

RESOLUTION NO. 2022-145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA ORDERING THE VACATION OF PORTIONS OF SANTA FE STREET AND MAGNOLIA STREET LOCATED NORTH OF GREVILLIA STREET, BETWEEN GAREY AVENUE AND PINE STREET, VACATION NO. V-319

WHEREAS, the City of Pomona Public Works Engineering Division is initiating the proceedings for the vacation of portions of Santa Fe Street and Magnolia Street located north of Grevillia Street, between Garey Avenue and Pine Street, as shown on Map of Townsite of Palomares, in the City of Pomona, County of Los Angeles, State of California, as per map recorded in Book 15, pages 71 and 72 of Miscellaneous Records in the Office of the County Recorder of Los Angeles, on behalf of the Metro Gold Line Foothill Extension Construction Authority, land owner; and

WHEREAS, pursuant to the California Streets and Highways Code Sections 8324, the following evidence is presented to allow the vacation of portions of Santa Fe Street and Magnolia Street located north of Grevillia Street, between Garey Avenue and Pine Street; and

WHEREAS, pursuant to the California Streets and highways Code Sections 8322-8323, notices of the Public Hearing on the proposed streets vacation were published on July 15 and July 22, 2022 in the Inland Valley Daily Bulletin, notices were posted at least two weeks before the hearing, and an affidavit was filed as required by law; and

WHEREAS, there were no protests, oral or written, to such vacation, or any such protests having been heard, have been overruled; and

WHEREAS, the subject streets vacation will facilitate the completion of a new parking lot for the future North Pomona “L” Line Station; and

WHEREAS, pursuant to Article 19, Section 15061(b)(3) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the Planning Commission determined that this project was exempt from further CEQA review and documentation. Section 15061(b)(3) exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the Planning Commission, on December 8, 2021, made findings and determined that the proposed streets vacation would not adversely affect the General Plan of the City and would be consistent with the following:

- General Plan Goal 6B.G15: Promote transit-oriented development (TOD) in the area around the North Pomona Metrolink Station.
- General Plan Goal 6B.G16: Improve access to the North Pomona Metrolink Station.

- General Plan Goal 6B.P14: Require development in the area around the station to provide streets and pedestrian connections that link the station to the surrounding district.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona as follows:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council finds, based on the evidence submitted, that the portions of Santa Fe Street and Magnolia Street located north of Grevillia Street, between Garey Avenue and Pine Street, are not useful for any present or prospective public street use.

SECTION 3. The City Council finds, pursuant to Streets and Highways Code Section 892 that the portions of Santa Fe Street and Magnolia Street located north of Grevillia Street, between Garey Avenue and Pine Street are not useful as a nonmotorized transportation facility.

SECTION 4. The City Council finds that the proposed streets vacation is consistent with the General Plan and that access to individual properties in the area will not be impaired.

SECTION 5. Pursuant to Article 19, Section 15061(b)(3) of the Guidelines for CEQA Implementation, the City Council determines that the proposed vacation is exempt from further CEQA review and documentation. Section 15061(b)(3) exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 6. That the City Council hereby orders the vacation of the portions of public streets further described by legal description and maps marked as EXHIBIT “A” and EXHIBIT “B”, excepting and reserving to the City of Pomona a general public utility easement to access, construct, operate, maintain and repair, including but not limited to an easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew sanitary sewers and storm drains and appurtenant structures in, upon, over, and across a street or highway proposed to be vacated and, pursuant to any existing franchise or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew, and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, railroad lines, and for the transportation or distribution of electric energy, petroleum and its products, ammonia, and water, and for incidental purposes, including access to protect these works from all hazards in, upon, and over the street/alley being vacated. EXHIBITS “A” and “B” are attached hereto and by reference made a part hereof.

SECTION 7. The proposed streets vacation is subject to the following conditions that the property owner is responsible to comply with:

1. A public utility easement shall be reserved over the entire public streets area proposed for vacation, as described in EXHIBIT “A”, and shown on EXHIBIT “B”, in compliance with the California Streets and Highways Code Sections 8340 and 8341

ATTACHMENT NO. 1

2. No buildings and/or permanent structures are allowed to be constructed within the aforementioned public utility easement.
3. Unrestricted access shall be provided to all public utilities that have requested easement rights, including, but not limited to: City of Pomona, Southern California Gas Company, Los Angeles County Sanitation Districts, Metropolitan Water District and Southern California Edison Company.

SECTION 8. The City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

PASSED, APPROVED AND ADOPTED this 1st day of August, 2022.

CITY OF POMONA:

Tim Sandoval
Mayor

APPROVED AS TO FORM:

Sonia Carvalho
City Attorney

ATTEST:

Rosalia A. Butler, MMC
City Clerk

I, HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of Pomona at a regular meeting thereof held on August 1st, 2022 by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Rosalia A. Butler, MMC
City Clerk