



CITY OF LONG BEACH

H-3

DEPARTMENT OF PUBLIC WORKS

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

August 3, 2010

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 pedestrian walk between Janice Drive and Harding Street, east of Atlantic Avenue. (District 9)

DISCUSSION

Residents in the vicinity of a 10-foot wide pedestrian-only connection between Janice Drive and Harding Street have requested that this right-of-way be eliminated to increase neighborhood security. The pedestrian right-of-way to be vacated is shown on Exhibit A.

On July 6, 2010, the City Council adopted Resolution No. RES-10-0072, declaring its intention to vacate the subject right-of-way and set August 3, 2010 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 July 12, 2010.

TIMING CONSIDERATIONS

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

FISCAL IMPACT

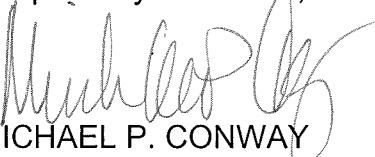
There is no fiscal or local job impact to the City.

HONORABLE MAYOR AND CITY COUNCIL
August 3, 2010
Page 2

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:SC:bs

Attachments

Exhibit A
Resolution

APPROVED:



PATRICK H. WEST
CITY MANAGER

SKETCH NO. 997V SHOWING THE 10-FOOT WIDE PEDESTRIAN WALK BETWEEN JANICE DRIVE AND HARDING STREET, EAST OF ATLANTIC AVENUE, TO BE VACATED BY THE CITY OF LONG BEACH.

 **SHOWS AREA TO BE VACATED**

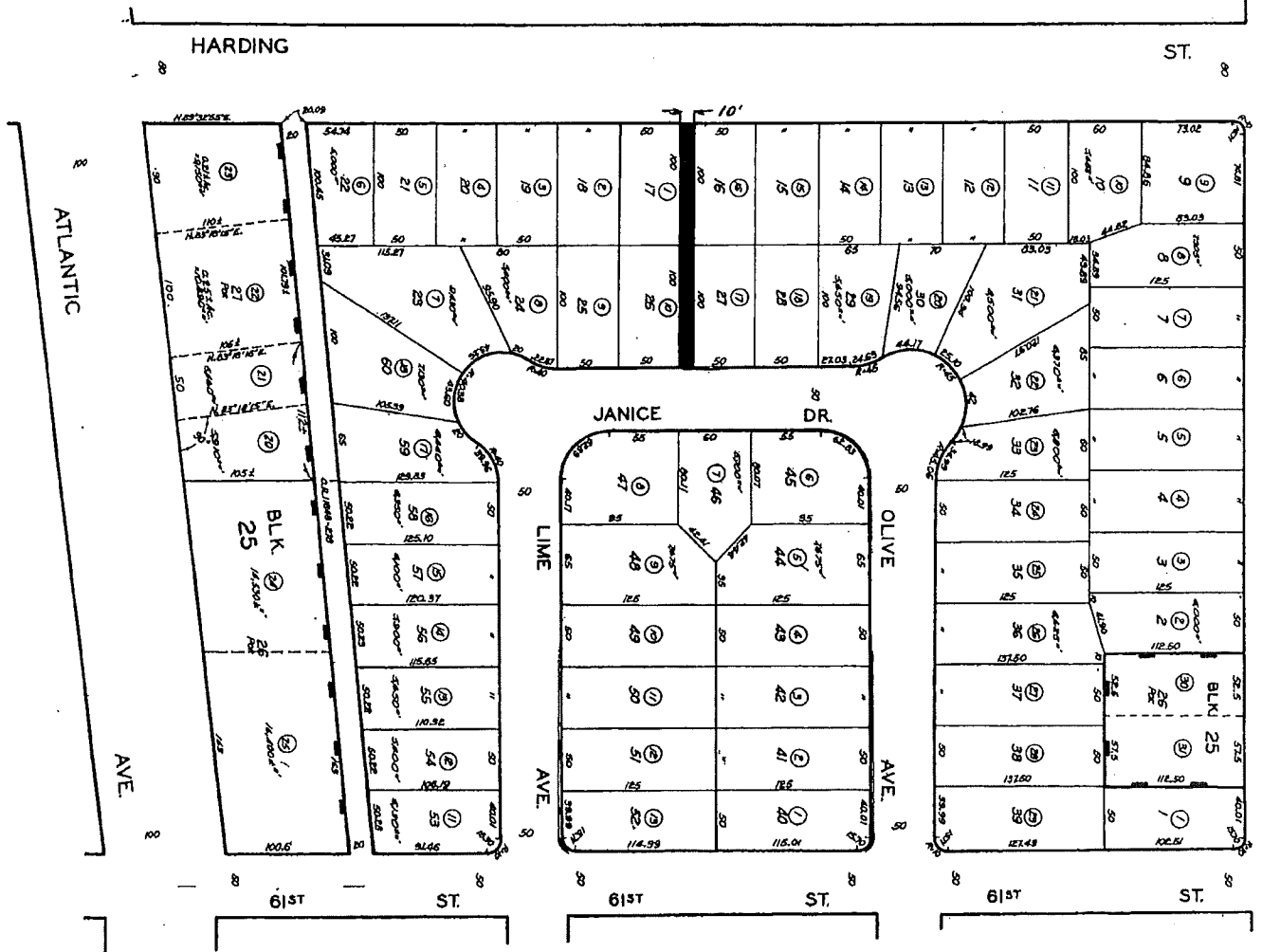


EXHIBIT A

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
PEDESTRIAN WALK BETWEEN JANICE DRIVE AND
HARDING STREET, EAST OF ATLANTIC AVENUE 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 _____ of _____, 20__, by Resolution No. _____,
declare its intention to order the vacation, pursuant to the provisions of the Public Streets,
Highways, and Service Easements Law, a pedestrian walk between Janice Drive and
Harding Street, east of Atlantic Avenue, in the City of Long Beach, County of Los
Angeles, State of California, described more particularly as follows:

That 10-foot wide public right-of-way labeled "WALK" in
Tract No. 12769 in the City of Long Beach, County of Los
Angeles, State of California, as shown on the map of said
Tract filed in Book 246, Pages 37 and 38 of Maps in the
Office of the County Recorder of said county, said walk lying
adjacent to Lots 16, 17, 26 and 27 of said Tract, bounded on
the north by the southerly line of Harding Street, 80 feet
wide, and on the south by the northerly line of Janice Drive,
50 feet wide, both as shown on said Tract Map.

WHEREAS, the City Council did, at said time, fix Tuesday, the _____
day of _____, 2010, at the hour of _____ p.m., as the time and
the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in

1 the City of Long Beach, California, as the place for hearing for all persons interested in or
2 objecting to the proposed vacation to appear and be heard; and

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

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

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

11 Section 1. Pursuant to the foregoing resolution of intention, the
12 proceedings had thereunder, Vacation Sketch No. 997V showing a pedestrian walk
13 between Janice Drive and Harding Street, east of Atlantic Avenue to be vacated by the
14 City of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached
15 hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its
16 resolution vacating and closing a portion of the street hereinabove described.

17 Section 2. The City Clerk is hereby instructed to certify to the adoption of
18 this resolution, and to cause a certified copy to be recorded in the Office of the County
19 Recorder of the County of Los Angeles, California. The vacation shall take effect
20 immediately upon recordation of this resolution.

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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

SKETCH NO. 997V SHOWING THE 10-FOOT WIDE PEDESTRIAN WALK BETWEEN JANICE DRIVE AND HARDING STREET, EAST OF ATLANTIC AVENUE, TO BE VACATED BY THE CITY OF LONG BEACH.


 SHOWS AREA TO BE VACATED

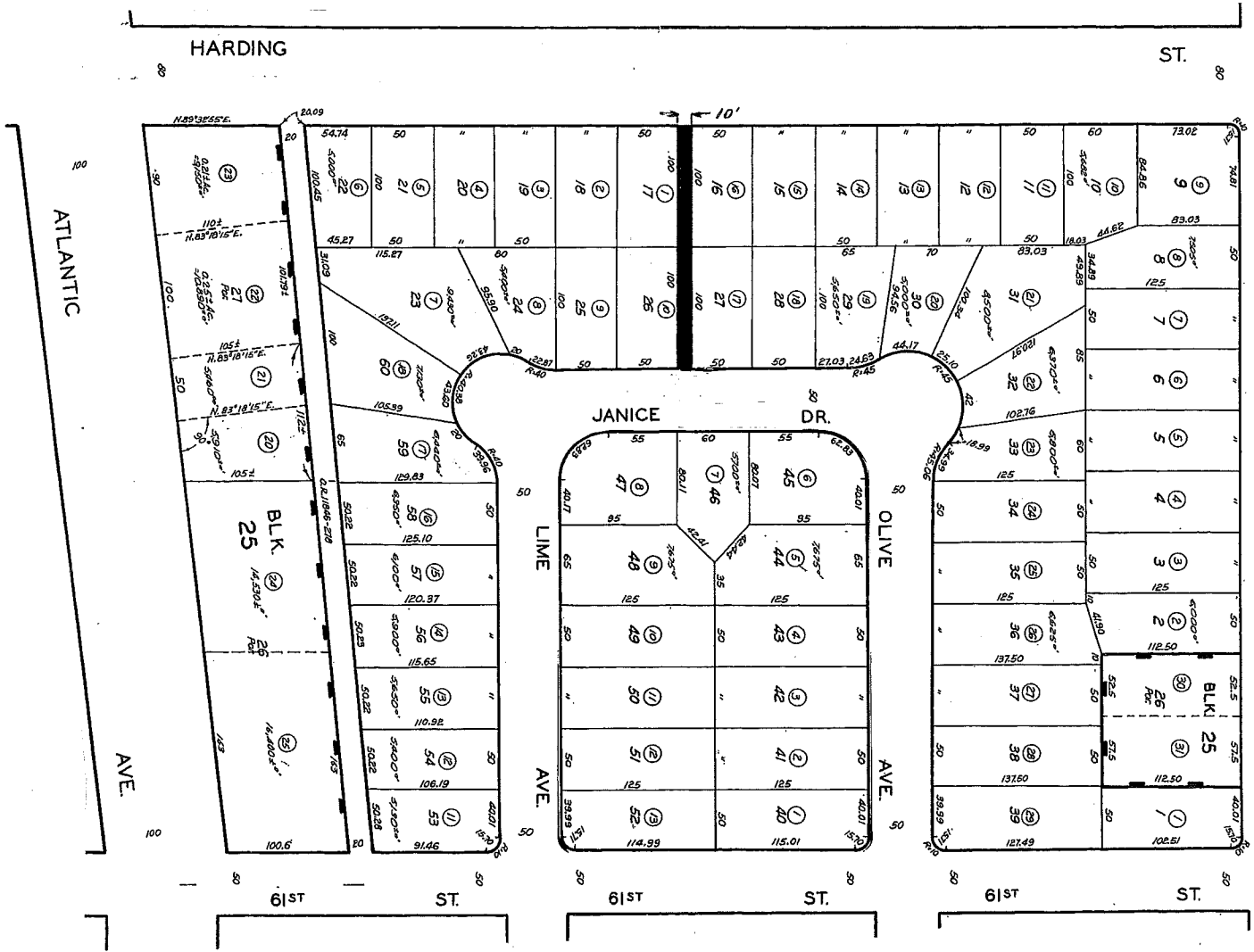


EXHIBIT A

CITY COUNCIL FINDINGS

VACATION OF A PEDESTRIAN WALK BETWEEN JANICE DRIVE AND HARDING STREET, EAST OF ATLANTIC AVENUE Reference Sketch No. 997V

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

This finding is based upon the following subfindings:

- a) There is neighborhood support for the closure of this pedestrian walk in order to reduce crime and make the neighborhood more secure.
- b) On June 3, 2010, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- c) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- d) The pedestrian walk would not be useful for exclusive bikeway purposes.

2. 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 right-of-way is not and will not be needed for public use.
- e) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-29-10 was issued for this project.