

18 REVISED

April 9, 2024

Honorable Mayor and City Council
City of Long Beach
California

RECOMMENDATION:

Recommendation to Reaffirm the River Park Residential Project Environmental Impact Report (EIR-07-20, SCH#2021020492);

Adopt a Resolution of Intention to vacate the portion of Baker Street between Golden Avenue and the Los Angeles Flood Control Channel property and a portion of Wardlow Road as part of the River Park Residential Project, located at 712 West Baker Street;

Set the date of May 14th, 2024, for the public hearing on the vacation; and,

Authorize the City Manager, or designee, to execute improvement agreements conditioned on the vacation. (District 7)

DISCUSSION

Integral Communities, LLC, on behalf of Oil Operators Incorporated, developer of the property, on behalf of Oil Operators Incorporated owner of the property at 712 West Baker Street, requests to vacate a portion of Baker Street, 40-feet wide, between Golden Avenue and the Los Angeles Flood Control Channel property and a portion of Wardlow Road adjacent to the development site (Attachment A). An access easement along the full width of Baker Street will be reserved to provide Los Angeles County continued legal access to their property and public access for the proposed Baker Street Park expansion and for the existing utility lines within Baker Street.

Because Baker Street provides the only public street access to lot six, assessor's identification No. 7203-001-900 of the Los Angeles Flood Control District property, Integral Communities, LLC agrees to provide for a parcel line adjustment to move the southerly parcel line of lot six, of the Flood Control property, further south to align with the right of way line of 34th Street (Attachment B) for an alternative public street access from 34th Street into parcel six of the Flood Control district property insuring compliance with the Service Easement Vacation Law of California.

The necessary Los Angeles County agencies have reviewed the proposed vacation and lot line adjustment and have no objections subject to the agreements and conditions stated herein (Attachment C). 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 not necessary for present or prospective public use. In addition, Streets and Highway Code Section 8324(b) provides that the City Council may impose conditions for vacations, providing that the resolution of vacation may provide that the vacation occurs after conditions required by the legislative body have been satisfied. It is the intent of the Public Works Department to not delay recordation of the resolution, but to satisfy the conditions imposed on the vacation secured with Bonds and Agreements to provide for the Lot Line adjustment for the alternative public access to lot six of the Los Angeles County Flood Control property.

On September 1, 2022, the Planning Commission recommended that the City Council adopt a General Plan Conformity Certification (GPC21-003) for the proposed vacation. On November 15, 2022, the City Council adopted the General Plan Conformity Certification (GPC21-003) and made findings that the proposed vacation, as a part of the River Park Residential Project was in conformance with all elements of the City's General Plan (Attachment D). Additionally, on November 15, 2022, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Council adopted the Environmental Impact Report (EIR-07-20), prepared for the River Park Residential Development Project (SCH#202120492) (Attachment E).

The necessary City departments have reviewed the proposed right-of-way vacation and have no objections to this action. The Public Works Department supports this vacation, based on findings that the rights of way to be vacated are not necessary as a vehicular or pedestrian thoroughfare and is subject to satisfying the conditions imposed with a bond and an agreement to secure funding for the lot line adjustment conditioned on the street vacation. The Public Works Department requests adoption of a resolution of intention to vacate in relation to the vacation described above.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on March 18, 2024, and Budget Management Officer Nader Kaamoush on March 16, 2024.

TIMING CONSIDERATIONS

City Council action is requested on April 9, 2024, for Resolution of Intention to vacate the rights of way stated above and to set a public hearing date on this matter for May 14, 2024.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party,

participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

A tentative vacation processing fee in the amount of \$7,508 was deposited in the General Fund Group in the Public Works Department. A final fee in the amount of \$5,345 will be paid before the public hearing date, which will also be deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



Eric Lopez
Director
Public Works

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: RESOLUTION OF INTENT TO VACATE
A – VACATION SKETCH
B – PARCEL LINE ADJUSTMENT SKETCH
C – CONDITIONS FOR THE RIGHT-OF-WAY VACTION
D – NOVEMBER 15TH 2022 CITY COUNCIL MINUTES
E – PROJECT EIR AND ATTACHMENTS