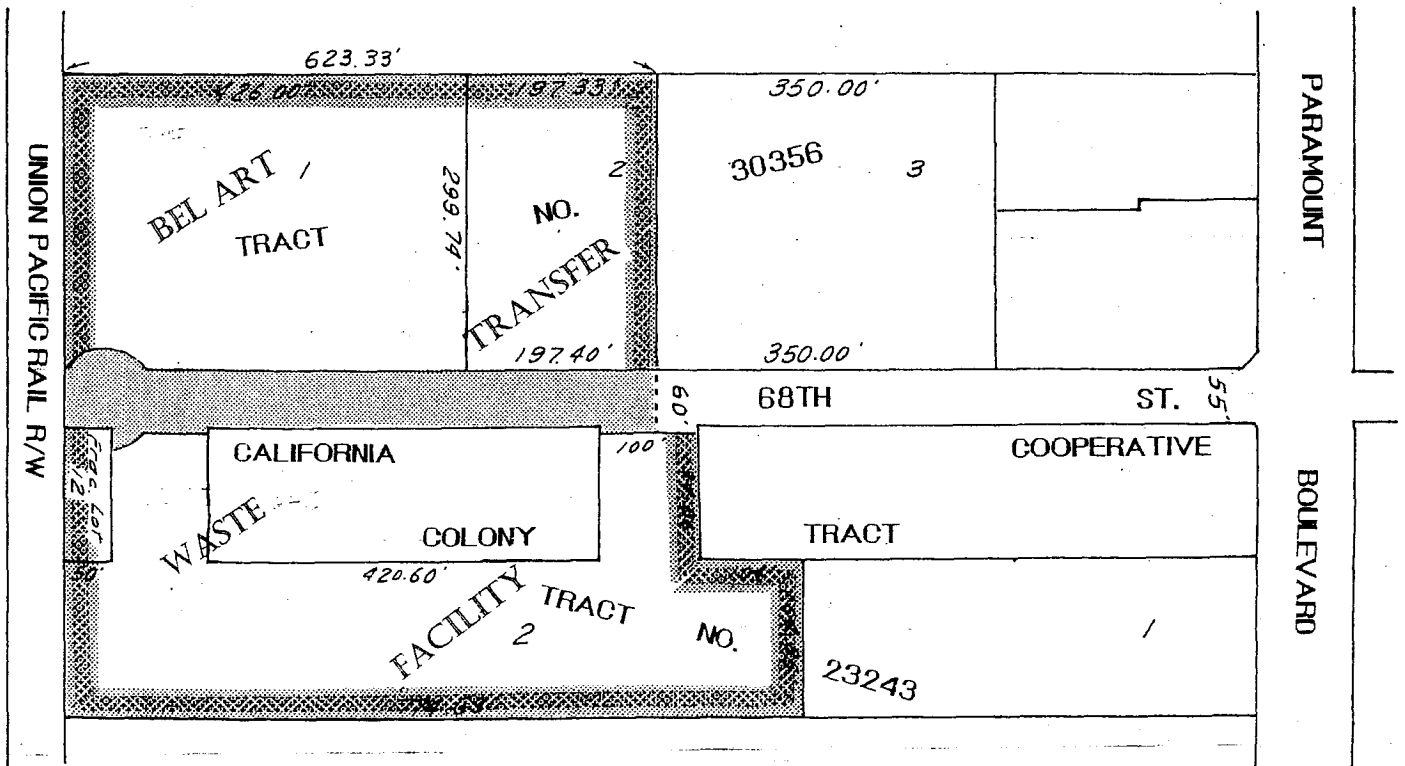
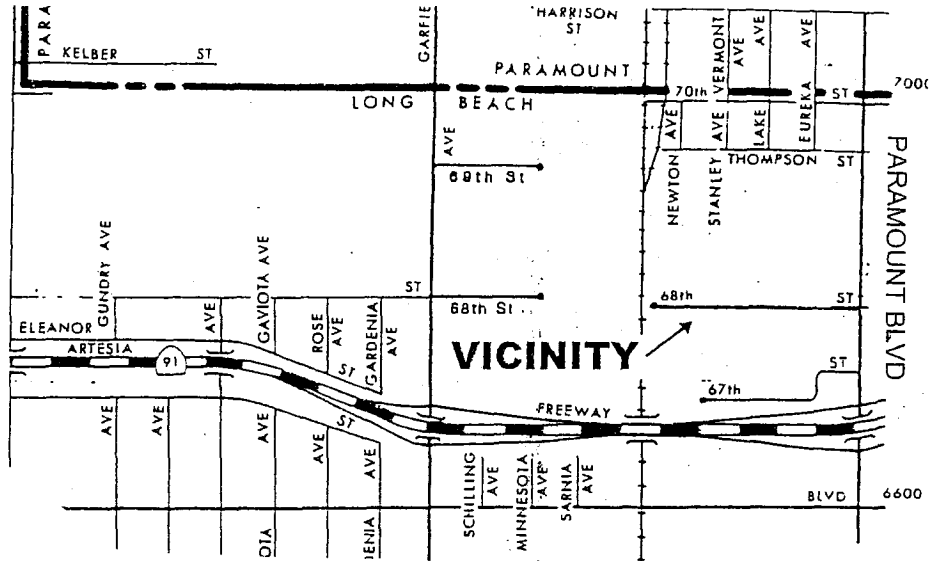
15 Absent: Councilmembers: _____
 16 _____
 17 _____
 18 _____

