



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Len Gorecki, Director of Public Works
Jerry Stock, City Engineer

SUBJECT: Consideration and possible action to adopt Resolution No. 16-XX – A Resolution declaring the City Council’s intent to vacate a portion of the alley between the former Greek Market (16411 Bellflower Boulevard and 9742 Mayne Street) within the City of Bellflower and setting a public hearing for January 23, 2017.

DATE: December 12, 2016

EXECUTIVE SUMMARY

This action would declare the City Council’s intent to vacate a portion of the alley between the former Greek Market and set the date for a public hearing for the approval of the proposed abandonment.

RECOMMENDATION TO CITY COUNCIL

- 1) Adopt Resolution No. 16-XX; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

DISCUSSION

Streets and Highways Code section 8312 authorizes local authorities to vacate all or part of a street, highway or public service easement within the city. A vacation is a complete or partial abandonment or termination of the public right to use a street, highway or public service easement. Vacation proceedings may be initiated by the City Council or by a request to vacate from an interested person. The procedure is as follows:

- The City Council starts the process by adopting a Resolution of Intention that schedules a hearing.
- Two newspaper publications are then required along with posting of the proposed abandonment.
- Utility companies are notified of their opportunity to retain an easement.

Staff Report – Alley Vacation between the Former Greek Market

December 12, 2016

Page 2 of 2

- The Planning Commission reviews the proposed abandonment for conformance with the General Plan.
- The hearing is conducted at least 15 days after the Resolution of Intention is adopted.
- The Resolution approving the abandonment is adopted, with appropriate easement reserved and/or conditions applied.
- The area to be abandoned can be less than or equal to that shown on the Resolution of Intention, but not more than that.
- Multiple abandonments can be done through a single procedure.

After adoption of the Resolution of Intent by the City Council, staff will take the item to the Planning Commission on January 3, 2017, so that it can consider whether the matter conforms with the General Plan. Thereafter, the item will return to the Council on January 23, 2017, for a public hearing. At that time, the City Council will have the option of approving the proposed abandonment, along with appropriate conditions and/or easement reservations.

ATTACHMENTS

Resolution No. 16-XX.....	3
Exhibit A – Map of Proposed Alley Vacation	5

CITY OF BELLFLOWER

RESOLUTION NO. 16-XX

A RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO VACATE A PORTION OF THE ALLEY BETWEEN THE FORMER GREEK MARKET (16411 BELLFLOWER BOULEVARD AND 9742 MAYNE STREET) WITHIN THE CITY OF BELLFLOWER AND SETTING A PUBLIC HEARING FOR JANUARY 23, 2017

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. The City Council finds and declares that on January 23, 2017, or as soon thereafter as is practicable, it intends to hold a public hearing to consider abandoning a portion of the alley between the former Greek Market located at 16411 Bellflower Boulevard and 9742 Mayne Street as set forth in Exhibit A, which is attached and incorporated by reference, pursuant to Streets and Highways Code §§ 8300, *et seq.*

SECTION 2. A public hearing is scheduled for January 23, 2017, at 7:00 p.m. in the City Council Chambers located at 16600 Civic Center Drive, Bellflower, California. The City Council directs that the City Manager, or designee, provide notice as required by Streets and Highways Code §§ 8322 and 8323.

SECTION 3. This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 4. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 5. The City Manager will establish policies and procedures as necessary to carry out this Resolution.

SECTION 6. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower and the City Clerk, or her duly appointed deputy, shall attest thereto.

SECTION 7. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER ON THIS ____ DAY OF _____ 2016.

Dan Koops, Mayor

ATTEST:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

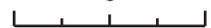
Karl H. Berger, City Attorney

Exhibit A



Proposed Alley Vacation

Between 16411 Bellflower Blvd. and 9742 Mayne St.



Scale: 1 in = 50 ft

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