



1.5

CITY OF SACRAMENTO
CALIFORNIA

DEPARTMENT OF
PUBLIC WORKS

TECHNICAL SERVICES DIVISION

APPROVED
BY THE CITY COUNCIL

DEVELOPMENT
SERVICES
1211 STREET, STE 200
SACRAMENTO, CA
95814-2988
PH 916-264-7995
FAX 916-448-8450

DEC 8 1998

OFFICE OF THE
CITY CLERK

November 18, 1998

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: GRANTING EXTENSION OF TIME FOR ABANDONMENT OF 18TH STREET,
FROM C TO D STREETS, AND ALLEY BOUNDED BY C AND D STREETS, 17TH
AND 18TH STREETS FOR ABANDONMENT PROCEEDINGS NO. AP96-01

LOCATION/COUNCIL DISTRICT:

18th Street, from C to D Streets, and the alley bounded by C and D Streets, 17th and 18th
Streets within Council District 3. (See Exhibit A)

RECOMMENDATION:

This report recommends that the City Council:

- Adopt a resolution granting an extension of time.

CONTACT PERSON:

Ron Perry, Engineering Technician III, 264-8298

FOR COUNCIL MEETING OF:

December 8, 1998

SUMMARY:

Staff requests a 24 month (2 year) extension of time be granted so that the previously
adopted conditions specified in Resolution No. 96-699 can be completed.

City Council
Granting Time Extension for Blue Diamond Growers (AP96-01)
November 18, 1998

COMMITTEE/COMMISSION ACTION:

None required.

BACKGROUND INFORMATION:

On December 17, 1996, the City Council adopted the Resolution No. 96-699 abandoning 18th Street, from C to D Streets, and the alley bounded by C and D street, 17th and 18th Streets. Final recording of the abandonment was conditioned with a number of conditions from Public Works and Utilities Department.

These conditions of abandonment were not completed within the two (2) years time period specified. Thus staff is requesting that a 24 month (2 year) extension of time be granted so that the resolution can be recorded.

FINANCIAL CONSIDERATIONS:

The applicant provided all documentation required for the abandonment and paid a fee to fund staff time required to process the abandonment application. The cost of the actual physical closure will be paid by the property owner. There is no expense to the City.

ENVIRONMENTAL CONSIDERATIONS:

A Negative Declaration for the Blue Diamond Growers Improvement Project was adopted by the City Council in February of 1996. This document includes an analysis of the proposed street abandonments. The Negative Declaration concludes that any impacts associated with the proposed street closures are less-than-significant. The current application for street abandonment includes only one of several street segments that were analyzed in this Negative Declaration. No additional environmental review is required at this time.

POLICY CONSIDERATIONS:

Abandonment of this street and alley is consistent with:

- Council priority of economic development.
- Section 8300 et. seq. of the State of California streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use.
- The local governing body is the approving authority and may reserve such rights as may be needed (e.g., retaining the utility easement) when approving a street or alley

City Council
Granting Time Extension for Blue Diamond Growers (AP96-01)
November 18, 1998

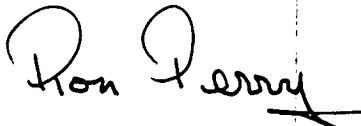
abandonment.

- City policy, as stated in Resolution No. 96-176 which was approved by the City Council on May 7, 1996, provides for abandonment of local streets/alleys if there is a benefit to the community, access to other properties is not inhibited and there is support by the majority of property owners.
- Article IV A, (3), (c) for the Development Agreement by and between the City of Sacramento and BDG requires that an irrevocable offer of dedication (I.O.D.) for 18th Street shall be recorded. The City may accept the I.O.D. in the event that BDG abandons its current almond processing facility within 99 years of the BDG Development Agreement.

MBE/WBE EFFORTS:

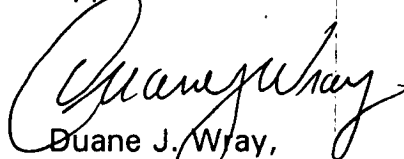
None, since no goods or services are procured with this action.

