



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

September 25, 2018

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

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

2 September 25, 2018

CELIA ZAVALA
EXECUTIVE OFFICER

**PUBLIC HEARING
TRANSPORTATION AND WATER RESOURCES CORE SERVICE AREAS
RESOLUTION TO VACATE ROAD AND SEWER EASEMENTS ON
A PORTION OF BANDERA AVENUE SOUTH OF 118TH STREET
AND QUITCLAIM OF EASEMENT FROM THE
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO THE
COMMUNITY DEVELOPMENT COMMISSION OF LOS ANGELES COUNTY
IN THE UNINCORPORATED COMMUNITY OF WILLOWBROOK
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to vacate the road and sewer easements on a portion of Bandera Avenue south of 118th Street and quitclaim an easement from the Los Angeles County Flood Control District to the Community Development Commission of the County of Los Angeles in the unincorporated community of Willowbrook.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE COUNTY OF LOS ANGELES AND AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

AFTER THE PUBLIC HEARING:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.

2. Find that a portion of Bandera Avenue proposed to be vacated, south of 118th Street in the unincorporated community of Willowbrook, is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. Find that public convenience and necessity require the reservation and exception of easements and rights of way for maintenance, operation, replacement, removal, and renewal of utility facilities located within a portion of Bandera Avenue south of 118th Street, in the unincorporated community of Willowbrook, owned by Pacific Bell Telephone Company (d.b.a. AT&T California), Southern California Gas Company, and Southern California Edison Company, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.
4. Adopt the Resolution to Vacate a Portion of Bandera Avenue South of 118th Street with Reservations (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.
5. Find that the easement for sanitary sewer purposes on Bandera Avenue south of 118th Street, in the unincorporated community of Willowbrook, is no longer required for public use and that it may, therefore, be vacated pursuant to California Health and Safety Code Section 5400.
6. Find that the easement for sanitary sewer purposes on Bandera Avenue south of 118th Street, in the unincorporated community of Willowbrook, has been superseded by relocation and there are no other public facilities located within the easement and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.
7. Adopt the Resolution of Summary Vacation Sanitary Sewer Easement on Bandera Avenue South of 118th Street (Conditional), pursuant to Section 8335 of the California Streets and Highways Code.
8. Upon approval, authorize the Director of Public Works or his designee to record the certified original resolutions with the office of the Registrar Recorder/County Clerk of the County of Los Angeles.
9. Find that the easement for storm drain purposes affecting Glenn Avenue Drain System, Parcel No. 122EXE, is no longer required for purposes of the Los Angeles County Flood Control District. Approve the quitclaim of easement from the Los Angeles County Flood Control District to the Community Development Commission of the County of Los Angeles.
10. Delegate the authority to the Chief Engineer of the Los Angeles County Flood Control District or designee to sign the Quitclaim of Easement document and authorize delivery to the Community Development Commission of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA); allow the County of Los Angeles to vacate road and sewer easements in Bandera Avenue south of 118th Street (County Easements) since the County Easements are unnecessary for present or prospective public use and are not useful as nonmotorized transportation facilities; and obtain approval from the Board of Supervisors, acting as

the governing body of the Los Angeles County Flood Control District, to quitclaim an easement for storm drain purposes to the Community Development Commission (CDC) of the County of Los Angeles. In exchange for the quitclaim of easement, the CDC will grant the District and the County an ingress and egress easement for operation and maintenance of its existing facilities located on Bandera Avenue. These actions will allow for the construction of a 6-story mixed use building, encompassing the proposed vacation areas and adjoining lots.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provision of Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The recommended actions will result in added revenue through assessment and taxation and reduce the County's and District's exposure to potential liabilities.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The CDC is paying the cost to process the vacation. There will be no monetary consideration for the quitclaim of easement. The CDC will grant the District and the County an easement for ingress and egress through its property to allow easier access to maintain its facilities in exchange for the quitclaim of easement.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area of road easement to be vacated contains approximately 563 square feet. The area of the sanitary sewer easement to be vacated together with the area of the District easement to be quitclaimed to the CDC contains approximately 9,865 square feet. The area of the ingress and egress easement to be granted to the County contains approximately 4,860 square feet. All areas are shown in Enclosure A.

