

# CITY OF LONG BEACH

# C-2

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

May 8, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a resolution of intention to vacate a portion of Pier C Street, formerly known as Seventh Street North and Seventh Street South, and set a date for a public hearing on the vacation for June 12, 2012. (District 1)

## DISCUSSION

When Pier C Terminal was built, the gate complex and portions of the yard were built over unused portions of street right-of-way formerly known as Seventh Street North and Seventh Street South. Currently, the westerly 1,500 feet of streets adjacent to City-owned property are not used for vehicular traffic. This vacation request is intended to bring the designated public right-of-way into conformance with current conditions. The streets to be vacated are 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 March 1, 2012, 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 (CEQA), on March 26, 2009, the Board of Harbor Commissioners issued a Notice of Exemption number 09 0033859, included as Exhibit B.
2. The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.

The public hearing on this matter to be held on June 12, 2012 will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed Deputy City Attorney Linda Trang on April 11, 2012 and by Budget Management Officer Victoria Bell on April 19, 2012.

TIMING CONSIDERATIONS

City Council action is requested on May 8, 2012, to allow for setting of June 12, 2012 for the public hearing date on this matter.

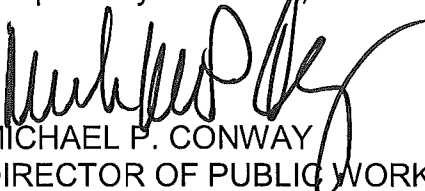
FISCAL IMPACT

A vacation processing fee of \$9,634 was deposited to the General Fund (GP) in the Department of Public Works (PW). There is no local job impact associated with the recommendation.


SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

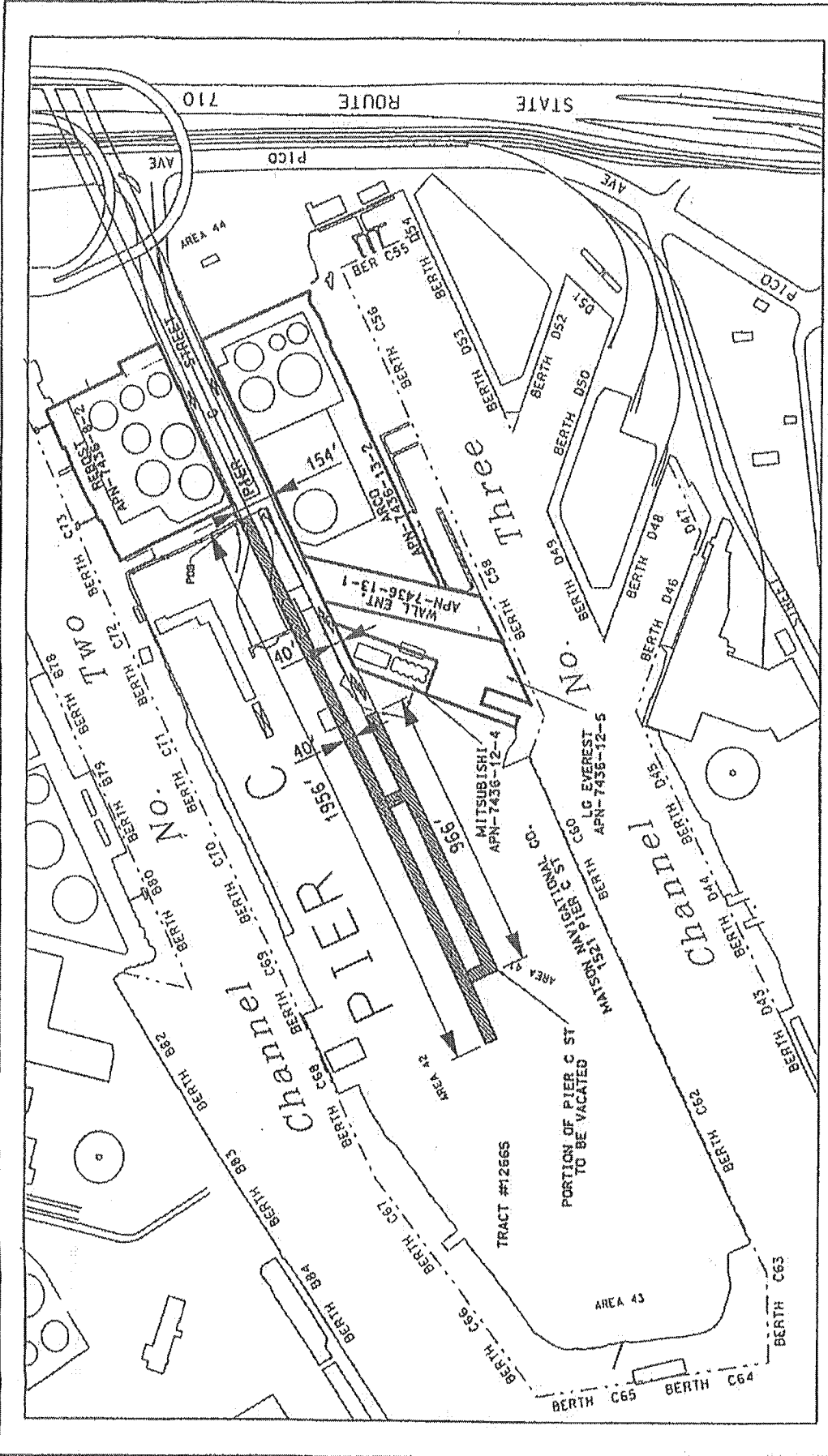
APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

