



CITY OF LONG BEACH

H-2

DEPARTMENT OF PUBLIC WORKS

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

June 12, 2012

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 a portion Pier C Street, formerly known as Seventh Street North and Seventh Street South. (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 street adjacent to City owned property is 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 the attached site map.

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, as outlined in Exhibit B of the Resolution.

On May 8, 2012, the City Council adopted Resolution No. RES-12-0042, declaring its intention to vacate the subject right-of-way and set June 12, 2012 as the date for the public hearing.

This matter was reviewed by Deputy City Attorney Linda Trang and by Budget Management Officer Victoria Bell on May 22, 2012.

TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action on May 8, 2012.

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

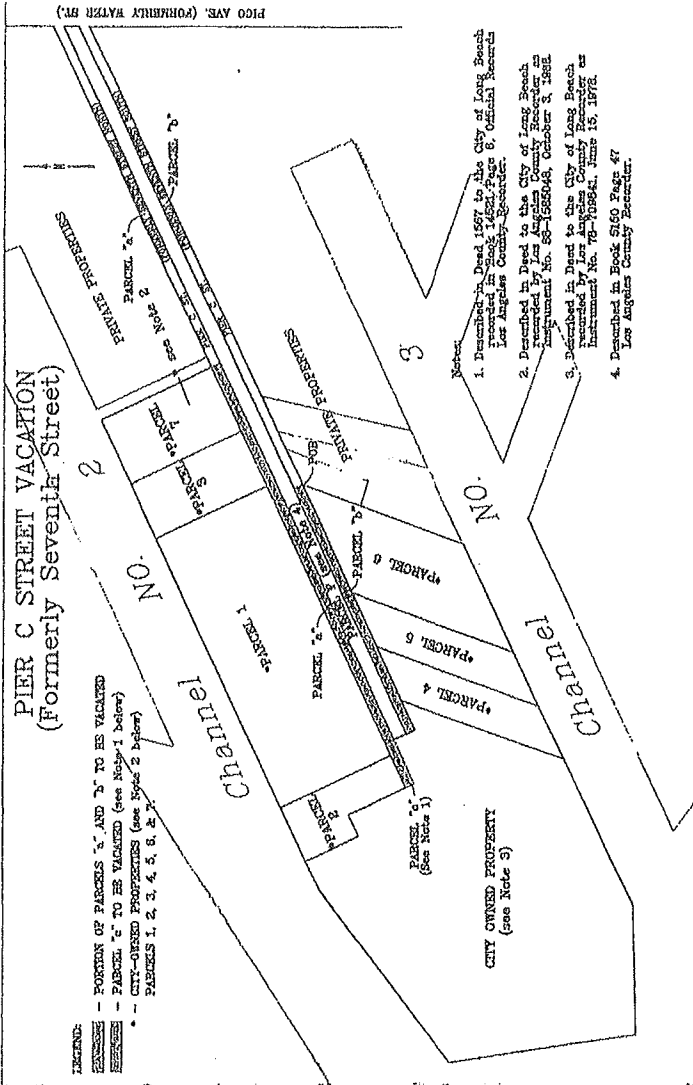
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PICKROW vacation Pier C.doc

Attachments:

- Site map
- Resolution number RES-12-0042, ordering the vacation

SKETCH NO. 991V

SKETCH SHOWING PORTIONS OF THE PIER C
STREET WEST OF PICO AVENUE VACATED BY THE
CITY OF LONG BEACH.



ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA

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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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF 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

WHEREAS, the City Council of the City of Long Beach, did heretofore, on the 8th of May, 2012, by Resolution No. RES-12-0042, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, 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 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,

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

WHEREAS, the City Council did, at said time, fix Tuesday, the _____ day of _____, 20__, at the hour of _____ p.m., as the time and the

1 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the
2 City of Long Beach, California, as the place for hearing for all persons interested in or
3 objecting to the proposed vacation to appear and be heard; and

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

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

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

12 Section 1. Pursuant to the foregoing resolution of intention, the
13 proceedings had thereunder, Vacation Sketch No. 991V showing a portion of Pier C
14 Street west of Pico Avenue, formerly known as Seventh Street North and Seventh Street
15 South, to be vacated by the City of Long Beach attached hereto as Exhibit "A", and the
16 City Council Findings attached hereto as Exhibit "B", said City Council of the City of Long
17 Beach hereby makes its resolution vacating and closing a portion of the street
18 hereinabove described.

19 Section 2. That this resolution shall take effect immediately upon its
20 adoption by the City Council, and the City Clerk is hereby instructed to certify to the
21 adoption thereof, and to cause a certified copy to be recorded in the Office of the County
22 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