The County's interest in the road easement was acquired by dedication in South Gate Tract, recorded in Book 13, pages 14 and 15, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles. The County's interest in the sanitary sewer easement and the District's interest in the storm drain easement was acquired by reservation of easement in the Resolution to Vacate Bandera Avenue south of 118th Street, recorded on November 13, 2014, as Document No. 20141208566, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

Mr. Cody Snyder of LINC Housing, on behalf of the CDC of the County of Los Angeles, the current underlying property owner, requested the vacation and quitclaim to allow for the construction of a 6-story multiuse building with 100 affordable housing units with 50 one-bedroom apartments reserved for homeless households.

The portion of Bandera Avenue proposed to be vacated has been determined to be unnecessary for present or prospective public use as a highway and is not required for public access or transportation.

The procedure for the vacation of a County highway is set forth in Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code commencing with Section 8320.

Easement rights for existing utility facilities will be reserved for Pacific Bell Telephone Company (d.b.a. AT&T California), Southern California Gas Company, and Southern California Edison Company, pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

In addition, the proposed vacation is conditioned upon the requirement that the underlying property owner contact the Department of Public Works, Traffic & Lighting Division, and arrange for either the transfer of billing for the operation/maintenance costs of existing streetlights located within the proposed vacation area from the County to the property owner, or arrange for the removal of the streetlights and pay Southern California Edison Company for any removal costs.

The above condition must be met to the satisfaction of Public Works within 36 months from the date this resolution is adopted by the Board, or the vacation of the County Easements will terminate and become null and void.

The California Health and Safety Code, Section 5400, provides that the County Board of Supervisors may vacate an easement for sewage or drainage purposes whenever it determines the easement is no longer required for public use.

The proposed quitclaim is authorized by Section 2, subsection 13, of the Los Angeles County Flood Control Act. This section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body of corporate and politic, and has all the following powers...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the Board of Supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district, or may be leased for any purpose without interfering with the use of the same for the purpose of the district..."

The proposed vacations and quitclaim were reviewed by the County Sanitation Districts; Fire Department; and Departments of Parks and Recreation, Regional Planning, and Public Works. The proposed vacations and quitclaim were determined not useful as nonmotorized transportation facilities and meets the goals and objectives of the Countywide General Plan and underlying zoning.

The proposed vacation of sanitary sewer easement and quitclaim of flood control easement are conditioned upon the requirement that the underlying property owner grant an ingress and egress easement to the County and the District for operation and maintenance of sanitary sewer and flood control facilities, which must be paved to support an H-20 truck or heavier loading with driveway approach modification on Wilmington Avenue to allow for truck access. The above last-mentioned condition must be met to the satisfaction of Public Works within 36 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void.

The enclosed Resolution to Vacate a Portion of Bandera Avenue South of 118th Street with Reservations (Conditional), as shown in Enclosure B, and the Resolution of Summary Vacation Sanitary Sewer Easement on Bandera Avenue South of 118th Street (Conditional), as shown in Enclosure C, have been approved by County Counsel as to form and will be recorded upon the satisfaction of the conditions. The quitclaim will transfer District's interest in the flood control easement to the CDC. Adoption and subsequent recordation of the enclosed resolution to vacate

document will terminate the County's rights and interests in the easement and will result in the property being unencumbered by the easement and available to the property owner.

ENVIRONMENTAL DOCUMENTATION

The vacations and quitclaims of easements are categorically exempt from the provisions of CEQA, as specified in Sections 15305, 15312, and 15321 of the State CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, actions for the sale of surplus property, and actions to revoke entitlement for use, issued, and adopted by the regulatory agency, has been determined not to have a significant effect on the environment. The satisfaction of conditions requiring relocating access roads are categorically exempt as specified in Section 15301 of the CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will unencumber the property of the excess County Easements for the construction of a mixed-use 6-story building, which includes 100 affordable housing units with 50 of the units reserved for homeless households.

CONCLUSION

Public Works posted notices of the hearing in accordance with Section 8323 of the California Streets and Highways Code.

Please return one adopted copy of this letter and one original copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board of Supervisors' minute order. Retain one original resolution for your files.

The Honorable Board of Supervisors

9/25/2018

Page 6

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Pestrella".

MARK PESTRELLA

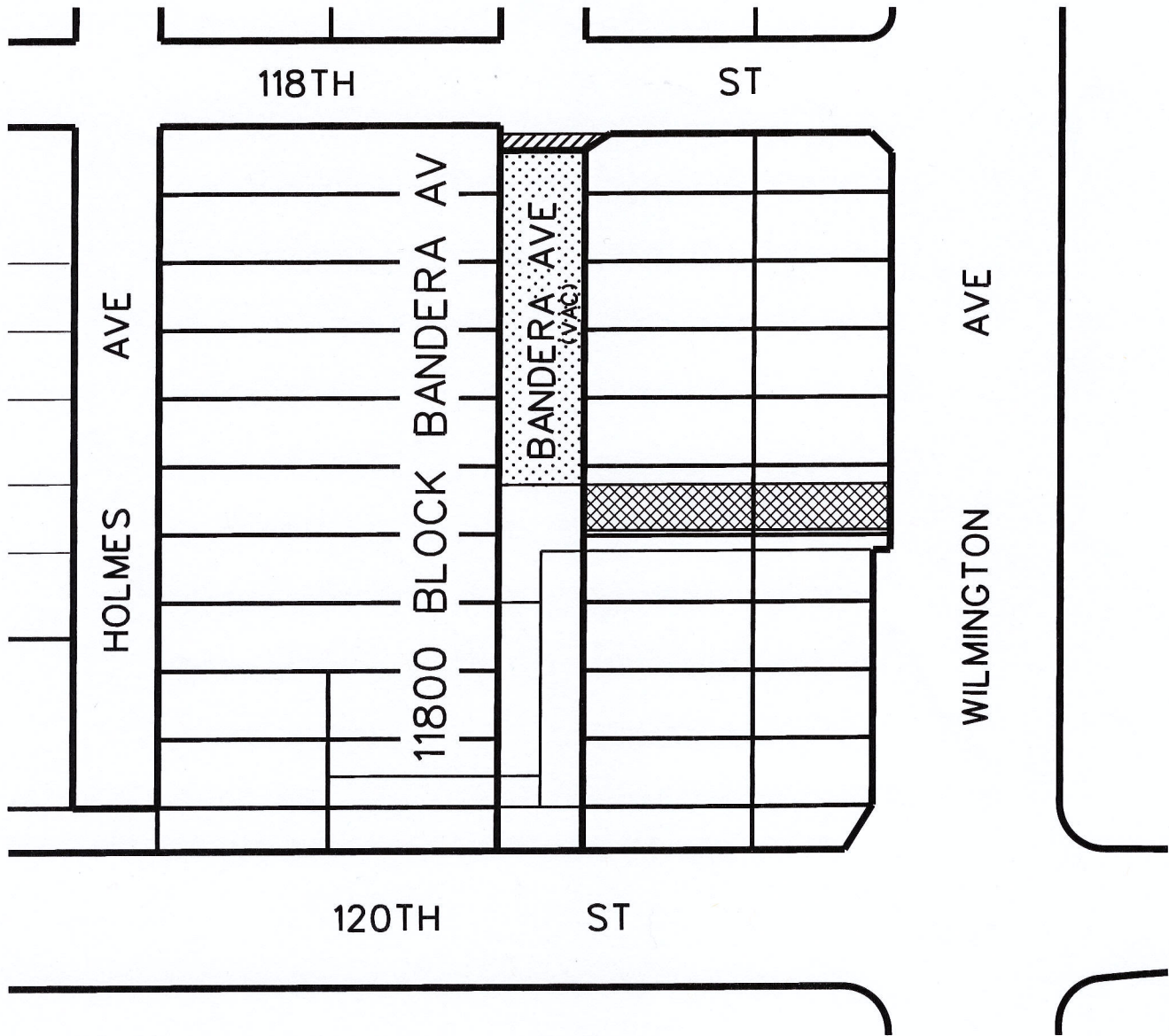
Director

MP:JTS:el

Enclosures

c: Auditor-Controller (Accounting Division–Asset
Management)
Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office

ENCLOSURE A



LEGEND



PROPOSED VACATION OF ROAD EASEMENT.
TOTAL AREA = 563± SQ.FT.



PROPOSED VACATION OF SEWER EASEMENT AND QUITCLAIM OF LACFCD EASEMENT.
TOTAL AREA = 9,865± SQ.FT.



INGRESS & EGRESS EASEMENT FOR COUNTY AND LACFCD.
TOTAL AREA = 4,860± SQ.FT.



LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

PROPOSED VACATION OF PORTION OF BANDERA AVENUE,
SANITARY SEWER EASEMENT, AND QUITCLAIM OF LACFCD
EASEMENT SOUTH OF 118TH STREET

PREPARED BY
R. AVANCENA

REVIEWED BY
L. CUEVAS

DATE
5-15-18

PROJECT NO.
SHEET 1 OF 1

ENCLOSURE B

**RESOLUTION TO VACATE
A PORTION OF BANDERA AVENUE SOUTH OF 118TH STREET
WITH RESERVATIONS
(CONDITIONAL)**

WHEREAS, the Board of Supervisors of the County of Los Angeles has conducted a noticed public hearing regarding the proposed vacation of a portion of Bandera Avenue south of 118th Street in the unincorporated community of Willowbrook in the County of Los Angeles, State of California, as legally described in Exhibit A and depicted on Exhibit B, both attached hereto, in accordance with Chapter 3, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8320, and has considered all evidence submitted at the hearing;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. That the above-described portion of Bandera Avenue is unnecessary for present or prospective public use, and is not useful as a nonmotorized transportation facility.
2. That the public convenience and necessity require the reservation and exception of easements and rights of way for maintenance, operation, replacement, removal, and renewal of utility facilities located within a portion of Bandera Avenue south of 118th Street, owned by Pacific Bell Telephone Company (dba AT&T California), Southern California Gas Company, and Southern California Edison Company, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.
3. That the above-described portion of Bandera Avenue is hereby conditionally vacated pursuant to Chapter 3, Part 3, Division 9, of the California Streets and Highways Code of the State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within a portion of Bandera Avenue south of 118th Street, owned by Pacific Bell Telephone Company (dba AT&T California), Southern California Gas Company, and Southern California Edison Company.
4. The proposed vacation is conditioned upon the requirement that the underlying property owner contact Traffic and Lighting Division of the Department of Public Works and arrange for either the transfer of billing for the operation/maintenance costs of existing streetlights located within the proposed vacation area from the County to the property owner or arrange for the removal of the streetlights and pay Southern California Edison Company for any removal costs. The above condition must be met to the

The foregoing resolution was on the 25TH day of SEPTEMBER, 2018, 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.



CELIA ZAVALA
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By *[Signature]*
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By *[Signature]*
Deputy

FOR JULIA WEISSMAN

RA:el

P:\MPPUB\ADMIN\ELISA\BRD LTRS\2018\092518 .BANDERA AVE RESOLUTION-ENC B

EXHIBIT A

Project name: Vacation of portion of Bandera Avenue
South of 118th Street
118th STREET 3-1VAC.1
A.M.B. 6149-017-Bandera Avenue
T.G. 704-G7
I.M. 084-197
R.D. 241
S.D. 2
LDPC12390

LEGAL DESCRIPTION

PARCEL NO. 3-1VAC.1 (Vacation of easement for public road and highway purposes):

Part A

That portion of Ruby Street (now known as Bandera Avenue), 50 feet wide, as shown on map of South Gate Tract, recorded in Book 13, pages 14 and 15, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, bounded northerly by a line parallel with and 5 feet southerly, measured at right angles, from the southerly sideline of Columbus Avenue (now known as 118th Street), 50 feet wide, as shown on said map, and bounded southerly by the northerly line of that certain parcel of land in said Bandera Avenue, described as PARCEL NO. 3-1VAC in Resolution to Vacate Bandera Avenue..., recorded on November 13, 2014, as Document No. 20141208566, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Part B

That portion of that certain parcel of land in Lot 80 and Lot 19 of said South Gate Tract, described as PARCEL NO. 5-4RE in Road Deed recorded on July 21, 2011, as Document No. 20110975362, of Official Records, in the office of said Registrar-Recorder/County Clerk, lying southerly of a line parallel with and 5 feet southerly, measured at right angles, from the southerly sideline of said 118th Street.

RESERVING easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities owned Pacific Bell Telephone Company (dba AT&T California), Southern California Gas Company, and Southern California Edison Company, in, on, over, and across the above-described portion of Bandera Avenue herein being vacated.

The reservations herein are being made in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

Total area of Parts A and B containing: 563± square feet.



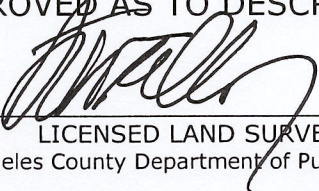
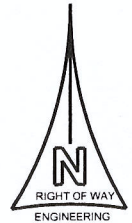
APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
	Los Angeles County Department of Public Works
Dated	JUNE 12, 2018

EXHIBIT B

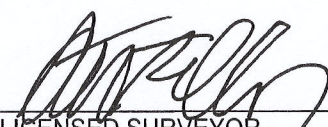


ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 704-G7
I.M. 084-197
S.D. 2
R.D. 241

VACATION OF PORTION OF BANDERA AVENUE
SOUTH OF 118TH STREET

BY  6/12/18
LICENSED SURVEYOR DATE

LEGEND



PROPOSED VACATION OF PUBLIC ROAD EASEMENT.
TOTAL AREA = 563 ± SQ.FT.