City Clerk

25 LAC:bg
 07-01299
 26 L:\APPS\CtyLaw\32\WPDOCS\ID016\PO06\00101433.WPD

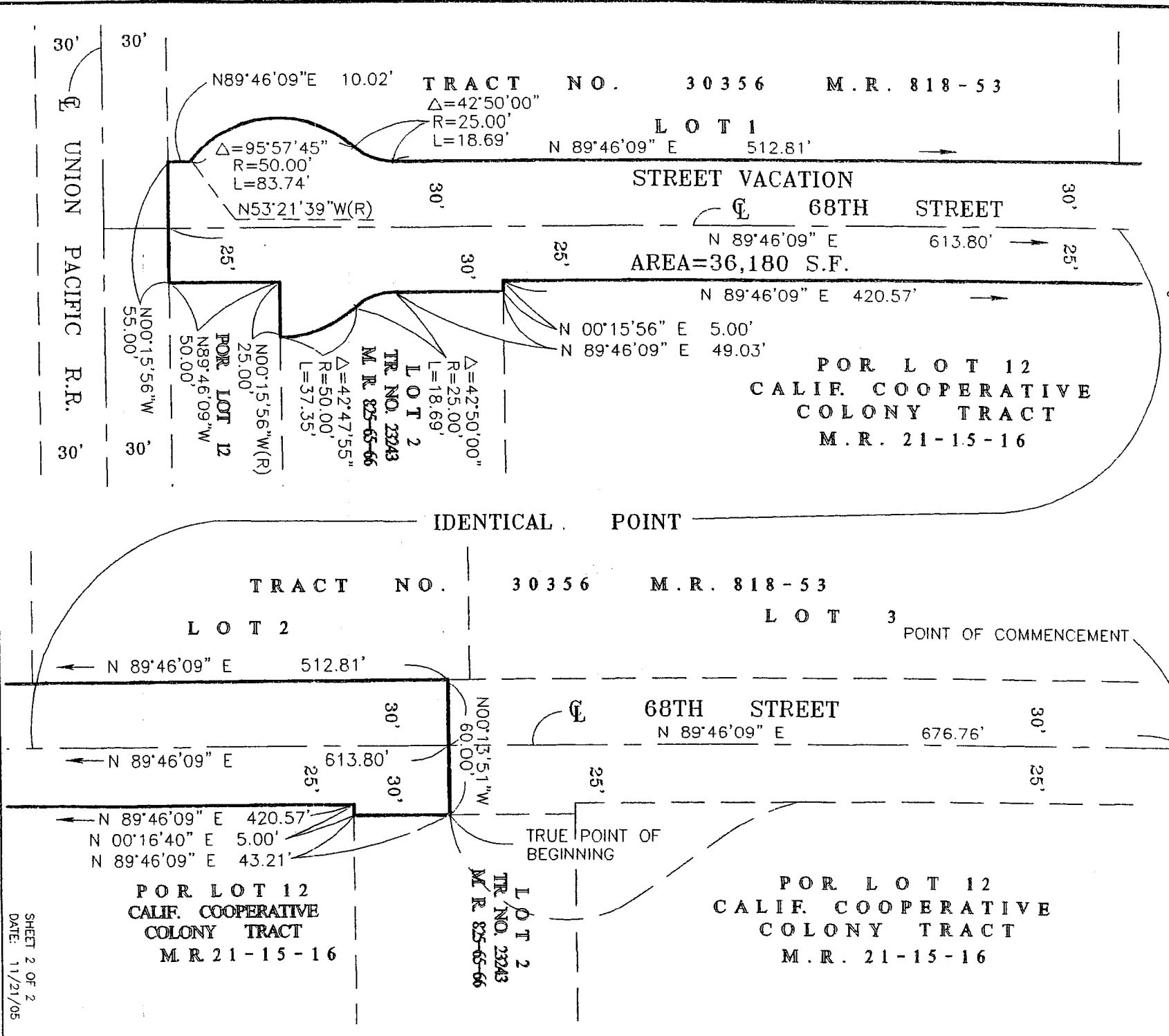
27
 28

**SKETCH SHOWING THE WESTERLY 613 FEET
OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT
BOULEVARD TO BE VACATED BY
THE CITY OF LONG BEACH.**



SCALE: 1" = 30'

PARAMOUNT BOULEVARD



PREPARED FOR:
BELLART TRANSFER STATION
 2495 EAST 68TH STREET
 LONG BEACH, CALIFORNIA 90805

EXHIBIT A
 Page 2 of 2

PREPARED BY:
Hb SURVEYING
 10502 MEADS AVENUE
 ORANGE, CA 92669
 (714) 744-4625
 (714) 744-6354 FAX

SHEET 2 OF 2
 DATE: 11/21/05

CITY COUNCIL FINDINGS

VACATION OF THE WESTERLY 613 FEET OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT BOULEVARD - Reference Sketch No. 897V

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

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the April 24, 2007 City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-07-0054.
 - b) 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.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption No. 06-210 was issued for this project.

SC

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF THE WESTERLY 613 FEET OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT BOULEVARD, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on the _____ day of _____, 200__, by Resolution No. _____, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, the westerly 613 feet of Sixty-Eighth Street west of Paramount Boulevard, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Being that portion of 68th Street in the City of Long Beach, County of Los Angeles, State of California, As shown on Tract No. 23243 as recorded in Book 825, Pages 65 and 66 of Miscellaneous Records and Tract No. 30356 as recorded in Book 818, Page 53 of Miscellaneous Records, both of said County of Los Angeles, lying easterly of the easterly line of the Union Pacific R.R. Right-of-Way as shown on said Tract No. 23243 and said Tract No. 30356, and lying westerly of the following described line:

Commencing at the centerline intersection of 68th Street and Paramount Boulevard as shown on said map of Tract No. 23243; thence south 89°46'09" west 676.76 feet along the centerline of said 68th Street; thence south 00°13'51" east 30.00 feet to a point on the northerly line of said lot 2, said northerly line also being the southerly line of said 68th Street, said point also being the **TRUE POINT OF BEGINNING**; thence north 00°13'51" 60.00 feet to the northerly line of said 68th Street.

