



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DONALD L. WOLFE, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: PD-6

May 29, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**COUNTY CONSENT TO CITY OF PALMDALE
ACQUISITION OF PROPERTY AT AVENUE Q AND 10TH STREET EAST
FOR ROADWAY IMPROVEMENT PURPOSES
CITY OF PALMDALE
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Adopt the enclosed Resolution approved as to form by County Counsel consenting to the City of Palmdale's acquisition of property adjacent to Avenue Q and 10th Street East within the unincorporated County area for roadway improvement purposes and consenting to portions of Avenue Q and 10th Street East becoming City streets.
3. Authorize the quitclaim of easement to the City of Palmdale for \$2,500.
4. Instruct the Chairman of the Board to sign the Quitclaim Deed upon presentation by Public Works and authorize delivery to the City.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the County of Los Angeles to consent to the City's acquisition of property outside its City boundaries, enable the County to quitclaim its existing easements to the City, and provide for portions of Avenue Q and 10th Street East to become City streets.

The City of Palmdale proposes to widen, install traffic signals, and improve portions of Avenue Q and 10th Street East. It is necessary for the City to acquire property adjacent to Avenue Q and 10th Street East, which is outside the City and within the unincorporated County area. California Streets and Highway Code Section 1810 requires the County to consent to the acquisition of these properties by the City. In addition, the City of Palmdale requests that portions of Avenue Q and 10th Street East become City streets, which requires the County to relinquish control of the existing portions of Avenue Q and 10th Street East within the unincorporated County area to the City of Palmdale.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Service Excellence, as it provides for a cooperative effort between the County and the City to enable the City to improve an arterial street of regional significance, for the benefit of the motoring public.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund. The \$2,500 received from the City of Palmdale for the road easement will be deposited in the Road Fund in Fiscal Year 2007-08. Also, the quitclaim of easement will eliminate the need for the County to maintain portions of Avenue Q and 10th Street East and reduce the County's expenses and liability.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Resolution, which has been approved as to form by County Counsel, provides for the City of Palmdale to acquire property outside its City boundaries within the unincorporated County area for road purposes on Avenue Q and 10th Street East. The Resolution also provides for portions of Avenue Q and 10th Street East to become City streets for the purposes of widening, grading, and construction and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

Furthermore, the Resolution provides that effective on the date of approval, all expenses necessary for the administration, operation, maintenance, repairs, replacement, and all other items necessary for proper operation and maintenance of existing street lights located within the unincorporated County portions of Avenue Q and 10th Street East shall become the responsibility of the City of Palmdale.

The Quitclaim Deed will be approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

On January 19, 2006, the City of Palmdale prepared a Notice of Exemption citing Section 15303 of the State CEQA guidelines, in accordance with the requirements of the CEQA.

Under the CEQA, the County is a responsible agency whose discretionary approval of the project is required in order for the City to carry out the project. The recommended findings are in accordance with CEQA and are required prior to your Board's adoption of the enclosed Resolution.

The proposed project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301 and 15303 of the State CEQA guidelines and Class 1(x) of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County has no projects programmed on this section of Avenue Q and 10th Street East. The City will now be responsible for all necessary acquisitions, improvements, and maintenance. No impact on current services or projects will result from this action.

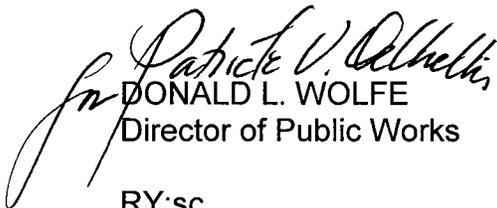
CONCLUSION

This action is in the County's interest. Public Works will present an original and duplicate of the Quitclaim Deed for execution by the Chairman of the Board at a future date.

The Honorable Board of Supervisors
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Enclosed are two copies of the Resolution. Upon approval by your Board, please return one adopted copy of this letter together with two certified copies of the Resolution to us for further processing.

Respectfully submitted,


DONALD L. WOLFE
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES CONSENTING TO THE ACQUISITION BY THE
CITY OF PALMDALE OF RIGHT OF WAY, WHICH IS LOCATED
OUTSIDE ITS BOUNDARIES AND WITHIN THE UNINCORPORATED
AREA OF THE COUNTY OF LOS ANGELES FOR THE PURPOSE OF
IMPROVING AVENUE Q AND 10TH STREET EAST
(TRAFFIC SIGNAL PROJECT 510)**

WHEREAS, the City of Palmdale proposes to widen, install traffic signals and improve portions of Avenue Q and 10th Street East under their Traffic Signal Project 510; and

WHEREAS, it is necessary for the City of Palmdale to acquire right of way at the north west corner of Avenue Q and 10th Street East within the area generally described on the attached Exhibit 1 for the purposes of widening, installing traffic signals, and improving existing portions of Avenue Q and 10th Street East within the City; and

WHEREAS, portions of the right of way to be acquired for the improvement of Avenue Q and 10th Street East are within the unincorporated area of the County of Los Angeles; and

WHEREAS, pursuant to Section 1810 of the California Streets and Highways Code, a city may acquire property in unincorporated areas of the County in which the city is located provided that the acquired property is necessary to widen or connect existing streets of the acquiring city and the County consents to the acquisition; and

WHEREAS, California Streets and Highways Code Section 1810 also provides that the property acquired pursuant to this Section shall be deemed a city street for all purposes; and

WHEREAS, the City of Palmdale desires that portions of Avenue Q and 10th Street East become city streets, which requires the County of Los Angeles to quitclaim its easements and relinquish control of the existing portions of Avenue Q and 10th Street East within the unincorporated area of the County of Los Angeles to the City of Palmdale.

WHEREAS, the City of Palmdale did, on March 21, 2007, pass, approve, and adopt a Resolution, attached as Exhibit 2, requesting the County of Los Angeles to consent to the City of Palmdale's acquisition of property lying within the unincorporated areas of the County of Los Angeles for the purpose of widening, installing traffic signals, and improving Avenue Q and 10th Street East, existing city streets; and resolving that the property acquired pursuant to the resolution shall be city streets for all purposes and requesting the County of Los Angeles to quitclaim its easements and relinquish control to the City of Palmdale, those existing portions of Avenue Q and 10th Street East in the unincorporated

area of the County of Los Angeles within the area of land, which is generally described in Exhibit 3 for the purpose of widening, installing traffic signals, and improving Avenue Q and 10th Street East, which are existing city streets of the City of Palmdale; those portions of Avenue Q and 10th Street East becoming city streets for all purposes to include, but not limited to, grading, construction and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

NOW, THEREFORE, the Board of Supervisors of the County of Los Angeles does hereby resolve as follows:

Section 1. Subject to the terms and conditions set forth herein, the County of Los Angeles consents, pursuant to Section 1810 of the California Streets and Highways Code, to the acquisition by the City of Palmdale of rights of way within unincorporated territory of the County of Los Angeles, within an area generally described on Exhibit 1, required to widen, install traffic signals, and improve Avenue Q and 10th Street East, existing City streets of the City of Palmdale.

Section 2. – Pursuant to Section 1810 of the California Streets and Highways Code, all rights of way within the unincorporated territory of the County of Los Angeles, including fee title, slope easements, drainage easements, and any and all other property rights necessary for the construction, maintenance, and operation of the road, acquired by the City of Palmdale, for the purposes stated herein shall become city streets for all purposes.

Section 3. – The County of Los Angeles consents to quitclaim its easements and relinquish control to the City of Palmdale for \$2,500, those existing portions of Avenue Q and 10th Street East in the unincorporated area of the County of Los Angeles within the area of land, which is generally described in Exhibit 3 for all purposes to include, but not limited to, grading, construction and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

Section 4. – Effective the date of approval of this Resolution, all expenses necessary for the administration, operation, maintenance, repairs, replacement, and all other items necessary for proper operation and maintenance of existing street lights located within the unincorporated portions of the Avenue Q and 10th Street East shall become the responsibility of the City of Palmdale.

Section 5. – The City of Palmdale shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any liability imposed for injury occurring by reason of any acts or omissions on the part of City in connection with any work performed on Avenue Q and 10th Street East for the purpose of widening, installing traffic signals, and improving the existing city streets of the City of Palmdale.

Section 6. – If any provision of this Resolution is held or declared to be invalid, the Resolution shall be void and the consent granted hereunder shall lapse.

The foregoing Resolution was on the ____ day of _____, 2007, adopted by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors
of the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By  _____
Deputy

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