MPC:GMM:BP:db  
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Attachments:

- Exhibit A - Sketch
- Exhibit B - Notice of Exemption Resolution



**LEGEND**

INDICATES PORTION OF  
PIER C ST TO BE VACATED

**Exhibit A**

**FILED**

APR 08 2009



The Port of  
**LONG BEACH**

March 26, 2009

DEAN G. LOGAN  
REGISTRAR-RECORDER/COUNTY CLERK  
*[Signature]*  
L. ARTERBERRY DEPUTY

**TO:** County of Los Angeles  
Registrar-Recorder/County Clerk  
Business Filing & Registration  
12400 Imperial Hwy, Rm. 2001  
Norwalk, CA 90650

**FROM:** Port of Long Beach  
Planning Division  
925 Harbor Plaza  
Long Beach, CA 90802

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
NOTICE OF EXEMPTION**

**Project Title:** Pier C Street Vacation – HDP #09-002

**Project Location – Specific:** Pier C Street within SSA-Matson Marine Terminal

**Project Location - City:** Long Beach **County:** Los Angeles

**Name of Public Agency Approving Project:** Port of Long Beach

**Name of Person or Agency Carrying Out Project:** Port of Long Beach

**Description of Project:** Vacate a dedicated 1,500 foot portion of Pier C Street within the SSA-Matson Marine Terminal.

- Ministerial Exemption (Sec. 21080(b)(1);15268);
- Declared Emergency (Sec.21080(b)(3);15269(a);
- Emergency Project (Sec. 21080(b)(4);15269(b)(c);
- Categorical Exemption.** State type and section number: 15301, Class 1
- Statutory Exemption. State code number:

**Reasons Project is Exempt:** The project involves minor alteration to an existing street involving negligible or no expansion of use.

*[Signature]*  
Richard D. Cameron  
Director of Environmental Planning

KB:s

09 0033859

www.polb.com

THIS NOTICE WAS POSTED  
ON APR 08 2009  
UNTIL MAY 08 2009  
REGISTRAR-RECORDER/COUNTY CLERK

**Exhibit B**

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RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE A PORTION OF PIER C STREET WEST OF PICO AVENUE, FORMERLY KNOWN AS SEVENTH STREET NORTH AND SEVENTH STREET SOUTH, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code (Section 8320 *et seq.*), as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate a portion of Pier C Street west of Pico Avenue, formerly known as Seventh Street North and Seventh Street South, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

PARCEL "a"

That portion of Pier C Street North, 40.00 feet wide, formerly named Seventh Street North, located in the Harbor District of the City of Long Beach, County of Los Angeles, State of California, as described in the deed recorded in

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book 3018, page 319, Official Records of said County, lying southerly and westerly of the southerly prolongation of the easterly line of Parcel 7 as described in the deed to the City of Long Beach, recorded on October 3, 1988 as Instrument no. 88-1585048, Official Records of said County, to a point on the northwesterly line of Parcel "F" as described in the deed to Pacific Railway Company in Book 5150, page 47, deed of said county.

PARCEL "b"

That portion of Pier C Street South, 40.00 feet wide, formerly named Seventh Street South, located in the Harbor District of the City of Long Beach, County of Los Angeles, State of California, as described in the deed recorded in Book 3018, page 319 of Official Records in the Office of the County Recorder of said County, lying southerly and westerly of the following described course:

Beginning at the most northerly corner of Parcel 6 as described in the deed to the City of Long Beach, recorded on October 3, 1988 as Instrument no. 88-1585048, Official Records of said County; thence northwesterly 40.00 feet to the southeasterly line of Parcel "F", as described in the deed to Pacific Railway Company in Book 5150, page 47, deed of said County; said northwesterly 40.00 feet being perpendicular to the southeasterly line of said Parcel "F".

PARCEL "c"

That certain portion of land, 40.00 feet wide, located

1 in the City of Long Beach, County of Los Angeles, State of  
2 California as described in deed 1567 to the City of Long  
3 Beach, recorded in Book 14521, page 6 of Official Records,  
4 in the Office of the County Recorder of said County.

5  
6 Section 2. All of the foregoing real property is shown on the map or plan  
7 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which  
8 map or plan is known and referred to as "City of Long Beach Department of Public Works  
9 Vacation Sketch No. 991V".

10 Section 3. The City Council hereby fixes the \_\_\_\_\_ day of  
11 \_\_\_\_\_, 20\_\_ at the hour of \_\_\_\_\_ p.m., as the time and the City  
12 Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of  
13 Long Beach, California, as the place for hearing all persons interested in or objecting to  
14 the proposed vacation.

15 Section 4. The City Council hereby directs that notice of said hearing on  
16 this proposed street vacation be published for at least two (2) successive weeks prior to  
17 the hearing and in the manner provided by Section 8322 of the State Streets and  
18 Highways Code.

19 Section 5. The City Council hereby directs that notice of this street  
20 vacation be posted conspicuously along the street proposed to be vacated at least two  
21 (2) weeks before the date set for hearing and in the manner provided by Section 8323 of  
22 the State Streets and Highways Code.

23 Section 6. This resolution shall take effect immediately upon its adoption  
24 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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

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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: \_\_\_\_\_

\_\_\_\_\_

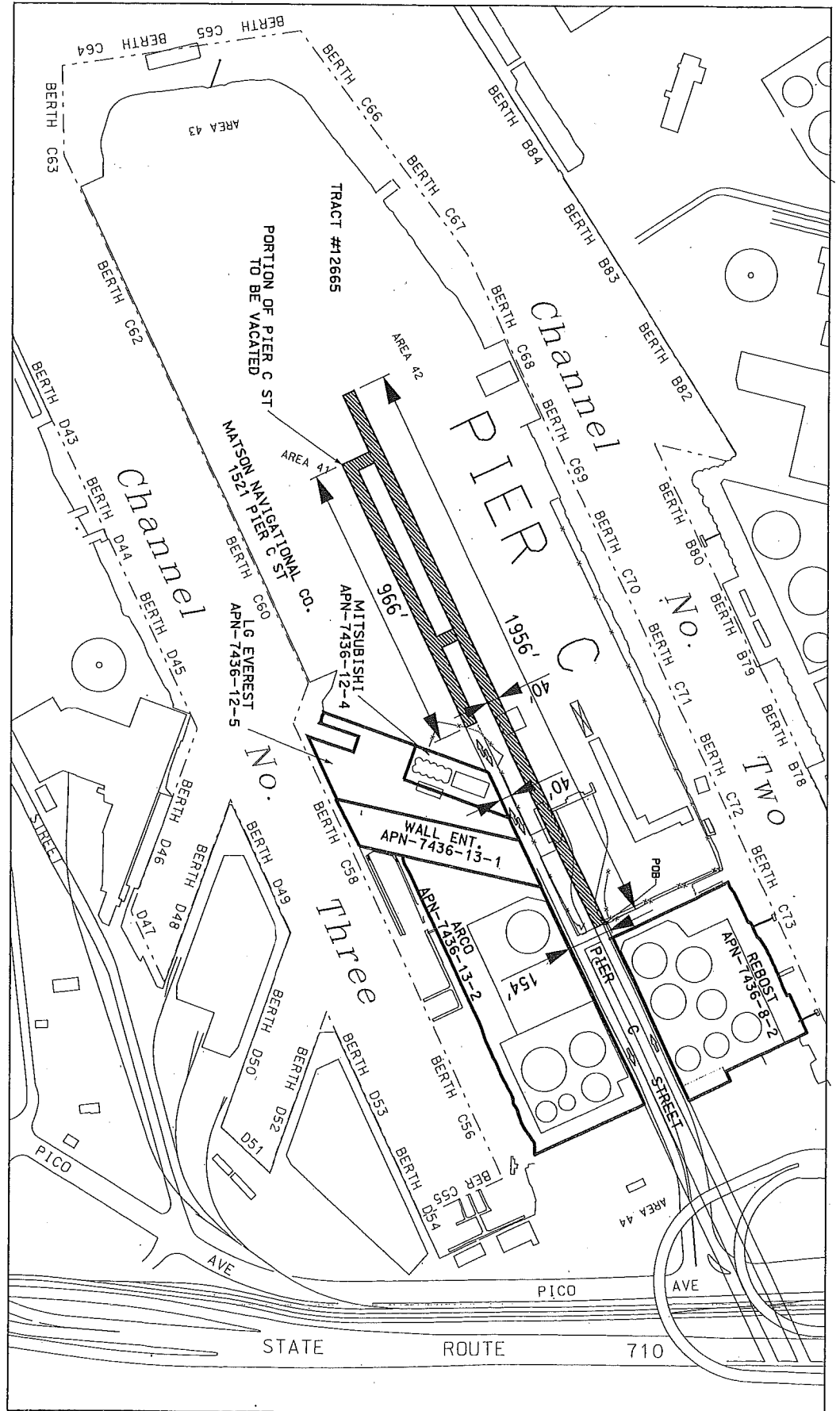
Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Clerk





LEGEND

INDICATES PORTION OF PIER C ST TO BE VACATED

Exhibit A