Reserving unto the City of Long Beach, its successors and assigns a perpetual easement and right-of-way, at any time or from time to time, to lay, construct, maintain, operate, repair, renew, replace, change the size of and remove the existing utility lines, including, but not limited to, sanitary sewers and appurtenant structures, together with all necessary gates, valves, fittings, hydrants and appurtenances for the transportation of water and gas, with the right of ingress to and

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 egress from the same, over, through, under, along and across
2 that certain property vacated herewith; and pursuant to any
3 existing franchises or renewals thereof, or otherwise, to
4 construct, maintain, operate, replace, remove, renew and
5 enlarge lines of conduits, cables, wires, poles and other
6 convenient structures, equipment and fixtures for the operation
7 of telephone lines and other communication lines, and for the
8 transportation or distribution of electric energy, and incidental
9 purposes including access and the right to keep the property
10 free from inflammable materials, and wood growth, and
11 otherwise protect the same from all hazards in, upon and over
12 the part vacated. Access for maintenance of the
13 above-mentioned facilities must be maintained at all times. No
14 improvements shall be constructed within the easement which
15 would impede the operation, maintenance or repair of said
16 facilities. Construction of any improvements, including changes
17 of grade, shall be subject to the prior written approval of all the
18 City departments and public utilities responsible for the above
19 said facilities

20 WHEREAS, the City Council did, at said time, fix Tuesday, the ___ day of
21 _____, 200___, at the hour of _____ .m., as the time and the City Council
22 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long
23 Beach, California, as the place for hearing for all persons interested in or objecting to the
24 proposed vacation to appear and be heard; and

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

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

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings
had thereunder, the Sketch 879V showing the westerly 613 feet of Sixty-Eighth Street west
of Paramount Boulevard to be vacated by the City of Long Beach attached hereto as
Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council
of the City of Long Beach hereby makes its resolution vacating and closing a portion of the

1 street hereinabove described.

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

6
7 I hereby certify that the foregoing resolution was adopted by the City Council
8 of the City of Long Beach at its meeting of _____, 200 __, by the following votes:

9 Ayes: Councilmembers: _____
10 _____
11 _____
12 _____

13 Noes: Councilmembers: _____
14 _____

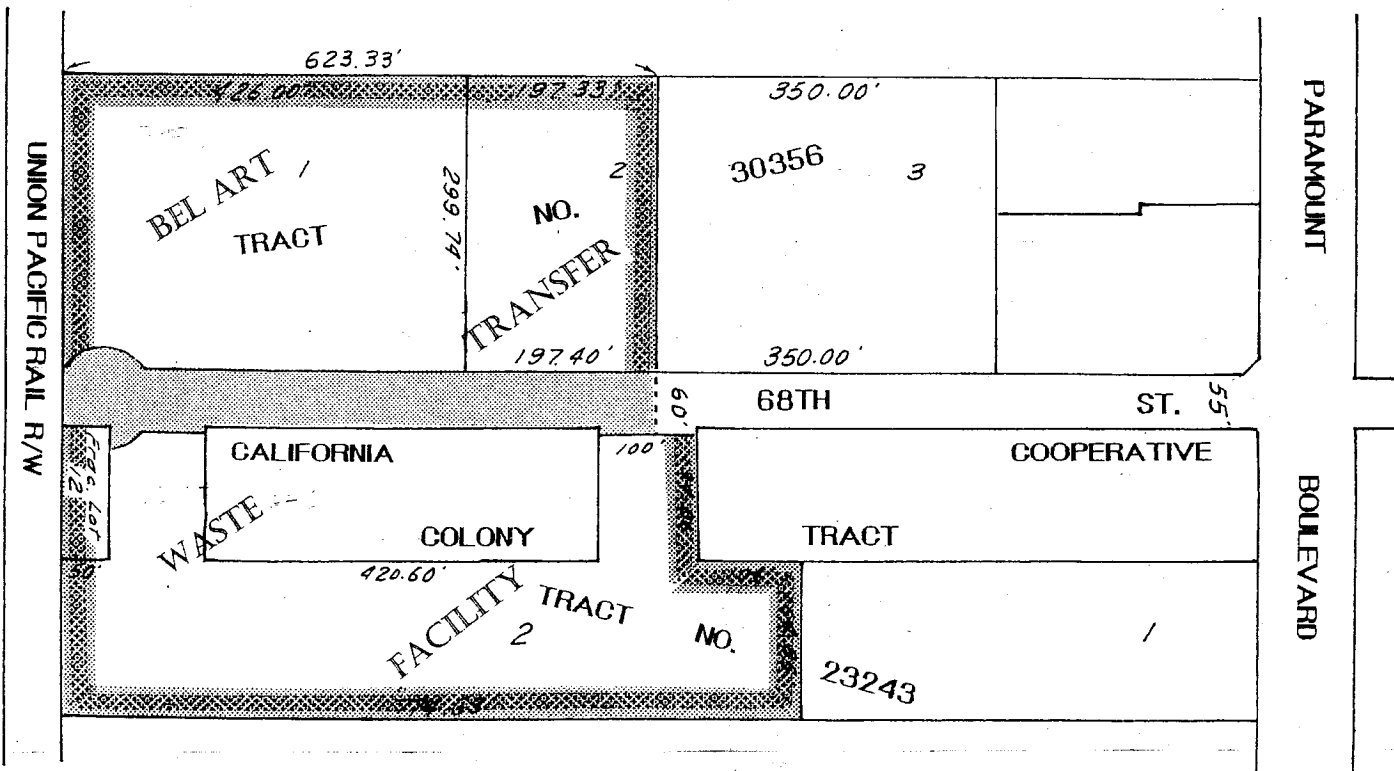
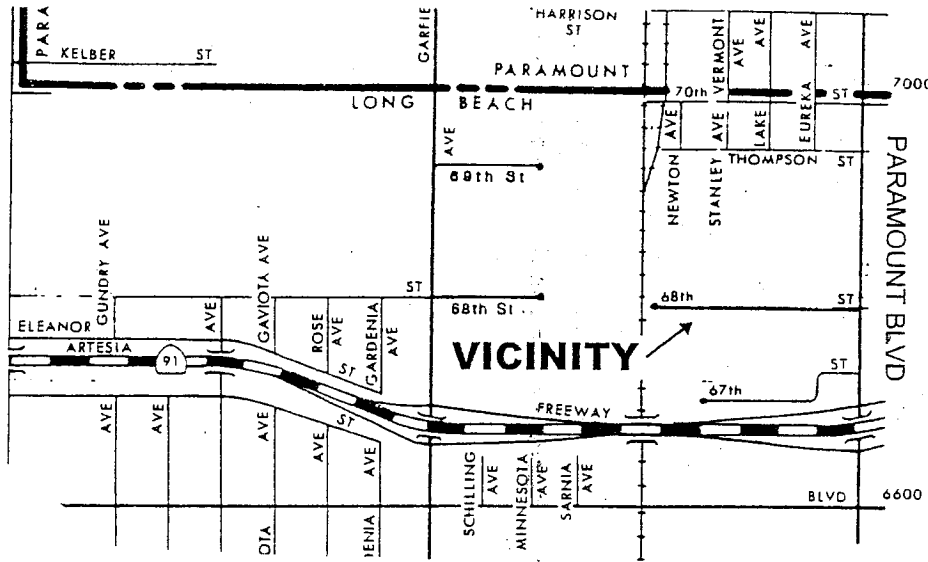
15 Absent: Councilmembers: _____
16 _____
17 _____
18 _____