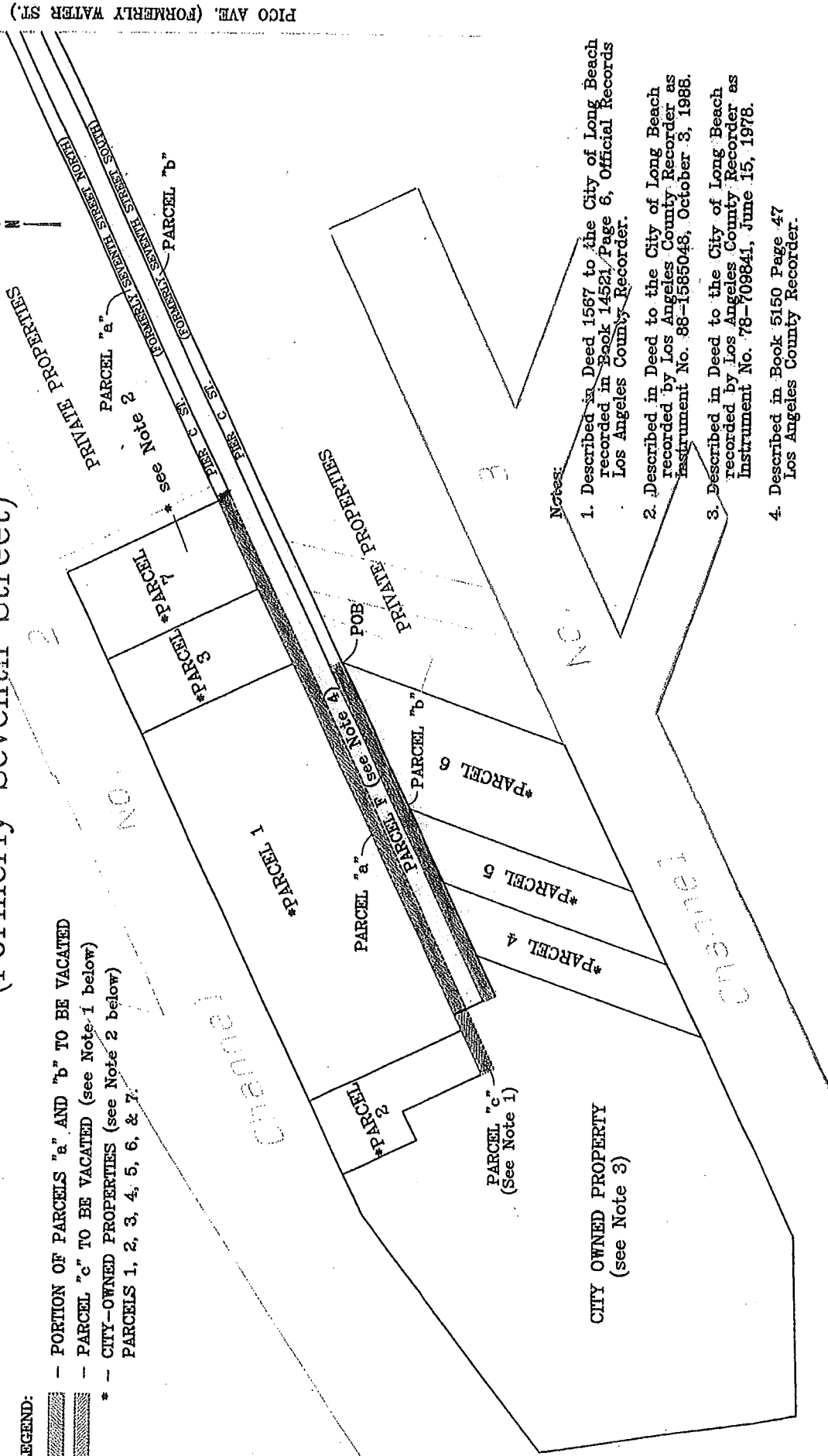
OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

PIER C STREET VACATION (Formerly Seventh Street)

LEGEND:

- PORTION OF PARCELS "a" AND "b" TO BE VACATED
- PARCEL "c" TO BE VACATED (see Note 1 below)
- CITY-OWNED PROPERTIES (see Note 2 below)

* -- PARCELS 1, 2, 3, 4, 5, 6, & 7.



Notes:

1. Described in Deed 1567 to the City of Long Beach recorded in Book 14521, Page 6, Official Records Los Angeles County Recorder.
2. Described in Deed to the City of Long Beach recorded by Los Angeles County Recorder as Instrument No. 88-1585048, October 3, 1986.
3. Described in Deed to the City of Long Beach recorded by Los Angeles County Recorder as Instrument No. 78-709841, June 15, 1978.
4. Described in Book 5150 Page 47 Los Angeles County Recorder.

INDICATES PORTION OF
PIER C ST TO BE VACATED

Exhibit A

PICO AVE. (FORMERLY WATER ST.)

CITY COUNCIL FINDINGS

VACATION OF A PROTION OF PIER C STREET WEST OF PICO AVENUE Reference Sketch No. 991V

The subject portion of right of way is unnecessary for present or prospective public street or alley purposes, and the vacation of said right of way will not have a significantly adverse environmental effect. This finding is based upon the following subfindings:

- a) The subject street is used for a cargo container handling facility and is no longer open to the public.
- b) On February 5, 2009, the Board of Harbor Commissioners determined that the partial vacation of Pier C Street is consistent with the Port Master Plan and determined that the proposed vacation conforms with the land Use Element goals of supporting and promoting port related activities.
- c) On March 1, 2012 the City of Long Beach Planning Commission determined that the subject vacation action is consistent with all elements of the General Plan as required in Section 8313 of the Public Streets, Highways and Services Easement Vacation Law.
- d) In compliance with the California Environmental Quality Act, On March 26, 2009, the Board o Harbor Commissioners issued a Notice of Exemption that the proposed project would not have significant effect on the environment.
- e) The interested City Departments, including Fire and Police, have reviewed the proposed right of way vacation and have no objections to this action.

GM:bp

EXHIBIT B