



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2671  
www. CityofSacramento.org

CONSENT  
September 19, 2006

Honorable Mayor and  
Members of the City Council

**Title: Approval of Time Extension for Resolution No. 2003-682**

**Location/Council District:** North "B" Street between 17th Street and 18th Street, "A" Street between 16th Street and 18th Street, 18th Street between North "B" Street and "B" Street, and the alleys bounded by North "B" Street, "A" Street, 16th Street and 18th Street within Council District 1 (see Attachment 2, Page 4).

**Recommendation:** Adopt the a **Resolution** extending the time for The California Almond Growers Exchange to complete the conditions of vacation(abandonment) required by Resolution No. 2003-682 to September 30, 2007.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918;  
Thomas Adams, Engineering Technician, (916) 808-7929

**Presenters:** Not Applicable

**Department:** Development Services

**Division:** Development Engineering

**Organization No:** 4881

### Description/Analysis

**Issue:** The California Almond Growers Exchange requests that the City extend the time to complete the conditions of vacation required by Resolution No. 2003-682(See Attachment 3, Page 5) to September 30, 2007.

A summary of the project's history is included in Attachment 1, Page 3.

**Policy Considerations:** The Council action recommended in this report supports the City Strategic Plan goal to "promote and support economic vitality."

**Committee/Commission Action:** None

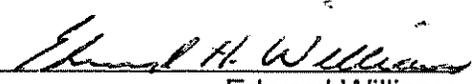
**Environmental Considerations:** None

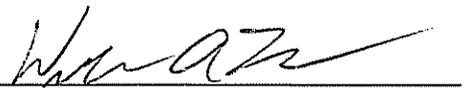
**Rationale for Recommendation:** Resolution No. 2003-682 provides the applicant an opportunity to request a time extension to complete and fulfill all conditions of said Resolution prior to expiration.



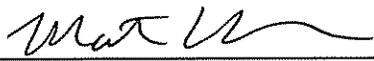
**Financial Considerations:** The applicant is responsible for all fees required to process the time extension application and there is no cost to the City.

**Emerging Small Business Development (ESBD):** None

Respectfully Submitted by:   
Edward Williams  
Manager, Development Engineering

Respectfully Submitted by:   
William Thomas  
Director of Development Services Department

Recommendation Approved:

