



Legislation Text

File #: 14-0936, **Version:** 1

Recommendation to adopt Resolution of Intention to vacate the remaining portion of Esther Street located west of Judson Avenue, and set a date for a public hearing on the vacation for Tuesday, December 16, 2014 at 5:00 p.m.; and adopt and accept the Categorical Exemption CE-12-003. (District 1)

In 1978, the City of Long Beach vacated the westerly portion of Esther Street located west of Judson Avenue. The current request is for the City of Long Beach to vacate the remaining portion of Esther Street located west of Judson Avenue, as depicted in Exhibit A, to allow for more consistent repair and maintenance of this portion of the roadway. Consistent with California land reversion practices, the vacated portion of Esther Street will revert back to the original property owners.

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. Findings are attached as Exhibit B.

The Public Works Department supports this action based on the associated evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use. 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, Categorical Exemption CE-12-003 was issued for this vacation. The Planning Commission staff report is attached as Exhibit C.

The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies are shown on Exhibit D.

The public hearing on this matter to be held on December 16, 2014, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Vu on April 16, 2013 and by Budget Management Officer Victoria Bell on October 27, 2014.

City Council action is requested on November 18, 2014 in order to set the public hearing date for December 16, 2014.

A tentative fee of \$8,780 and a final fee of \$8,780 were deposited into the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE A PORTION OF ESTHER STREET WEST OF JUDSON AVENUE, 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.

ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER