

Resolution No.

# STOCKTON CITY COUNCIL

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## **RESOLUTION SETTING A PUBLIC HEARING AND AUTHORIZING THE INTENT TO VACATE A PORTION OF MARKET, VAN BUREN, AND MONROE STREETS RIGHT-OF-WAY AND RESERVING A PUBLIC UTILITY EASEMENT**

Market, Van Buren, and Monroe Streets are located within the City of Stockton and fee title to the property is owned by the City of Stockton; and

Stockton Unified School District requested the City initiate a vacation to abandon streets located at Market, Van Buren, and Monroe Streets to build a new administrative complex; and

The City may perform this proposed public utility and access easement vacation as a summary vacation under Division 9, Part 3, section 8300, *et. seq.*, of the California Streets and Highway Code requiring the City Council to select a hearing date, adopt a resolution of intention to vacate, and perform the notification and advertising requirements; and

The proposed vacation of these streets located at Market, Van Buren, and Monroe Streets will reduce City costs since Stockton Unified School District will take control over the operation and maintenance of the roadways; and

The Public Works Department concurs with the vacation of a portion of the public utility easements located at Market, Van Buren, and Monroe Streets (Exhibits 1-2); now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:**

1. This City Council gives notice of intention to proceed under the provisions of California Streets and Highways Code section 8330, *et. seq.*, known as the Public Streets, Highways, and Service Easements Vacation Law, to vacate a portion of Market, Van Buren, and Monroe Streets, and reserving a public utility easement. Fee title to the property is vested in the City of Stockton.

2. On Tuesday, August 24, 2021, at the hour of 5:30 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber located in City Hall at 425 North El Dorado Street, in the City of Stockton, is hereby fixed as the date, time, and place set for public hearing, when and where all persons interested in or objecting to the proposed vacation of Market, Van Buren, and Monroe Streets, and reserving a public utility easement, in the City of Stockton, California, may appear and be heard and show cause, if any, why said vacation area should not be vacated.

3. Not less than three (3) notices of the proposed vacation shall be posted in conspicuous places along said portions of Market, Van Buren, and Monroe Streets, more particularly described in Exhibits 1-2, proposed to be vacated, not more than 300 feet apart and at least 14 days prior to the hearing date, pursuant to section 8323 of the California Streets and Highways Code.

4. A description of said portions of Market, Van Buren, and Monroe Streets proposed to be vacated and more particularly described in Exhibit 1-2, are on file in the Office of the City Clerk and reference to said description is hereby made for all purposes.

5. That the City Manager authorized to approve the filing of Notice of Exemption No. NOE21-21 under CEQA, a copy of which is attached as Exhibit 3 and incorporated by this reference.

6. In accordance with section 65402 of the Government Code, this project/activity has been determined to conform to the City's General Plan Policy Document, as amended.

7. The City Clerk is hereby authorized and directed to publish this resolution in *The Record*, a newspaper of general circulation in the City of Stockton; once each week for two successive weeks prior to the date of said hearing.

8. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, AND ADOPTED July 27, 2021.

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KEVIN J. LINCOLN II  
Mayor of the City of Stockton

ATTEST:

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ELIZA R. GARZA, CMC  
City Clerk of the City of Stockton