Respectfully submitted,



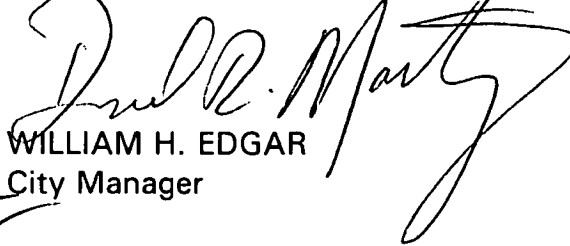
FOR Gary Alm, Manager
Development Services & Special Districts

Approved:



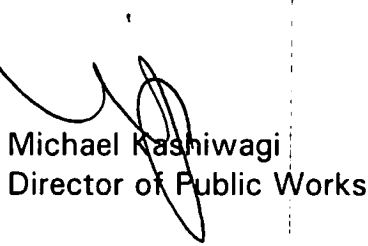
Duane J. Wray,
Manager, Technical Services

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

APPROVED:

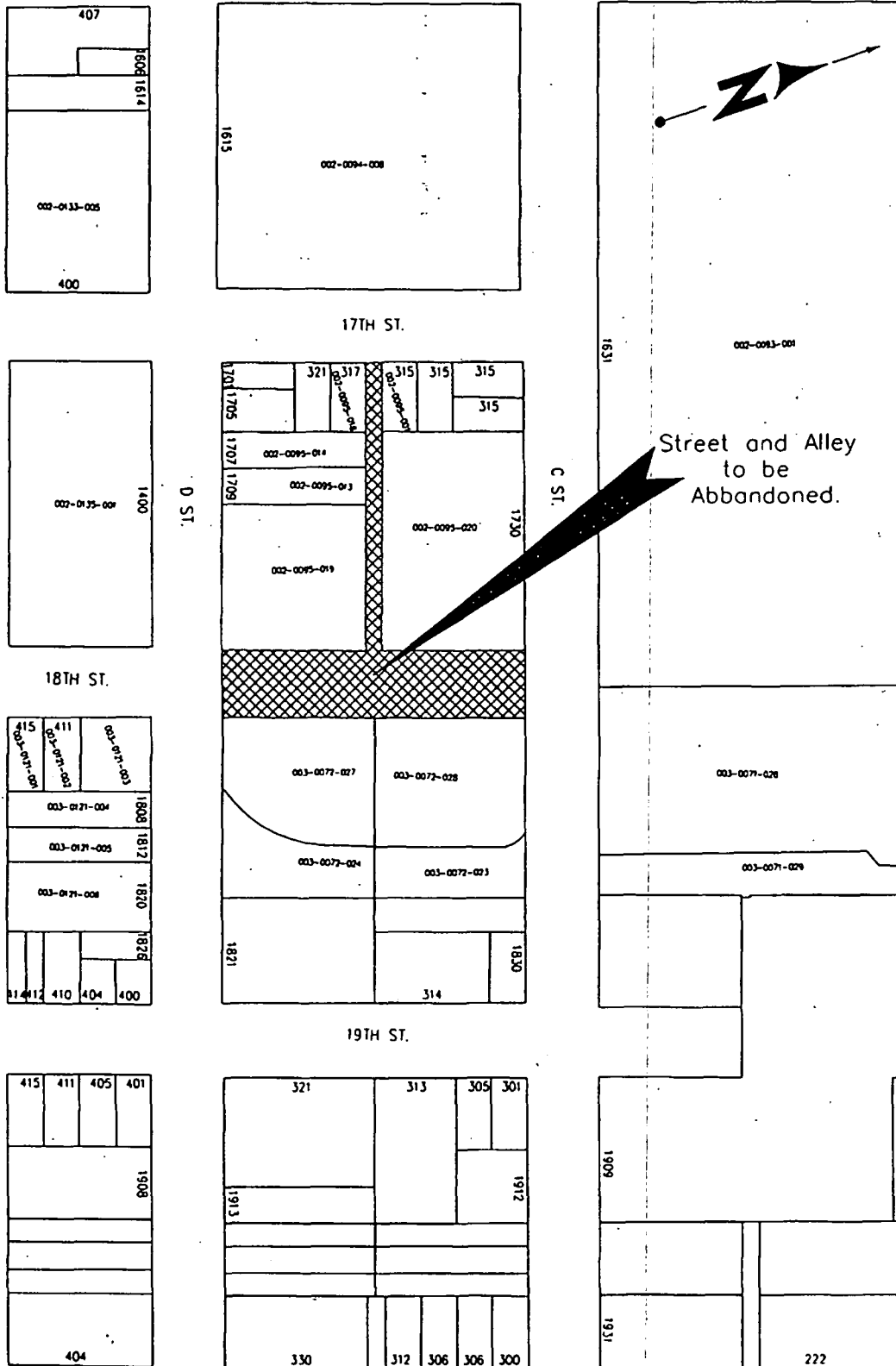


Michael Kashiwagi
Director of Public Works

GA:RP:dt

S:\techsvs\projdel\rperry\corres\AP98-02hearletter
11.1998.1

EXHIBIT A (AP96-01) SUBJECT STREET & ALLEY FOR BLUE DIAMOND GROWERS



DEC 8 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-609

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION GRANTING EXTENSION OF TIME FOR THE ABANDONMENT OF
18TH STREET, FROM C TO D STREET, AND ALLEY BOUNDED BY C AND D
STREET, 17TH AND 18TH STREET**

EXTENSION OF TIME FOR ABANDONMENT PROCEEDINGS NO. 96-01

1. WHEREAS, Resolution No. 96-699 adopting Findings of Fact and approving the regular abandonment of 18th Street, and alley bounded by C and D Street, 17th and 18th Street was adopted by the City Council on December 17, 1996.
2. WHEREAS, paragraph 4 of Resolution No. 96-699 reads "This abandonment is subject to the following conditions:
 - a. City Attorney and City Clerk - The Development Agreement shall be executed and acknowledged.
 - b. City Public Works - Transportation and Development - an irrevocable offer of dedication (I.O.D.) shall be recorded over 18th Street consistent with Development Agreement between the City of Sacramento and Blue Diamond Growers.
 - c. City Public Works - Architecture and Engineering - Modify the existing street lighting system, and fire alarm system.
 - d. City Public Works - Transportation and Development - Construct city standard curb, gutters, and sidewalk along D Street at 18th Street and along 17th Street at the alley. Standard driveway permits may be requested and approved. Obtain an encroachment permit and a building permit to construct a gate within the public utility easement.
 - e. City Fire Department - All access gates shall be to the satisfaction of the Fire Department.
