



## Legislation Details (With Text)

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<b>File #:</b>	10-0025	<b>Version:</b>	1	<b>Name:</b>	PW - Belmont Shore Alleys
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	12/21/2009	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	1/5/2010	<b>Final action:</b>		<b>Final action:</b>	1/5/2010

**Title:** Recommendation to adopt Plans and Specifications No. R-6717 for the reconstruction of the Belmont Shore alleys, and authorize City Manager to award and execute the contract with Sully Miller Contracting, in an estimated amount of \$586,891, plus a 20 percent contingency amount of \$117,378 if necessary, for a total of \$704,269, and any amendments thereto except for an increase in the contract price;

Adopt resolution ordering the vacation of alley portions south of Second Street and east of Argonne Avenue; and

Increase appropriations in the Special Assessment District Capital Projects Fund (CP 202) in the Department of Public Works (PW) in the amount of \$1,047,630. (District 3)

**Sponsors:** Public Works

**Indexes:** Alleys, Contracts

**Code sections:**

**Attachments:** 1. 010510-R-34sr&att.pdf, 2. RES-10-0006.pdf, 3. RES-10-0006-Recorded.pdf

Date	Ver.	Action By	Action	Result
1/5/2010	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Plans and Specifications No. R-6717 for the reconstruction of the Belmont Shore alleys, and authorize City Manager to award and execute the contract with Sully Miller Contracting, in an estimated amount of \$586,891, plus a 20 percent contingency amount of \$117,378 if necessary, for a total of \$704,269, and any amendments thereto except for an increase in the contract price;

Adopt resolution ordering the vacation of alley portions south of Second Street and east of Argonne Avenue; and

Increase appropriations in the Special Assessment District Capital Projects Fund (CP 202) in the Department of Public Works (PW) in the amount of \$1,047,630. (District 3)

The anticipated rehabilitation work on the Belmont Shore alleys will consist of removing existing concrete pavement and constructing new Portland Cement Concrete pavement. The work will also include construction of trash enclosures at three locations. A vicinity map of the area is attached as Exhibit A.

City Council's adoption of the plans and specifications and award of the contract to the lowest responsible bidder are being recommended concurrently in order to expedite implementation of this project. The project was advertised for bids on November 21, 2009, and bids were opened on December 11, 2009. Project outreach included direct e-mail notification to over 400 businesses, including local companies as well as publications that provide contracting information to small

contracting companies. Information regarding Sully Miller Contracting is provided in the attached contract award document marked as Exhibit B.

The construction of the three trash enclosures within areas that are now part of the public alley necessitates the vacation of three alley easements as shown on the attached Exhibit C. 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 8334 of that Chapter states that the legislative body of a local agency may summarily vacate that portion of right-of-way that is excess right-of-way not required for street or highway purposes. The Department of Public Works supports this summary vacation based on the following evidence, facts, and conditions, finding that the dedicated right(s)-of-way to be vacated are unnecessary for present or future public alley use:

1. The three alley portions to be vacated each lie between two public alleys that can function independently and without need for interconnection. The vacation of these alley easements will not result in loss of access to any property. Full access to adjacent business, public parking lots and adjacent residential properties will be maintained.
2. The portions vacated will be used for the proposed trash enclosures. The City owns the lots on either side of the areas to be vacated, and will thus retain ownership of the vacated areas. Vacation of the alley areas will not affect traffic access to adjacent streets or alleys.
3. On December 17, 2009, the City of Long Beach Planning Commission determined that the subject alley 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, Categorical Exemption Number CE 73-09 was issued for this project. The Planning Department staff report is included as Exhibit D.
4. 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 E.

The proposed resolution of intention to vacate and other related matters were reviewed by Deputy City Attorney Linda Trang on December 10, 2009 and Budget and Performance Management Bureau Manager David Wodynski on December 17, 2009.

## SUSTAINABILITY

All concrete work on this project will include recycled waste ash and aggregate, diverting these materials from our landfills.

City Council action on this matter is requested on January 5, 2010, to authorize commencement of this Public Works project. Construction is projected to begin in February 2010, and should take approximately 25 working days.

The contract award is for an estimated total amount of \$586,891, plus a 20 percent contingency amount of \$117,378 if necessary, for a total of \$704,269. The requested summary vacation has no fiscal impact. Additional funds are being appropriated for design, construction management and administrative overhead. Funding for this project is provided from Community Facilities District No.

2007-2, (Belmont Shore) 2009 Special Tax Bonds.

Approve recommendation.

A RESOLUTION ORDERING THE VACATION OF THREE ALLEY PORTIONS SOUTH OF SECOND STREET AND EAST OF ARGONNE AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER