



Meeting Date: 06/14/11

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Paul J. Wendt

Agenda Item No. **I-14**

Reviewed By: City Manager *[Signature]* City Attorney *SMT* Finance *[Signature]* Other (Specify) _____

DATE: June 14, 2011

TO: City Council

FROM: Paul J. Wendt, Supervising Civil Engineer
Development Services Department

Paul J. Wendt

SUBJECT: Vacation of Bluefin Circle east of South Harbor Boulevard near the Channel Islands Harbor

RECOMMENDATION

That City Council adopts a resolution summarily vacating Bluefin Circle right-of-way east of South Harbor Boulevard near the Channel Islands Harbor.

DISCUSSION

The Ventura County Harbor Department has requested that the City of Oxnard vacate the right-of-way for Bluefin Circle to accommodate construction of a Boating Instruction and Safety Center (BISC) within the Channel Islands Harbor.

On December 16, 2003, the Ventura County Board of Supervisors approved construction of the BISC in the Channel Islands Harbor. This approval included certification of an associated Environmental Impact Report (EIR). The project was reviewed by City staff and found to be "consistent with the Oxnard Certified Local Coastal Plan and advances Coastal Act objectives." The California Coastal Commission approved (w/ modifications) Public Works Plan Amendment number 1-04 to the Channel Islands Harbor Public Works Plan on April 9, 2008, for construction of the BISC. The Coastal Commission's approval relied upon the Environmental Impact Report certified by the Ventura County Board of Supervisors. The project evaluated in the EIR did include construction within Bluefin Circle right-of-way, although the orientation of the building was altered during the final approval. The Coastal Commission modifications were accepted by the Board of Supervisors by resolution on May 20, 2008. The approved location of the BISC is within the existing Bluefin Circle right-of-way and would obstruct vehicular use of the right-of-way.

Bluefin Circle is a 750 foot long curved roadway located east of South Harbor Boulevard between Albacore Way and Barracuda Way. Bluefin Circle is a three segment roadway that has two connections to Harbor Boulevard approximately 350 feet apart. The right-of-way contains public utilities including electrical, gas, wastewater, and storm drain lines. The Harbor Department is coordinating with utility owners to relocate utilities that will be affected and provide new easements where determined necessary. The new location of utilities that will be affected and the extent of new easements will be finalized during preparation of construction plans. The attached resolution requires finalization of these details prior to recordation of the vacation documents.

The right-of-way for Bluefin Circle is entirely surrounded by property owned by the County of Ventura and it does not provide access to any other property owner. Details of the construction of the BISC project have been publicly aired for over a decade including multiple public meetings, public notices, and work sessions held throughout the project development, environmental review, and Coastal Commission review process. Businesses accessed from Bluefin Circle have a lease arrangement with the Harbor Department and are aware of the BISC project. Both the Channel Islands Harbor Lessees group and the Whale's Tail owner have been aware of the project for many years and have expressed support.

The resolution will summarily vacate the entire existing right-of-way for Bluefin Circle. The Harbor Department plans include construction of a cul-de-sac style access road to replace Bluefin Circle. There are ongoing discussions regarding whether this new roadway will be private or public.

The existing right-of-way for Bluefin Circle was dedicated to the City in an Easement deed recorded July 16, 1970, in Book 3691, Page 56 of Official Records, in the County of Ventura, State of California.

FINANCIAL IMPACT

There is no anticipated financial impact to the City budget.

(PJW)

Attachment #1 – Resolution vacating Bluefin Circle

City Council of the City of Oxnard

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
SUMMARILY VACATING BLUEFIN CIRCLE RIGHT-OF-WAY EASTERLY OF
SOUTH HARBOR BOULEVARD

WHEREAS, the City accepted the right-of-way for Bluefin Circle by way of an Easement deed recorded July 16, 1970 in Book 3691, Page 56 of Official Records, in the County of Ventura, State of California; and

WHEREAS, Bluefin Circle lies entirely within property under one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, this vacation is not effective until all existing in-place public utility facilities affected by the vacation are relocated and alternate easement(s) provided to utility owners; and

WHEREAS, section 8334(b) of the California Streets and Highways Code authorizes the City Council to summarily vacate the area set forth in Exhibits "A" and "B"; and

WHEREAS, the area proposed for vacation as set forth in Exhibits "A" and "B" is unnecessary for present or prospective use; and

WHEREAS, the proposed vacation of the area set forth in Exhibits "A" and "B" bestows a public benefit by relieving the City of future maintenance duties, costs, and liabilities.