19
20 City Clerk
21
22
23
24

25 LAC:bg
26 07-01299
27 L:\APPS\CtyLaw32\WPDOCS\ID016\IP006\00101433.WPD
28

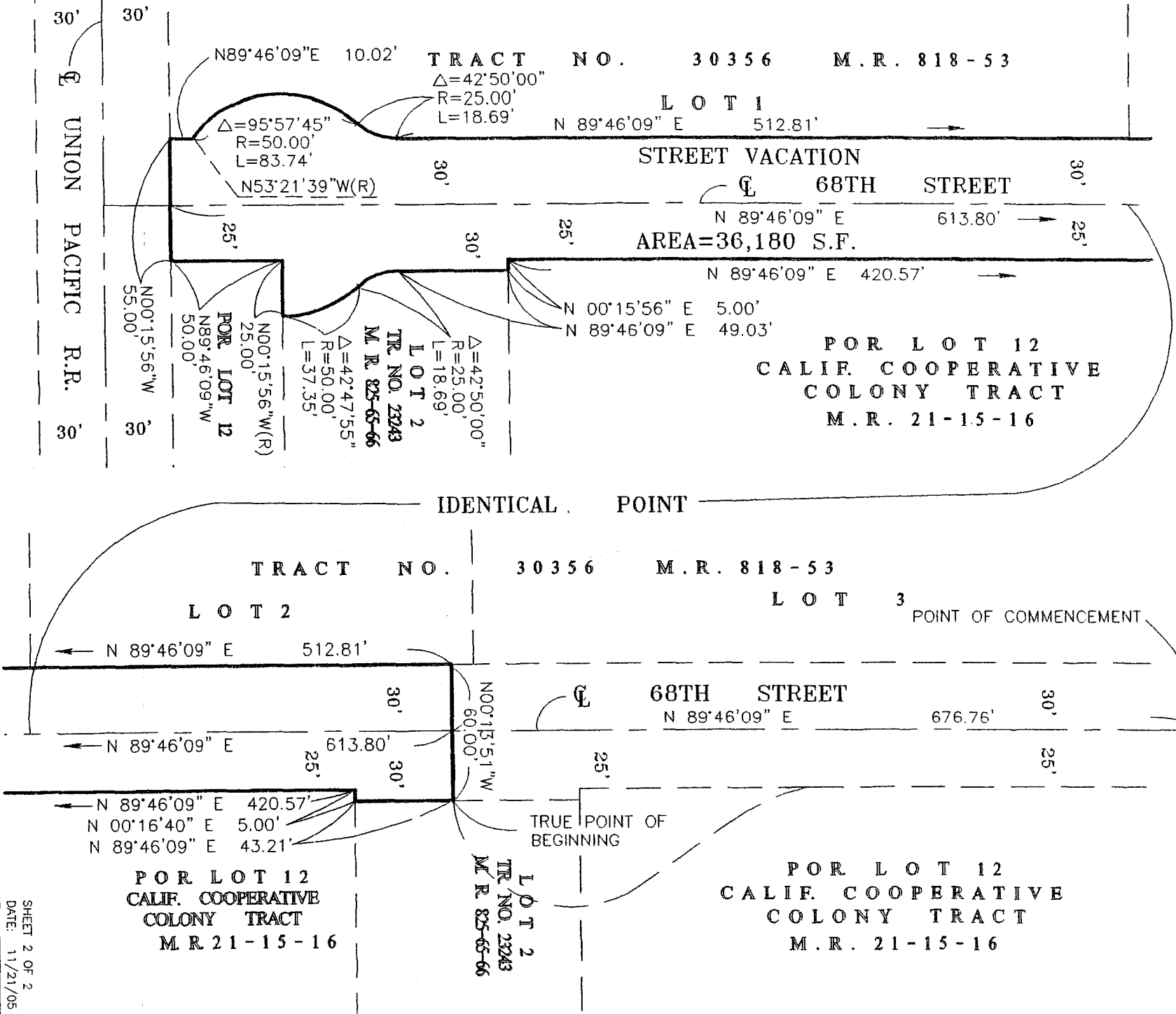
Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

**SKETCH SHOWING THE WESTERLY 613 FEET
OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT
BOULEVARD TO BE VACATED BY
THE CITY OF LONG BEACH.**



SCALE: 1" = 30'

PARAMOUNT BOULEVARD



PREPARED FOR:

BELLART TRANSFER STATION

2495 EAST 68TH STREET
LONGBEACH-CALIFORNIA-90805

PREPARED BY:

HB SURVEYING

10502 MEADS AVENUE
ORANGE, CA 92869
(714) 744-4625
(714) 744-6354 FAX

SHEET 2 OF 2
DATE: 11/21/05

EXHIBIT A
Page 2 of 2

CITY COUNCIL FINDINGS

VACATION OF THE WESTERLY 613 FEET OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT BOULEVARD - Reference Sketch No. 897V

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

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the April 24, 2007 City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-07-0054.
- b) 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.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption No. 06-210 was issued for this project.

SC