  
RAY KERRIDGE  
City Manager

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## **Background**

### **Extension of Time to Complete Vacation (Abandonment) of Resolution No. 2003-682**

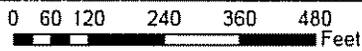
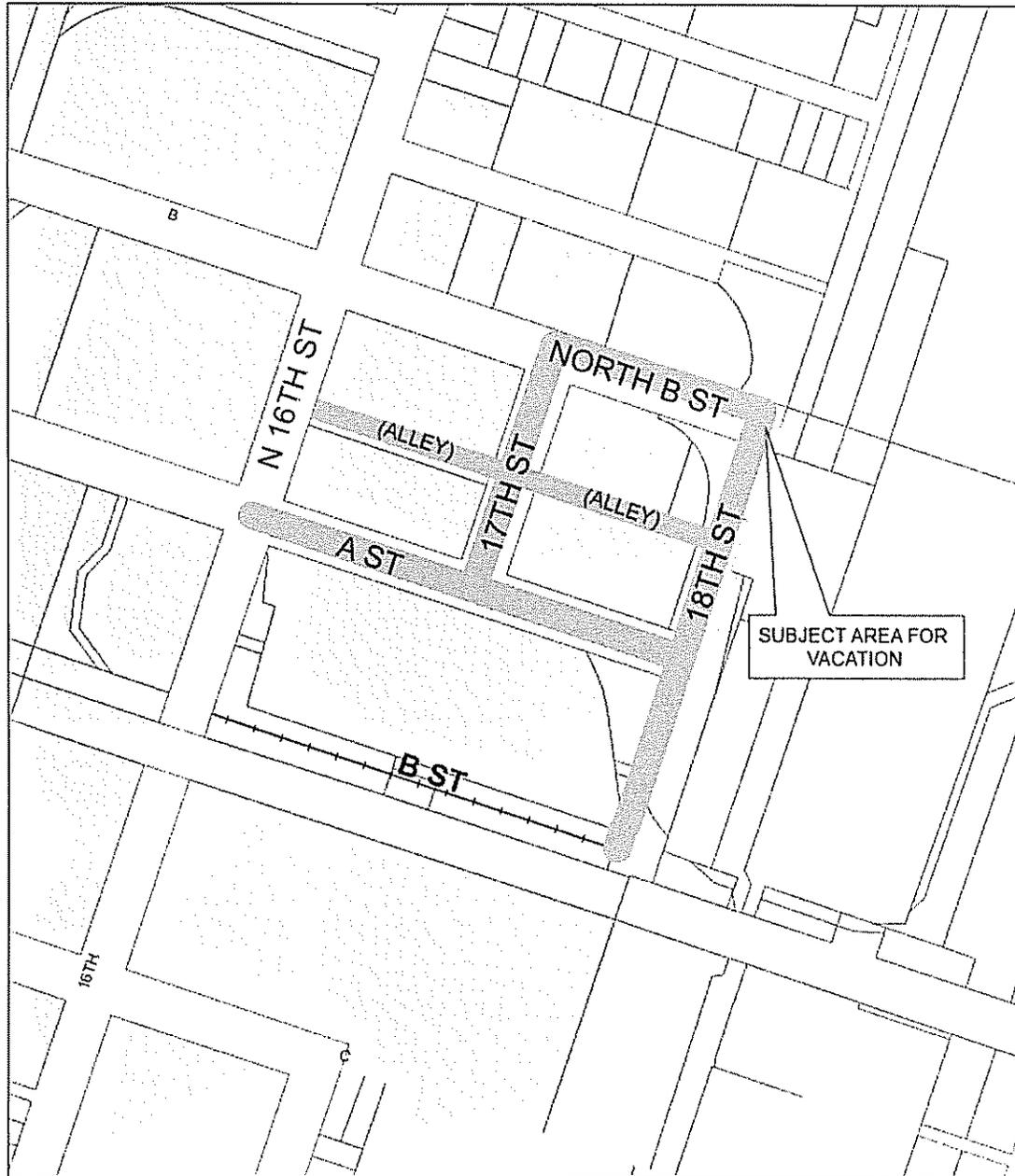
In July 2002, The California Almond Growers Exchange requested that the City vacate North "B" Street between 17th Street and 18th Street, "A" Street between 16th Street and 18th Street, 18th Street between North "B" Street and "B" Street, and the alleys bounded by North "B" Street, "A" Street, 16th Street and 18th Street to provide their business a secure operation and secure parking for their employees and customers. On September 30, 2003, the City Council adopted Resolution 2003-682 vacating the said streets and alleys. This resolution contains several conditions of vacation that The California Almond Growers Exchange must complete within two years of the adoption of the said resolution. The Resolution also states that the Resolution of vacation will become void if satisfactory proof of the conditions have not been completed in the specified two-year period. (Attachment 3)

Prior to the expiration date The California Almond Growers Exchange notified the City that they would be unable to complete all the conditions of vacation by September 30, 2005. Therefore they requested that the City grant a one-year extension of Resolution No. 2003-682 in order to complete the conditions of vacation. On September 27, 2005 the City Council adopted Resolution No. 2005-702 extending the time to complete the conditions required by Resolution 2003-678 from September 30, 2005 to September 30, 2006. (Attachment 4)

The California Almond Growers Exchange requests an additional one year extension to finalize and show proof that all required conditions in paragraph 4 of Resolution No. 2003-682 have been completed.

Staff reviewed the request and recommends granting the one-year extension for Resolution No. 2003-682.

**ATTACHMENT 2**



VACATION PROCEEDING VP06-09  
Portion of North "B" Street between 17th Street and 18th Street.  
Portion of "A" Street between 16th Street and 18th Street,  
Portion of 18th Street between North "B" Street and "A" Street  
And the Alleys Bounded by North "B" Street, "A" Street,  
16th Street and 18th Street



**Attachment 3**

**RESOLUTION NO. 2003-682**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF SEP 30 2003

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE REGULAR ABANDONMENT OF NORTH "B" STREET BETWEEN 17<sup>TH</sup> STREET AND 18<sup>TH</sup> STREET, "A" STREET BETWEEN 16<sup>TH</sup> STREET AND 18<sup>TH</sup> STREET, 18<sup>TH</sup> STREET BETWEEN NORTH "B" STREET AND "B" STREET, AND THE ALLEYS BOUNDED BY NORTH "B" STREET, "A" STREET, 16<sup>TH</sup> STREET AND 18<sup>TH</sup> STREET WITHIN COUNCIL DISTRICT 1**