DATE
6-05-18

SCALE:
NONE

A.I.N.

6149-017-BANDERA AVENUE

PREPARED BY
R. AVANCENA

REVIEWED BY
L. CUEVAS

PROJECT I.D.
MPV0000194

PROJECT NO.
LDPC12390

ENCLOSURE C

**RESOLUTION OF SUMMARY VACATION
SANITARY SEWER EASEMENT ON BANDERA AVENUE
SOUTH OF 118TH STREET
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:


1. The County of Los Angeles is the holder of an easement for sanitary sewer purposes (hereinafter referred to as the Easement) in, over, and across the real property as legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement along Bandera Avenue south of 118th Street is located in the unincorporated community of the Willowbrook, in the County of Los Angeles, State of California.
2. The Easement is no longer required for public use.
3. The Easement has been superseded by relocation and there are no other public facilities located within the Easement.
4. The Easement is hereby vacated pursuant to Section 5400 of the California Health and Safety Code, and Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
5. The vacation is conditioned upon the underlying property owner granting an ingress and egress easement to the County for operation and maintenance of existing sanitary sewer facilities which must be paved to support an H-20 truck or heavier loading with driveway approach modification on Wilmington Avenue to allow for truck access. This condition must be met to the satisfaction of Public Works within 36 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void.
6. That upon the satisfaction of the above condition, the Director of Public Works or his designee is authorized to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.
7. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

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The foregoing resolution was on the 25TH day of SEPTEMBER, 2018, 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.

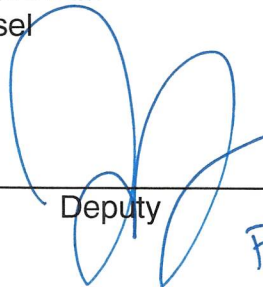


CELIA ZAVALA
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By 
Deputy

FOR JULIA WEISSMAN

RA:el
P:\MPPUB\ADMIN\ELISA\BRD LTRS\2018\092518 .BANDERA AVE RESOLUTION-ENC C

EXHIBIT A

Project name: Vacation of Sanitary Sewer Easement
In Bandera Avenue South of
118th Street
118th STREET 3-1VAC.2
A.I.N. 6149-017-959 (POR)
T.G. 704-G7
I.M. 084-197
R.D. 241
S.D. 2
LDPC12390

LEGAL DESCRIPTION

PARCEL NO. 3-1VAC.2 (Vacation of sanitary sewer easement):

That portion of Ruby Street (now known as Bandera Avenue), 50 feet wide, as shown on map of South Gate Tract, recorded in Book 13, pages 14 and 15, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as PARCEL NO. 3-1VAC in Resolution to Vacate Bandera Avenue..., recorded on November 13, 2014, as Document No. 20141208566, of Official Records, in the office of said Registrar-Recorder/County Clerk.

EXCEPTING therefrom that portion lying southerly of a line parallel with and 12 feet southerly, measured at right angles, from the northerly line of Lot 85 of above-mentioned South Gate Tract.

Total area containing: 9,865± square feet.

