



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

July 21, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the 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 May Avenue and the east/west alley north of Pacific Coast Highway. (District 6)

DISCUSSION

In 2003, Long Beach City College (LBCC) prepared a campus master plan to modernize, renovate and construct facility improvements to its Pacific Coast Campus. The plans included vacating that portion of the May Avenue right-of-way immediately north of Pacific Coast Highway and the east/west alley bisecting the parking lot east of May Avenue, as shown on the attached Exhibit A. The intent of the vacation is to facilitate parking and provide for a more secured campus parking lot.

Proceedings for the 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 rights-of-way are unnecessary for present or prospective public use. The Public Works Department supports this action based on the following evidence, facts, conditions and findings, establishing that the dedicated rights-of-way to be vacated are not necessary for present or prospective public use:

- May Avenue primarily serves as the entrance/exit to the campus parking lots.
- The east-west alley primarily serves as a drive aisle bisecting the two parking lots.
- Utility easements will be reserved over the street and alley in order to continue to provide for various existing utility services, which include water, sewer, power and communication lines.
- Refuse is collected by private trash collection; therefore, May Avenue will not be required for City refuse collection.
- On November 20, 2014, the Planning Commission determined that the subject vacation action is consistent with the General Plan, as required in Section 65402 of the California Government Code.

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The Police Department and Traffic Engineering Division have reviewed the proposed right-of-way vacation and provided no objections to this action. In conformance with the California Environmental Quality Act, Categorical Exemption No. CE 14-149 was issued for this project, and was adopted and accepted by the City Council on June 23, 2015.

This matter was reviewed, by Deputy City Attorney Linda Vu on June 8, 2015 and by Budget Management Officer Victoria Bell on July 2, 2015.

TIMING CONSIDERATIONS

On June 23, 2015, the City Council adopted Resolution No. RES-15-0077, declaring its intention to vacate the subject right-of-way, and set July 21, 2015 as the date for the public hearing.

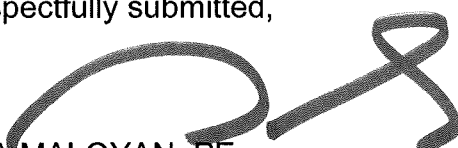
FISCAL IMPACT

A Final vacation processing fee of \$9,908 was deposited to the General Fund (GF) in the Department of Public Works (PW). Approval of this recommendation will provide continued support to the local economy.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS

AM:BP:bs

P:/CL/7.21/May

Attachments:

Exhibit A; Vacation sketch No.1012V
Resolution Ordering vacation

APPROVED:



PATRICK WEST
CITY MANAGER

SK1020V

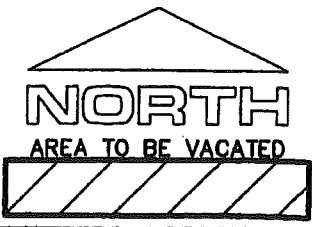
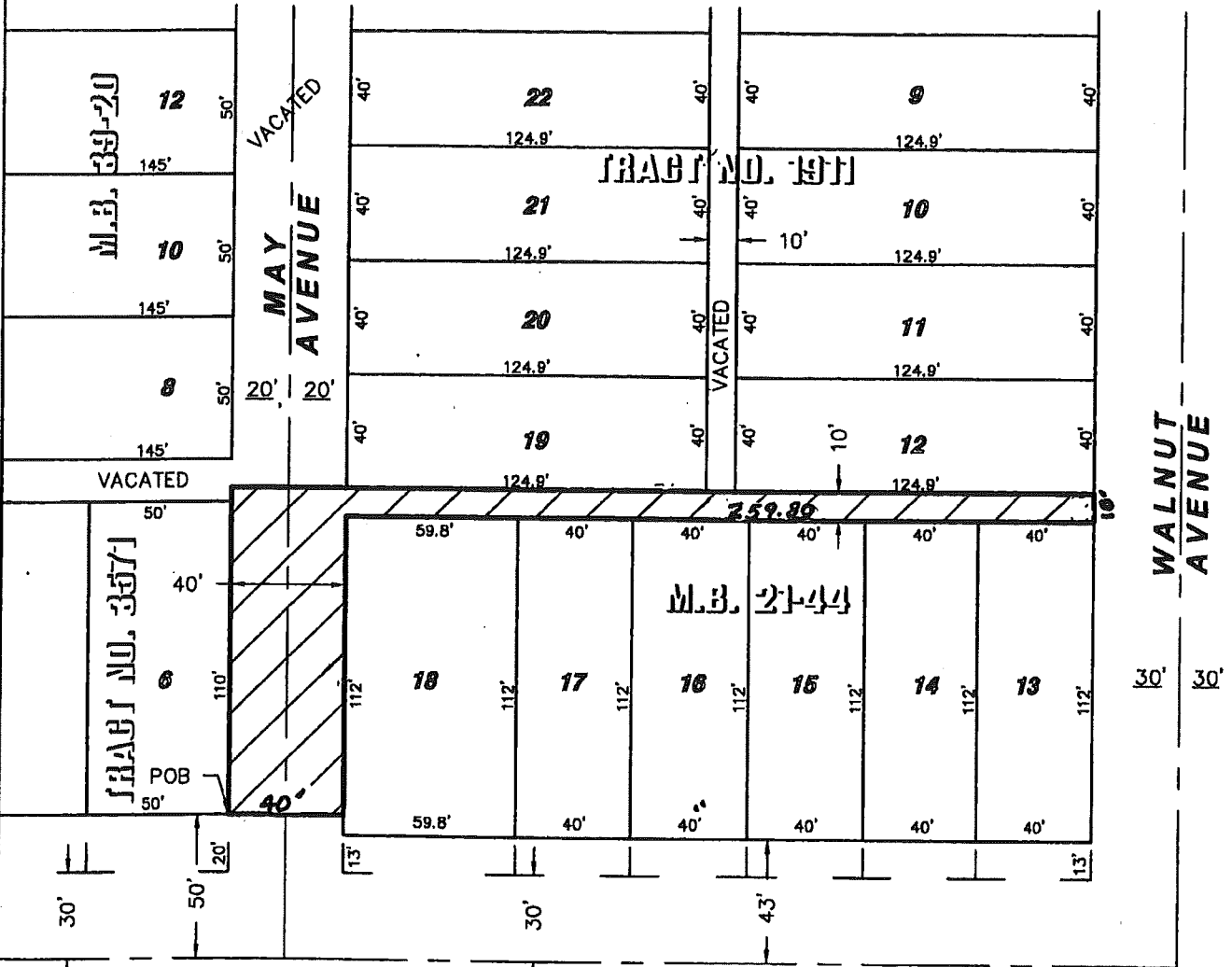


EXHIBIT A

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.
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3 A RESOLUTION ORDERING THE VACATION OF
4 MAY AVENUE AND THE ADJACENT UNNAMED
5 EAST/WEST ALLEY NORTH OF PACIFIC COAST
6 HIGHWAY, IN THE CITY OF LONG BEACH, COUNTY OF
7 LOS ANGELES, STATE OF CALIFORNIA
8

9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on
10 the 23rd of June, 2015, by Resolution No. RES-15-0077, declare its intention to order the
11 vacation, pursuant to the provisions of the Public Streets, Highways, and Service
12 Easements Vacation Law (California Streets and Highways Code, Section 8300 *et seq.*),
13 May Avenue and the adjacent unnamed east/west alley north of Pacific Coast Highway,
14 in the City of Long Beach, County of Los Angeles, State of California, described more
15 particularly as follows:

16 BEING A DESCRIPTION FOR THE VACATION OF A
17 PORTION OF MAY AVENUE AS SHOWN ON TRACT NO.
18 1911, BOOK 21, PAGE 44 AND AS SHOWN ON TRACT
19 NO. 3571, BOOK 39, PAGE 20 OF MAPS BOTH FILED IN
20 THE OFFICE OF THE RECORDER OF SAID COUNTY
21 AND THAT CERTAIN ALLEY AS SHOWN ON SAID TRACT
22 NO. 1911 LYING NORTHERLY OF LOTS 13 THROUGH 18
23 THEREOF, BEGINNING AT A POINT OF INTERSECTION
24 WITH THE EASTERLY LINE OF LOT 6 OF SAID TRACT
25 NO. 3571 AND A LINE PARALLEL WITH AND 50 FEET
26 NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM
27 THE CENTERLINE OF PACIFIC COAST HIGHWAY,
28 SHOWN AS STATE STREET ON SAID TRACT NO. 1911

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AND TRACT NO. 3571; THENCE, NORTHERLY ALONG SAID EASTERLY LINE OF LOT 6 AND ITS NORTHERLY PROLONGATION, 115.00 FEET TO A POINT OF INTERSECTION OF SAID EASTERLY LINE AND THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOT 19 OF SAID TRACT NO. 1911; THENCE, EASTERLY ALONG LAST MENTIONED LINE TOGETHER WITH THE SOUTHERLY LINE OF LOT 12 OF SAID TRACT NO. 1911, 299.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE, SOUTHERLY 10.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE, WESTERLY ALONG THE NORTHERLY LINES OF SAID LOTS 13 THROUGH 18, 259.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE, SOUTHERLY ALONG THE WEST LINE OF SAID LOT 18, 105.00 FEET TO A POINT OF INTERSECTION WITH A LINE PARALLEL WITH AND 50 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID PACIFIC COAST HIGHWAY; THENCE, WESTERLY ALONG SAID PARALLEL LINE 40.00 FEET TO THE POINT OF BEGINNING.

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,

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1 STORM DRAINS AND APPURTENANT STRUCTURES,
2 TOGETHER WITH ALL NECESSARY GATES, VALVES,
3 FITTINGS, HYDRANTS AND APPURTENANCES FOR THE
4 TRANSPORTATION OF WATER AND GAS, WITH THE
5 RIGHT OF INGRESS TO AND EGRESS FROM THE SAME,
6 OVER, THROUGH, UNDER, ALONG AND ACROSS THAT
7 CERTAIN PROPERTY VACATED HEREWITH; AND
8 PURSUANT TO ANY EXISTING FRANCHISES OR
9 RENEWALS THEREOF, OR OTHERWISE, TO
10 CONSTRUCT, MAINTAIN, OPERATE, REPLACE,
11 REMOVE, RENEW AND ENLARGE LINES OF CONDUITS,
12 CABLES, WIRES, POLES AND OTHER CONVENIENT
13 STRUCTURES, EQUIPMENT AND FIXTURES FOR THE
14 OPERATION OF TELEPHONE LINES AND OTHER
15 COMMUNICATION LINES, AND FOR THE
16 TRANSPORTATION OR DISTRIBUTION OF ELECTRIC
17 ENERGY, AND INCIDENTAL PURPOSES INCLUDING
18 ACCESS AND THE RIGHT TO KEEP THE PROPERTY
19 FREE FROM INFLAMMABLE MATERIALS, AND WOOD
20 GROWTH, AND OTHERWISE PROTECT THE SAME
21 FROM ALL HAZARDS IN, UPON AND OVER THE PART
22 VACATED. ACCESS FOR MAINTENANCE OF THE
23 ABOVE-MENTIONED FACILITIES MUST BE MAINTAINED
24 AT ALL TIMES. NO IMPROVEMENTS SHALL BE
25 CONSTRUCTED WITHIN THE EASEMENT WHICH
26 WOULD IMPEDE THE OPERATION, MAINTENANCE OR
27 REPAIR OF SAID FACILITIES. CONSTRUCTION OF ANY
28 IMPROVEMENTS, INCLUDING CHANGES OF GRADE,

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1 SHALL BE SUBJECT TO THE PRIOR WRITTEN
2 APPROVAL OF ALL THE CITY DEPARTMENTS AND
3 PUBLIC UTILITIES RESPONSIBLE FOR THE ABOVE SAID
4 FACILITIES.

5 THE ABOVE DESCRIBED VACATION CONTAINS
6 7,198 SQ. FT., 0.165 ACRES, MORE OR LESS

7 WHEREAS, the City Council did, at said time, fix Tuesday, the 23rd day of
8 June, 2015, at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza
9 Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California,
10 as the place for hearing for all persons interested in or objecting to the proposed vacation
11 to appear and be heard; and

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

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

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

20 Section 1. Pursuant to the foregoing resolution of intention, the
21 proceedings had thereunder, Vacation Sketch No. 1012V showing May Avenue and the
22 adjacent unnamed east/west alley north of Pacific Coast Highway to be vacated by the
23 City of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached
24 hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its
25 resolution vacating and closing the street hereinabove described.

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

1 Recorder of the County of Los Angeles, California.

2 I hereby certify that the foregoing resolution was adopted by the City
3 Council of the City of Long Beach at its meeting of _____, 2015
4 by the following vote:

5

6 Ayes: Councilmembers: _____

7 _____

8 _____

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10 Noes: Councilmembers: _____

11 _____

12 Absent: Councilmembers: _____

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City Clerk

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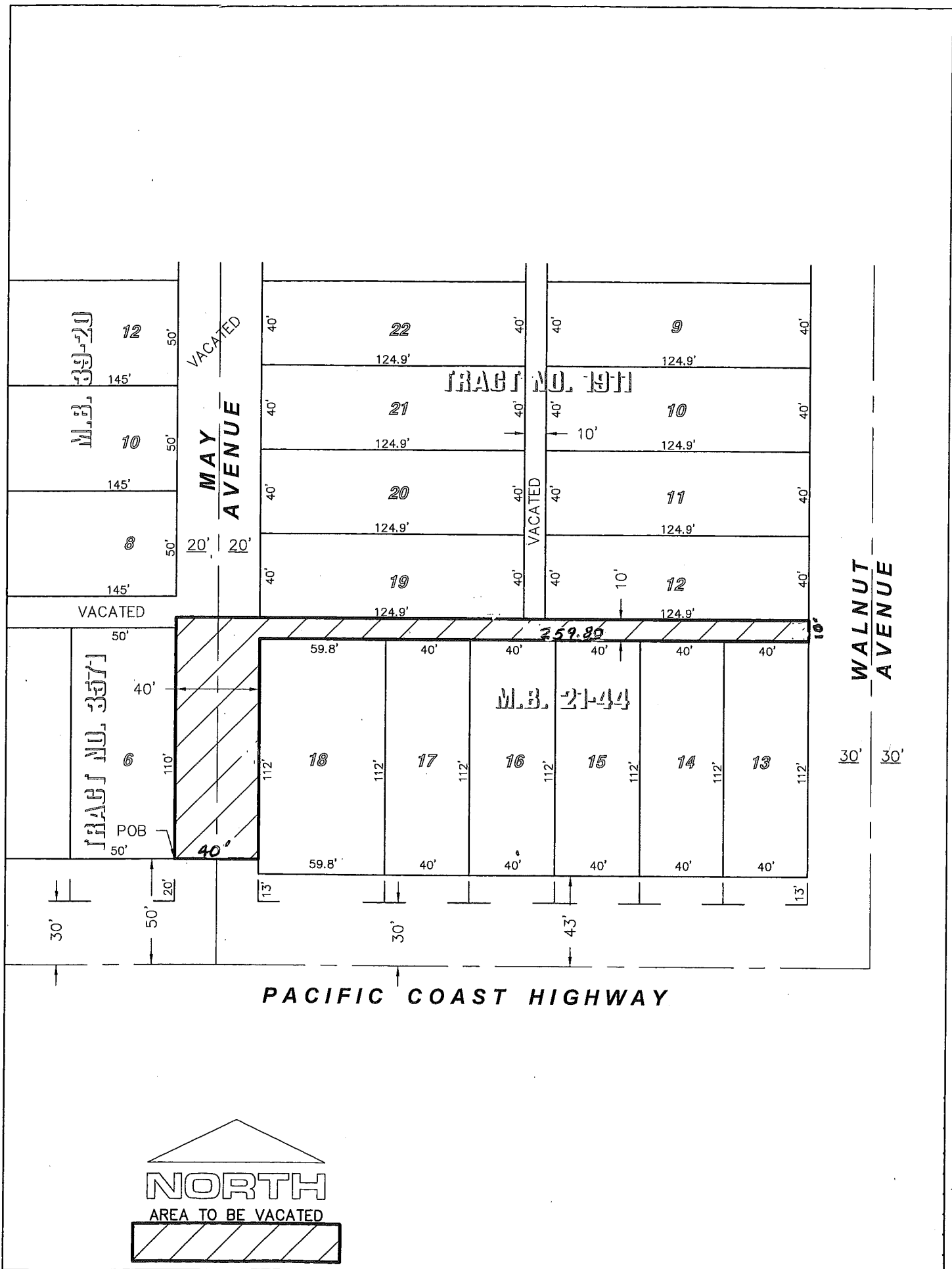


EXHIBIT A

CITY COUNCIL FINDINGS

VACATION OF MAY AVENUE AND THE UNNAMED EAST/WEST ALLEY NORTH OF PACIFIC COAST HIGHWAY Reference Sketch No. 1012V

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

- a) May Avenue is primarily used as an entrance/exit to the Long Beach City College campus. The right-of-way is not necessary for present or prospective public use.
- b) On November 20, 2014, the City of Long Beach 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.
- c) In accordance with the California Environmental Quality Act, Categorical Exemption 14-139 was issued for this action.
- d) The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- e) The reservation of a Utility Easement was requested for the existing public utility.
- f) The right-of-way would not be useful for exclusive bikeway purposes.

EXHIBIT B