**ABANDONMENT PROCEEDING NO. AP02-07**

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

- A. WHEREAS, the City received a request from the California Almond Growers Exchange to abandon the public road and alley easements within the City of Sacramento requesting the City Council to consider the abandonment of the subject public road and alley easements; and
- B. WHEREAS, the City Council would consider the abandonment in compliance with the City Guidelines for Street Closures, City Resolution No. 96-176 and the State of California, Streets and Highways Code, Section 8300-8325, and
- C. WHEREAS, the City Planning Commission 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; and

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

- 1. The North "B" Street between 17<sup>th</sup> Street and 18<sup>th</sup> Street, "A" Street between 16<sup>th</sup> Street and 18<sup>th</sup> Street, 18th Street between North "B" Street and "B" Street and the alleys bounded by North "B" Street, "A" Street, 16<sup>th</sup> Street and 18<sup>th</sup> Street, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto, is hereby ordered abandoned subject to the conditions specified in this resolution.

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2003-682

DATE ADOPTED: SEP 30 2003

Reserving however, a public service easement (as defined in Section 8306 and 8340 of the California Streets and Highways Code) and right at any time, or from time to time to construct, maintain, operate, replace, remove, or renew any public service facilities in, upon, or over and across that North "B" Street between 17<sup>th</sup> Street and 18<sup>th</sup> Street, "A" Street between 16<sup>th</sup> Street and 18<sup>th</sup> Street, 18<sup>th</sup> Street between North "B" Street and "B" Street, and the alleys bounded by North "B" Street, "A" Street, 16<sup>th</sup> Street and 18<sup>th</sup> Street to be abandoned, specifically described in Exhibit "A" and shown in Exhibit "B" attached hereto.

A map or plan of the regular abandonment is attached as Exhibit "B" and is on file with the Department of Public Works, Development Services Division, located at 1231 I Street, Room 200

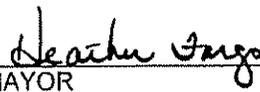
- 2. The City Council hereby finds that said abandonment has been submitted to and reported on by the City Planning Commission as to conformity with the City General Plan. The Council, pursuant to the State of California, Streets and Highways Code, Section 8300-8325 has considered this abandonment in connection with the General and Community Plans and finds the abandonment is consistent.
- 3. The City Council approves the access to the Capital Machine and Welding Works property provided through the private access easement between California Almond Growers Exchange and Capital Machine and Welding Works as depicted and shown on Exhibit "C"
- 4. This Abandonment is subject to the following conditions:
  - a. The applicant shall construct the following public improvements to the satisfaction of the Department of Public Works:
    - i. Construct curb, gutter and sidewalk along 16<sup>th</sup> Street at "A" Street and at the alley to be abandoned to match the existing improvements. Provide appropriate landscaping.
    - ii. Terminate North "B" Street with a cul-de-sac and dedicate additional right of way, if necessary. Provide appropriate lighting and underground utilities
    - iii. Terminate Thornton Street with an appropriate striped turn-around area and if necessary, dedicate additional right of way to the satisfaction of Department of Public Works and the Fire Department.
    - iv. Any new sidewalk, driveway or access ramp constructed with this abandonment shall conform with Americans with Disabilities Act (ADA) requirements in all respects

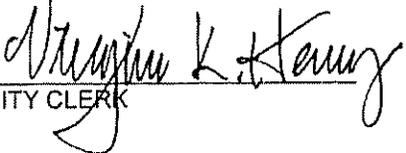
FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2003-682

