

RESOLUTION NO. 18-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A 100 FOOT EASEMENT BETWEEN 30TH STREET AND GOULD AVENUE, SETTING A PUBLIC HEARING, AND DIRECTING NOTICE TO BE POSTED AND PUBLISHED

The City Council of the City of Hermosa Beach does hereby find, order, and resolve as follows:

SECTION 1. Recitals.

- A. The City of Hermosa Beach has the authority to initiate vacation proceedings pursuant to California Streets and Highways Code section 8300 *et seq.*
- B. The City Council hereby desires to declare its intention to vacate a portion of a public service easement located in an alley between 30th Street and Gould Avenue.
- C. The vacation proceeding shall be conducted in accordance with the procedures contained in Division 9, Part 3, Chapter 3 of the Streets and Highway Code (Sections 8300 *et seq.*)

SECTION 2. Background.

An easement for public service utilities was dedicated to the City on December 22, 1952 in the alley between 30th Street and Gould Avenue. On March 3, 2016, Skechers submitted an application for vacation of the easement, attached as Exhibit "A" to the Staff Report dated August 28, 2018. On January 31, 2018, the Planning Commission for the City of Hermosa Beach considered the proposed vacation pursuant to Government Code section 65402 and found that the vacation conforms with the City's General Plan.

SECTION 3. Area To Be Vacated.

The location map and legal description of the area to be vacated is attached as "Exhibit B" to the City's Staff Report dated August 28, 2018. A full legal description and plat map that shows the area to be vacated will be submitted prior to the public hearing. Both the legal description and plat map documents shall be on file in the office of the City Clerk located at 1315 Valley Drive, Hermosa Beach, CA 90254.

SECTION 4. Scheduling of Public Hearing.

The City Council hereby declares its intention to vacate the public service easement located in an alley between 30th Street and Gould Avenue and directs that the required public hearing for these vacation proceedings be scheduled for the Council's regularly scheduled meeting on September 25, 2018, at 7:00 P.M. or as soon thereafter as the matter can be heard in the Council Chamber of the City of Hermosa Beach located at 1315 Valley Drive, Hermosa Beach, CA 90254.

At this hearing, all interested persons may introduce testimony and evidence pertaining to the proposed vacation. At the conclusion of the hearing, the City Council shall determine, from all evidence submitted, whether the public easement is unnecessary for present or prospective public use, and that the abandonment is in the public interest.

SECTION 5. Environmental Impact.

An Environmental Impact Report ("EIR") was prepared by Skechers to meet all of the substantive and procedural requirements of the California Environmental Quality Act ("CEQA"). The EIR submitted by Skechers evaluated the entire proposed project, which included this proposed alleyway vacation. The EIR did not identify any significant environmental effects regarding the use of the alleyway. The City Council finds that the EIR sufficiently evaluated the entire proposed project and the use of the alleyway to be vacated will not violate CEQA.

SECTION 6. Certification.

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 7. Notice and Publication.

The City Clerk shall publish and post notice of the above hearing in accordance with the provisions of Streets and Highways Code sections 8320 *et seq.*

Resolution No. _____

PASSED, APPROVED, and ADOPTED this ____ day of ____, 2018.

President of the City Council and Mayor of the City of Hermosa Beach, California

ATTEST:

CITY CLERK
(seal)