 - f. City Utilities Department - In 18th Street, a full width easement with special conditions shall be retained for the water distribution system facilities and the 78 inch combined system (sewer and drainage) main and manholes.

All sewer and drainage facilities within the alley shall be privately owned and operated. The new points of service shall be where the facilities enter public right-of-way. No easement shall be required within this area.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Special Conditions

- a. Materials, Structures, and/or vehicles shall be prohibited from blocking above ground access along the entire length of pipe at all times. Width of access shall be 15 feet on either side of the center line of the pipe.
 - b. Manholes must be protected from impediments with permanent, removable barricades.
 - c. All gates and barricades must be secured with city compatible locks.
 - d. The city will perform 2 scheduled inspections per year and have the right to perform as many unscheduled inspections as it deems necessary to maintain unobstructed access of the utilities.
 - e. The city will be allowed access at all times.
 - f. In the event that access is not adequately maintained, the City may take any actions necessary to correct the situation at the expense of Blue Diamond.
3. WHEREAS, paragraph 4 of Resolution No. 96-699 reads "The condition specified in paragraph six of this resolution must be completed within two years of the date of this resolution. If the condition is not completed within the two years specified, this resolution approving the abandonment shall become void; unless the City Council grants a time extension."

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- 1. The City Council hereby grants a time extension of 24 months (two years) from the two year period specified in paragraph 6 of Resolution No. 96-699.
- 2. After the conditions specified in Resolution No. 96-699, have been completed the City shall cause a certified copy of this resolution to be attached to a certified copy of Resolution No. 96-699 and be recorded with the County Recorder.

MAYOR

ATTEST:

CITY CLERK

S:\techsvc\projdel\devsvs\rperry\corresp\ap94-13extension hear
11.1998.1

6

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____