DATE ADOPTED: SEP 30 2003

- b. The applicant shall provide for, and construct the re-alignment of the existing bike trail to the satisfaction of the City's Alternate Mode Coordinator. This shall include but is not limited to the dedication of a 16' bike trail easement and the installation of appropriate safety devices.
  - c. The applicant shall provide proof of reciprocal ingress, egress and maneuvering easement/agreement between the California Almond Growers Exchange and the Capital Machine and Welding Works to the satisfaction of Department of Public Works. As required by the City Code Section 17.68.030C the private street access must be approved by the City Council and such approval shall be contained within the abandonment resolution.
  - d. As required by City Agreement 96-027, Section 302 the applicant shall provide a irrevocable offer of dedication in a form satisfactory to the City Attorney that dedicates to City that area of real property adjacent to the American River specified therein, and referred to therein as the "Parkland Property" and slope easement.
  - e. As required by the City agreement 96-027, Section 401 3c the applicant shall provide an Irrevocable Offer of Dedication in a form satisfactory to the City Attorney that will reconvey, in fee or easement as determined by the City, the interests in the street segments that are the subject of this abandonment free of any encumbrances (other than encumbrances approved by the City) or contamination.
5. All conditions specified in paragraph 4 of this resolution must be completed within two years of the date of this resolution. If all the conditions are not completed within the two years specified, this resolution approving the abandonment shall become void, unless the City Council grants a time extension.
- 6 The City Clerk shall cause a certified copy of this resolution, attested by the City Clerk under seal, to be recorded. The abandonment shall be effective when the City Clerk records this resolution with the County Recorder.

  
 \_\_\_\_\_  
 MAYOR

ATTEST:  
  
 \_\_\_\_\_  
 CITY CLERK

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2003-682

DATE ADOPTED: SEP 30 2006

**Attachment 4**

**RESOLUTION NO. 2005-702**

Adopted by the Sacramento City Council

September 27, 2005

**APPROVING THE TIME EXTENSION FOR RESOLUTION NO. 2003-682,  
RESOLUTION APPROVING THE REGULAR ABANDONMENT OF NORTH "B"  
STREET BETWEEN 17<sup>TH</sup> STREET AND 18<sup>TH</sup> STREET, "A" STREET BETWEEN 16<sup>TH</sup>  
STREET AND 18<sup>TH</sup> STREET, 18<sup>TH</sup> STREET BETWEEN NORTH "B" STREET AND  
"B" STREET, AND THE ALLEYS BOUNDED BY NORTH "B" STREET, "A"  
STREET, 16<sup>TH</sup> STREET AND 18<sup>TH</sup> STREET WITHIN COUNCIL DISTRICT 1  
VACATION PROCEEDING NO. VP05-14**

**BACKGROUND**

- A. With the adoption of Resolution No. 2003-682 on September 30, 2003, the abandonment of North "B" Street between 17th Street and 18th Street, "A" Street between 16th Street and 18th Street, 18th Street between North "B" Street and "B" Street, and the alleys bounded by North "B" Street, "A" Street, 16th Street and 18th Street within Council District 1, the City Council may grant a time extension for the completion of conditions of vacation specified in the said resolution of vacation.
- B. Resolution No. 2003-682 states that the resolution of vacation shall become void if the conditions of vacation are not completed in the specified two-year period, which will expire on September 30, 2005, unless a time extension is granted by City Council

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1 The time extension for completing the conditions of vacation required by Resolution No. 2003-682 is hereby granted and will expire on September 30, 2006

Adopted by the City of Sacramento City Council on September 27, 2005 by the following vote:

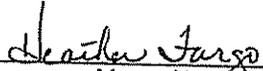
Ayes: Councilmembers Cohn, Hammond, McCarty, Sheedy, Tretheway, Waters and Mayor Fargo

Noes: None

Abstain: None

Resolution 2005-702 September 27, 2005

Absent: Councilmember Fong and Pannell

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**APPROVING THE TIME EXTENSION FOR RESOLUTION NO. 2003-682, WITHIN  
COUNCIL DISTRICT 1  
VACATION PROCEEDING NO. VP06-09**

**BACKGROUND**

- A. With the adoption of Resolution No. 2003-682 on September 30, 2003, the abandonment of North "B" Street between 17th Street and 18th Street, "A" Street between 16th Street and 18th Street, 18th Street between North "B" Street and "B" Street, and the alleys bounded by North "B" Street, "A" Street, 16th Street and 18th Street within Council District 1, the City Council may grant a time extension for the completion of conditions of vacation specified in the said resolution of vacation.
- B. On September 27, 2005, the City Council adopted Resolution No. 2005-702 extending the time to complete the conditions required by Resolution No. 2003-682 for one year. All conditions were to be completed by September 30, 2006.
- C. The California Almond Growers Exchange requests an additional one year extension to complete the conditions of abandonment stated in Resolution No. 2003-682.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL  
RESOLVES AS FOLLOWS:**

- Section 1. The time extension for completing the conditions of vacation required by Resolution No. 2003-682 is hereby extended from September 30, 2006 to September 30, 2007.

