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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

DEVELOPMENT SERVICES
1231 I STREET
ROOM 300
SACRAMENTO, CA
95814

TECHNICAL SERVICES DIVISION

March 19, 1999

APPROVED
BY THE CITY COUNCIL

PH 916-264-7474
FAX 916-264-7480

APR 20 1999

City Council
Sacramento, California

OFFICE OF THE
CITY CLERK

Honorable Members in Session:

**SUBJECT: HEARING ON ABANDONMENT OF AN ALLEY BOUNDED BY
FRUITRIDGE ROAD, STOCKTON BOULEVARD, YOUNG STREET, AND
53RD STREET WITHIN COUNCIL DISTRICT 6; ABANDONMENT
PROCEEDING NO. AP97-18**

LOCATION AND COUNCIL DISTRICT:

The alley is bounded by Fruitridge Road on the north, Stockton Boulevard on the east, Young Street on the south, and 53rd Street on the west. Council District 6.

RECOMMENDATION:

This report recommends that the hearing be closed and that the attached resolution adopting Findings of Fact and approving the abandonment for the alley at the location listed be adopted.

CONTACT PERSON:

Ronald Perry, Engineering Technician III, 264-8298
Theresa Arnold, Associate Engineer, 264-5514

FOR COUNCIL MEETING OF: April 20, 1999

SUMMARY:

The City received a request from Comm Tech Services to abandon the alley in order to allow development of a Rite Aid Drug Store at Stockton Boulevard and Fruitridge Road.

City Council
Hearing of Abandonment No. AP97-18
March 19, 1999

COMMITTEE/COMMISSION ACTION:

None required.

BACKGROUND INFORMATION:

Comm Tech Services has requested a special permit from the City to construct a Rite Aid Drug Store. They own all of the property adjoining the alley they are requesting to be abandoned. The City has no objections to the above-described abandonment, provided conditions are met.

City departments and the utility companies have reviewed this request for abandonment and have no objections. Letters regarding this abandonment are on file with the Department of Public Works, Development Services. See Exhibit A for the time schedule for this abandonment.

Staff has reviewed the request to abandon and finds it in conformance with City Guidelines for Street Closures (City Resolution No. 95-667) and the State of California, Streets and Highways Code (Section 8300 et. seq.). Approval of the request to abandon is recommended subject to conditions.

The Neighborhoods, Planning and Development Services Department has found the proposed abandonment in conformance with the General Plan and the Community Plan (Section 65402 review). The proposed abandonment conforms with the City's General Plan and is consistent with the General Plan policy "to enhance and maintain the quality of the life of its citizens."

A Resolution of Intention (ROI) was adopted by the City Council on March 30, 1999, which established this date as the hearing for the proposed abandonments. Letters to the property owners and residents adjacent to the abandonment were mailed on April 2, 1999. Notice of the abandonment was posted along the subject alley on April 2, 1999, and the Resolution of Intention was published in the Daily Recorder on April 2, 1999, and April 9, 1999. The Engineer's report relating additional facts of the abandonment is on file with the City Clerk's office.

Following abandonment, ownership of the alley will return to the original property owners based on underlying title.

Approval of the request to abandon is recommended.

FINANCIAL CONSIDERATIONS:

The applicant provided all the documentation required for the abandonment and paid a fee to fund staff time required to process the abandonment application. There is no expense to the City.

ENVIRONMENTAL CONSIDERATIONS:

The Neighborhoods, Planning and Development Services Department has reviewed this project and has determined that this activity is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15305 (c) of the CEQA Guidelines. The project involves the alteration of an existing public right-of-way with no expansion of the existing use and no substantial change to existing traffic flow or physical features on the City.

POLICY CONSIDERATIONS

If the Planning Commission approves development of the Rite Aid Drug Store, abandonment of the alley affected by the project will be consistent with Council priorities of public safety and neighborhood revitalization and enhancement.

- Section 8300 et. seq. of the Streets and Highways Code allows for abandonment of streets, alleys, and easements that are no longer needed for public use. These abandonments are classified as regular abandonments.
- 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 abandonment).
- City policy, as stated in Resolution No. 96-176 (approved by the City Council on May 7, 1996), provides for abandonment of streets and alleys so long as there is a benefit to the community, it does not inhibit access to other properties and would be supported by the majority of the property owners.
- The proposed abandonment is consistent with these policies.

City Council
Hearing of Abandonment No. AP97-18
March 19, 1999

ESBD CONSIDERATIONS:

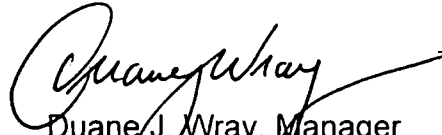
City Council adoption of the attached resolution is not affected by City policy related to the ESBD Program.

Respectfully submitted,



Marty Hanneman, Manager
Traffic Engineering and Development Services

Approved:



Duane J. Wray, Manager
Technical Services Division

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works

RP:jd
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EXHIBIT A

**SCHEDULE FOR REGULAR ABANDONMENT PROCEEDING
TO ABANDON AN ALLEY BOUNDED BY FRUITRIDGE ROAD,
STOCKTON BOULEVARD, 53RD STREET, AND YOUNG STREET
WITHIN COUNCIL DISTRICT 6 (AP97-18)**

Letter to City Clerk/schedule item on City Council Agenda	March 9, 1999
Resolution of Intention letter to City Council	March 30, 1999
Letters sent to property owners	April 2, 1999
Posting on Alleys/Streets	April 2, 1999
Copy of Resolution Published in Daily Recorder	April 2, 1999 & April 9, 1999
Public Hearing at City Council/Final Approval	April 20, 1999

APPROVED
BY THE CITY COUNCIL

APR 20 1999

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99-184

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION ADOPTING FINDINGS OF FACT AND
APPROVING ABANDONMENT OF THE ALLEY BOUNDED BY
FRUITRIDGE ROAD ON THE NORTH, STOCKTON
BOULEVARD ON THE EAST, YOUNG STREET ON THE
SOUTH, AND 53RD STREET ON THE WEST**

ABANDONMENT PROCEEDING NO. AP97-18

- A. WHEREAS, the City received a petition to abandon from owners of property within the City of Sacramento requesting the City Council to consider abandonment of the subject property;
- B. WHEREAS, a notice that the City Council would consider the proposed abandonment at a Public Hearing was given in compliance with California Streets and Highways Code, Section 8300, et. seq.
- C. WHEREAS, the Neighborhoods, Planning and Development Services Department reviewed the proposed abandonment pursuant to Government Code Section 65402 and concluded that said abandonment would be consistent with the City General Plan and the applicable Community Plan.

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

- 1. The public alley bounded by Fruitridge Road on the north, Stockton Boulevard on the east, Young Street on the south, and 53rd Street on the west, in the City of Sacramento, specifically described below, is hereby ordered abandoned subject to the conditions and reservations specified in this resolution:

All that certain real property situated in the City of Sacramento, County of Sacramento, State of California, being a portion of Lot 11 as shown on the "Plat of Young's Subdivision," recorded in the office of the County Recorder of Sacramento County, California on June 11, 1946 in Book 23 of Maps, Map No. 26, said real property being described as follows:

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RESOLUTION NO: _____

DATE ADOPTED: _____

BEGINNING at the northeast corner of said lot; thence along the east line of said lot, South 19°49'00" East 342.07 feet to the southeast corner of said lot, said corner being a point on the north line of Young Street as shown on said plat; thence, along the south line of said lot, and along the north line of Young street, South 89°23'49" West 23.55 feet to a point that lies 22.24 feet perpendicularly distant from said east line of Lot 11; thence, along a line parallel with said east line of Lot 11, North 19°49'00" West 342.16 feet to a point on the north line of said lot, said point also being a point on the south line of Fruitridge Road as shown on said plat; thence, along said north line of Lot 11, and along said south line of Fruitridge Road, North 89°37'00" East 23.58 feet to the POINT OF BEGINNING, containing 0.175 acres, more or less.

Together with the 4.00 foot wide Public Utility Easement lying east of, and adjacent to, the above described strip of land, as shown on Book 23 of Maps, Page 29, Official Records of said county, the west line of said Public Utility Easement being coincident with the east line of said Lot 11, containing 0.031 acres, more or less.

The Basis of Bearings for the above description is the north line of Lot 11, Book 23 of Maps, Map No. 26, namely, North 89°37'00" East.

Total area of abandonment = 0.206 AC

A map or plan of the proposed abandonment is attached as Exhibit B and is on file with the Department of Public Works, Development Services Section, located at 1231 I Street, Room 300.

2. The City Council finds that the above-described public portion of the alley is not necessary for present or prospective public use in that:
 - a. It is not necessary for through traffic circulation;
 - b. The City Engineer has reviewed said abandonment and found that it will not interfere with the traffic flow in the area or affect the aesthetics of the neighborhood;
 - c. The parcels adjacent to the abandoned portion of the alley described above have other access and said abandonment will not create any land-locked parcels; and

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DATE ADOPTED: _____

- d. The portion of the alley to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways Code.
3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods, Planning and Development Services Department as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. seq., has considered this portion of these streets and alleys to be abandoned in connection with the General and Community Plans and finds the abandonment consistent with them in that: The closure of the portion of these streets and alleys identified in paragraph 1 above does satisfy the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.
4. This abandonment is subject to the following conditions:
 - a. Approval by the City Planning Commission of the Special Permit and Tentative Map for project P97-127.
 - b. The property owner(s) requesting the abandonment shall, at no cost to the City of Sacramento, relocate and provide additional easements for the 24-inch diameter drainage force main located within the subject alley as required by the City of Sacramento Department of Utilities. The relocation of the existing 24-inch drainage main shall be designed to assure no increase in head loss and no loss in discharge capacity. The design may include such items as reducing head loss at pipe bends, or providing pump upgrades as required by the Department of Utilities.
 - c. The property owner(s) requesting the abandonment shall, at no cost to the City of Sacramento, relocate and/or provide easements for the fire hydrant near the northwest corner of Young Street and the subject alley, as required by the Department of Utilities.
5. The construction of any improvements required in Paragraph 4.b. and/or 4.c. above may be assured by an Improvement Agreement secured by a Letter of Credit or Certificate of Deposit, subject to approval of said agreement and security by the City Attorney.
6. Upon satisfaction of all conditions set forth in Paragraph 4 above, and concurrently with the recording of the Final Map and issuance of the building permit for project P97-127, the City Clerk shall record a certified copy of this resolution with the Sacramento County Recorder, except that this abandonment shall be void and shall not be recorded:

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

- a. If condition 4.a. above is not satisfied on or before September 30, 1999, (unless this date is extended by the City Council); or
- b. If conditions 4.b. and 4.c. above are not fulfilled to the satisfaction of the Department of Utilities within two (2) years after the date that the Special Permit and Tentative Map for project P97-127 are approved by the City Planning Commission (unless this time period is extended by the City Council).

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO: _____

DATE ADOPTED: _____

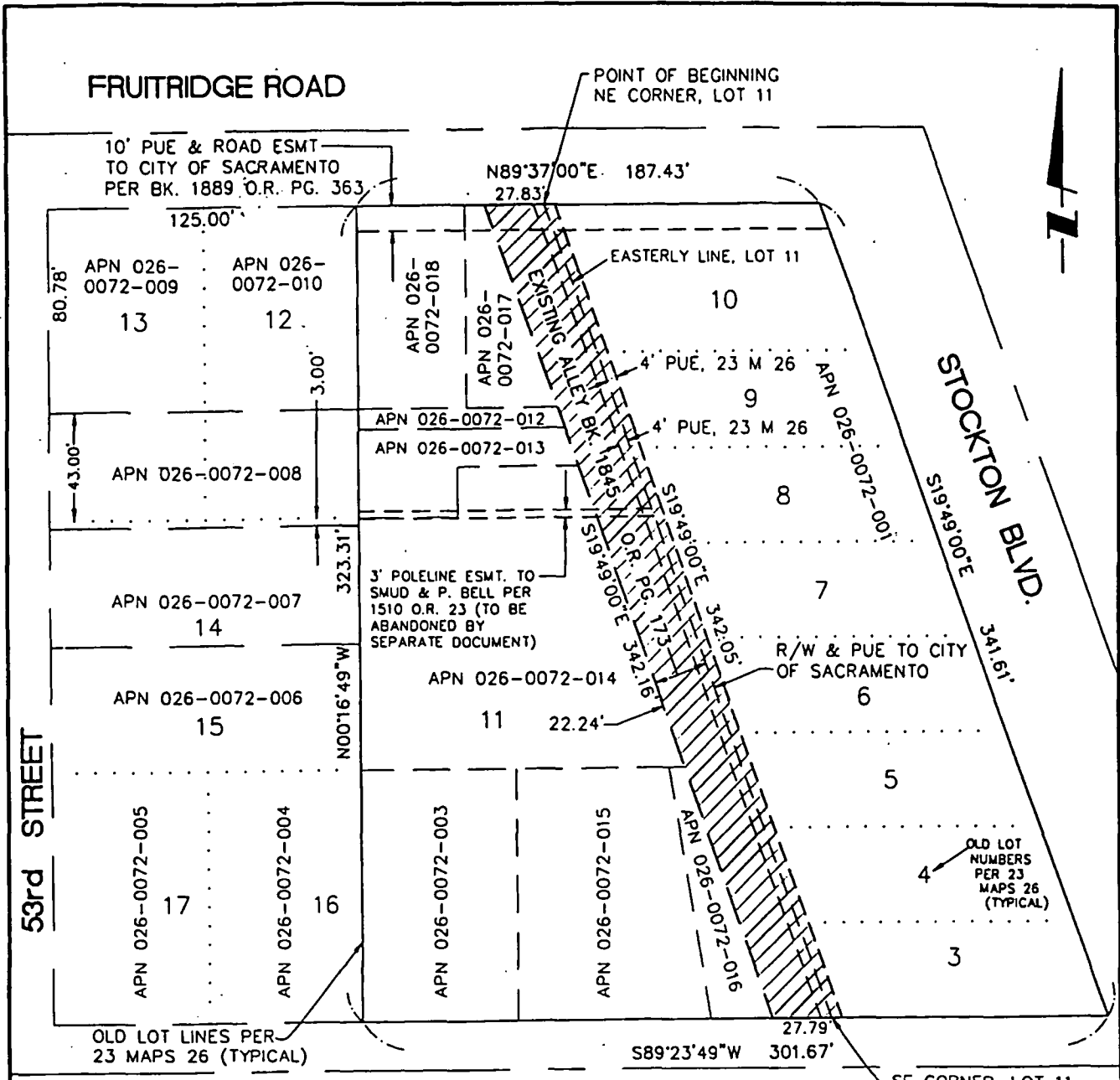



EXHIBIT B
EXHIBIT FOR ALLEY ABANDONMENT

 ALLEY TO BE ABANDONED (0.206 ± ACRES)
 (INCLUDES 4' PUE ON EAST SIDE)

DATE: 12/1/98.	SCALE: 1" = 60'	PSOMAS <small>Psomas and Associates 2295 Gateway Oaks Drive, Suite 250 Sacramento, California 95833 916/929-7100 916/929-8300 (FAX)</small>	<small>Engineers Surveyors Planners</small>
DRAWN BY: RLH	SHEET 1 OF 1		
CHECKED BY: BEB	JOB NO. : 6MCW0104 PATH: S:\SURVEY\MCW0104\ALLEY_2.DWG		

- d. The portion of the alley to be abandoned is not necessary or useful as a non-motorized transportation facility as defined in Section 156 of the Streets and Highways Code.
3. The City Council hereby finds that said abandonment has been submitted to and reported on by the Neighborhoods, Planning and Development Services Department as to conformity with the City General Plan. The Council, pursuant to Streets and Highways Code Section 8300 et. seq., has considered this portion of these streets and alleys to be abandoned in connection with the General and Community Plans and finds the abandonment consistent with them in that: The closure of the portion of these streets and alleys identified in paragraph 1 above does satisfy the City Council's "Review Guideline for Street and Alley Closure," adopted May 7, 1996, by Resolution No. 96-176.
4. This abandonment is subject to the following conditions:
- a. Relocate and provide additional easements for the 24-inch diameter drainage force main located within the alley to the satisfaction of the Department of Utilities. The relocation of the existing 24-inch drainage main shall be designed to assure no increase in head loss or no loss in discharge capacity. The design may include such items as reducing head loss at pipe bends, or providing pump upgrades to the satisfaction of the Department of Utilities.
 - b. Relocate and/or provide easements for the fire hydrant near the northwest corner of Young Street and the subject alley to the satisfaction of the Department of Utilities.
5. The foregoing conditions must be met within two (2) years of the date of approval of the Special Permit and Tentative Map P97-127 (unless a time extension is granted by City Council) or this abandonment is void and shall not be recorded.
6. Improvements required in paragraph 4 may be part of a subdivision agreement or an improvement agreement secured by a Letter of Credit or certificate of deposit.
7. This abandonment shall only be recorded concurrently with the recordation of the map, P97-127 and issuance of the building permit.

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RESOLUTION NO: _____

DATE ADOPTED: _____

8. If the Special Permit and Tentative Map (P97-127) are not approved by September 30, 1999, this abandonment is void and shall not be recorded (unless a time extension is granted by the City Council).

MAYOR

ATTEST:

CITY CLERK

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FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

9.2



Resolution

of the City Council **APPROVED**
BY THE CITY COUNCIL

National Infant Immunization Week April 18-24, 1999 Toddler Immunization Month May 1999

APR 20 1999

OFFICE OF THE
CITY CLERK

WHEREAS, immunizations are our children's only defense against dangerous childhood diseases such as measles, whooping cough, chickenpox and Hib meningitis, and such childhood diseases still pose a serious threat to infants and toddlers; and

WHEREAS, a 1998 survey conducted by the California Department of Health Services indicates that 42.2% of Sacramento County toddlers are behind on their immunizations and thus, are vulnerable to these preventable diseases; and

WHEREAS, California children were seriously impacted by the measles epidemic of 1990, and the whooping cough outbreaks in 1992, 1994, and 1998 and this suffering could have been prevented with timely immunizations; and

WHEREAS, the Shots for Tots Regional Coalition has joined with the Sacramento County Department of Health Services and the County Health Officer to improve immunization levels in county two-year-old children through the Immunization Action Plan; and

WHEREAS, in support of this effort, First Lady Sharon Davis, Assemblymember Darrell Steinberg, and Senator Deirdre Alpert will be taking part in the April 21st state-wide event, which is coordinated through the California Coalition for Childhood Immunization to celebrate *National Infant Immunization Week* and the month of May 1999 as *Toddler Immunization Month*.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Sacramento that we do hereby designate the week of April 18-24, 1999 as *National Infant Immunization Week* and the month of May 1999 as *Toddler Immunization Month* in the City of Sacramento, and further encourage all parents to have their children timely immunized against childhood diseases.

ISSUED: This 20th Day of April 1999.

JOE SERNA, JR., MAYOR

HEATHER FARGO, DISTRICT ONE

ROBERT KERTH, DISTRICT TWO

STEVE COHN, DISTRICT THREE

JIMMIE R. YEE, DISTRICT FOUR

LAUREN R. HAMMOND, DISTRICT FIVE

DAVE JONES, DISTRICT SIX

ROBBIE WATERS, DISTRICT SEVEN

BONNIE J. PANNELL, DISTRICT EIGHT

VALERIE BURROWES, CITY CLERK