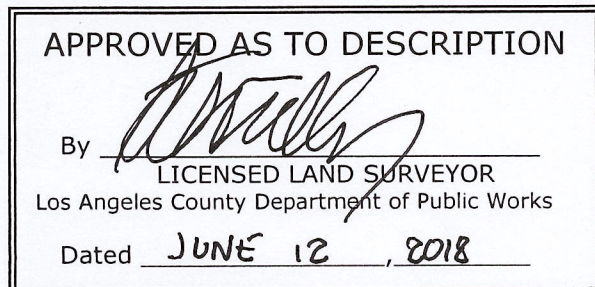
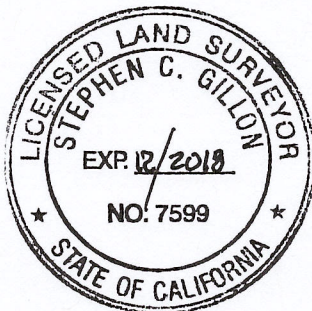
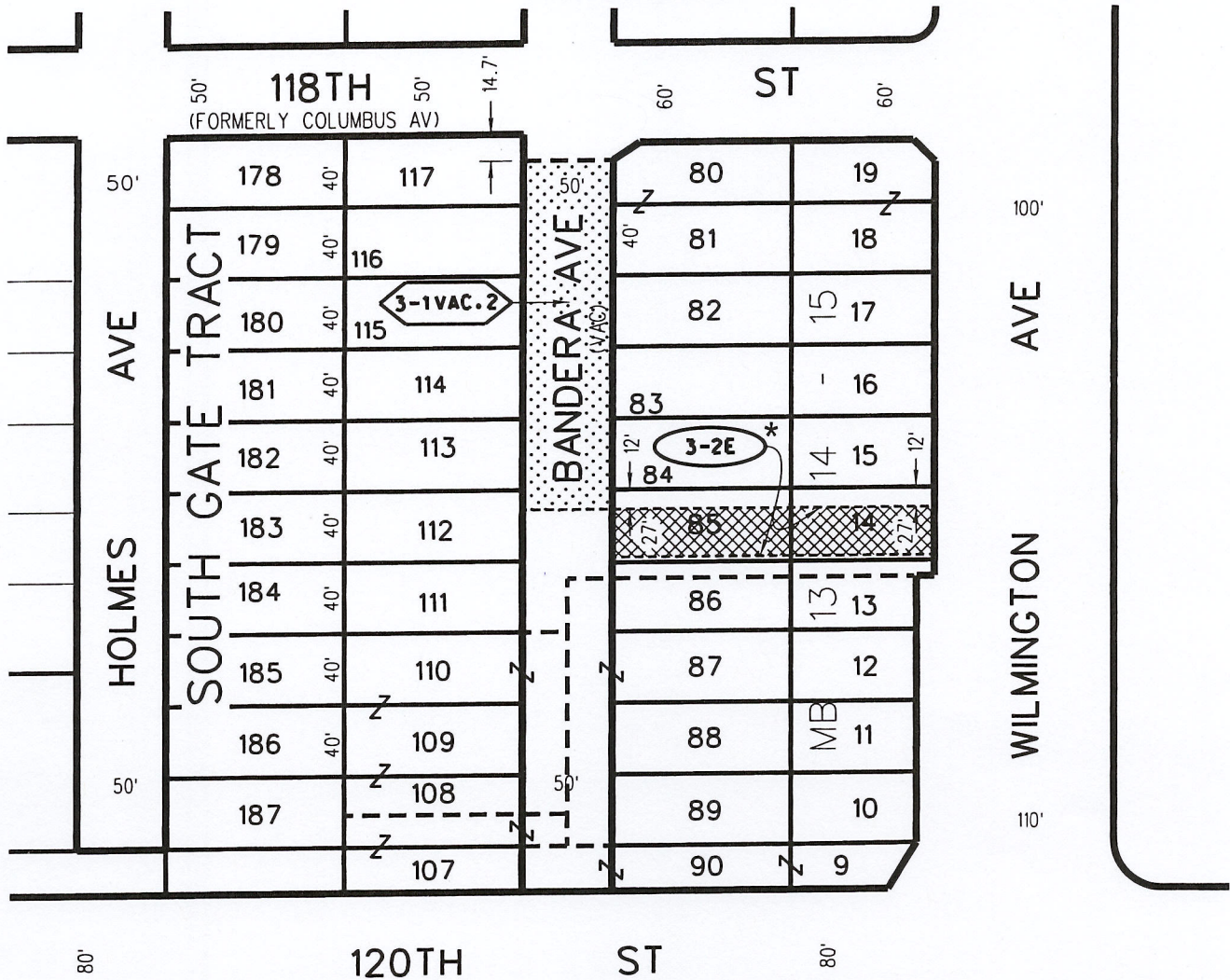




EXHIBIT B



BY *[Signature]* 6/12/18
LICENSED SURVEYOR DATE

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

LEGEND	
	PROPOSED VACATION OF SANITARY SEWER EASEMENT. TOTAL AREA = 9,865 ± SQ.FT.
	INGRESS & EGRESS EASEMENT TOTAL AREA = 4,860 ± SQ.FT.
*	DEDICATION OF INGRESS & EGRESS EASEMENT BY SEPARATE DOCUMENT.

T.G. 704-G7	VACATION OF SANITARY SEWER EASEMENT BANDERA AVENUE SOUTH OF 118TH STREET	
I.M. 084-197		
S.D. 2		
R.D. 241		
DATE 6-05-18	SCALE: NONE	A.I.N. 6149-017-959 (POR)
PREPARED BY R. AVANCENA	REVIEWED BY L. CUEVAS	PROJECT I.D. MPV0000194
		PROJECT NO. LDPC12390