NOW, THEREFORE, the City Council of the City of Oxnard resolves as follows:

1. The City Council hereby finds that all of the above recitals are true and correct.
2. This vacation is made under Chapter 4 of the Public Streets, Highways, and Services Easement Vacation Law (Streets and Highways Code section 8330 et seq.).
3. The summary vacation of Bluefin Circle right-of-way will not cut off all access to any person's property.
4. This vacation shall not become effective until the Development Services Director determines that all existing in-place public utility facilities affected by the vacation are relocated and alternative easements provided to all utility owners.
5. Upon receiving notification from the Development Services Director of satisfaction of the requirements listed in item 4 above, the City Clerk or designee is hereby authorized and directed to cause a certified copy of this resolution, attested to by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.
6. From and after the date that this resolution is recorded with the Ventura County Recorder, the right-of-way being vacated shall no longer constitute a public right-of-way.

Passed and adopted this ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ATTACHMENT # 1
PAGE 1 OF 5

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk



Alan Holmberg, City Attorney

EXHIBIT "A"

All of Parcel 3 (Bluefin Circle) as described in Book 3691, Page 56 of Official Records, in the County of Ventura, State of California, more particularly described as follows:

Beginning at a point in the westerly line of that certain parcel of land described in the Deed recorded on December 23, 1959, as Document No. 47947, in Book 1810, Page 18 of Official Records of said County, distant North 22°00'35" West 71.33 feet from the southerly terminus of the 2nd course recited as "North 22°00'36" West 1675.06 feet" in said Document No. 47947; thence, North 68°02' 08" East 80.00 feet to a point in the easterly line Parcel 1 (Harbor Boulevard) as described in said Book 3691, Page 56 of Official Records, same being the true point of beginning of this description; thence, along said easterly line,

- 1st - North 22°00'35" West 22.00 feet to a point; thence, leaving said easterly line,
- 2nd - North 68°02'08" East 158.65 feet to the beginning of a tangent curve; thence,
- 3rd - Northeasterly and northwesterly along a curve concave westerly having a radius of 15.00 feet and a central angle of 90°00'00", an arc distance of 23.56 feet to the end of curve; thence, tangent to said curve,
- 4th - North 21°57'52" West 276.00 feet to the beginning of a tangent curve; thence,
- 5th - Northwesterly and southwesterly along a curve concave westerly having a radius of 15.00 feet and a central angle of 90°00'00", an arc distance of 23.56 feet to the end of curve; thence, tangent to said curve,
- 6th - South 68°02'08" West 158.88 feet to a point in the easterly line of said Parcel 1 (Harbor Boulevard); thence, along said easterly line,
- 7th - North 22°00'35" West 52.00 feet to a point in a line parallel with and distance 52.00 feet northwesterly of, measured at right angles from the 6th course recited herein; thence, along said parallel line,
- 8th - North 68°02'08" East 160.92 feet to the beginning of a tangent curve; thence, leaving said parallel line,
- 9th - Northeasterly and southeasterly along a curve concave Westerly having a radius of 67.00 feet and a central angle of 90°00'00", an arc distance of 105.24 feet to a point in a line parallel with and distance 54.00 feet easterly of measured at right angles from the 4th course recited herein; thence, tangent to said curve and along a parallel line,
- 10th - South 21°57'52" East 276.00 feet to the beginning of a tangent curve; thence, leaving said parallel line,
- 11th - Southeasterly and southwesterly along a curve concave westerly having a radius of 67.00 feet and a central angle of 90°00'00", an arc distance of 105.24 feet to a point in a line parallel with and distant 52.00 feet southeasterly of, measured at right angles from the 2nd course recited herein; thence tangent to said curve and along said parallel line,



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12th - South 68°02'08" West 160.61 feet to a point in the easterly line of said Parcel 1
(Harbor Boulevard); thence, along said easterly line,

13th - North 22°00'35" West 30.00 feet to the true point of beginning.

Containing as area of 38,381 square feet, more or less.



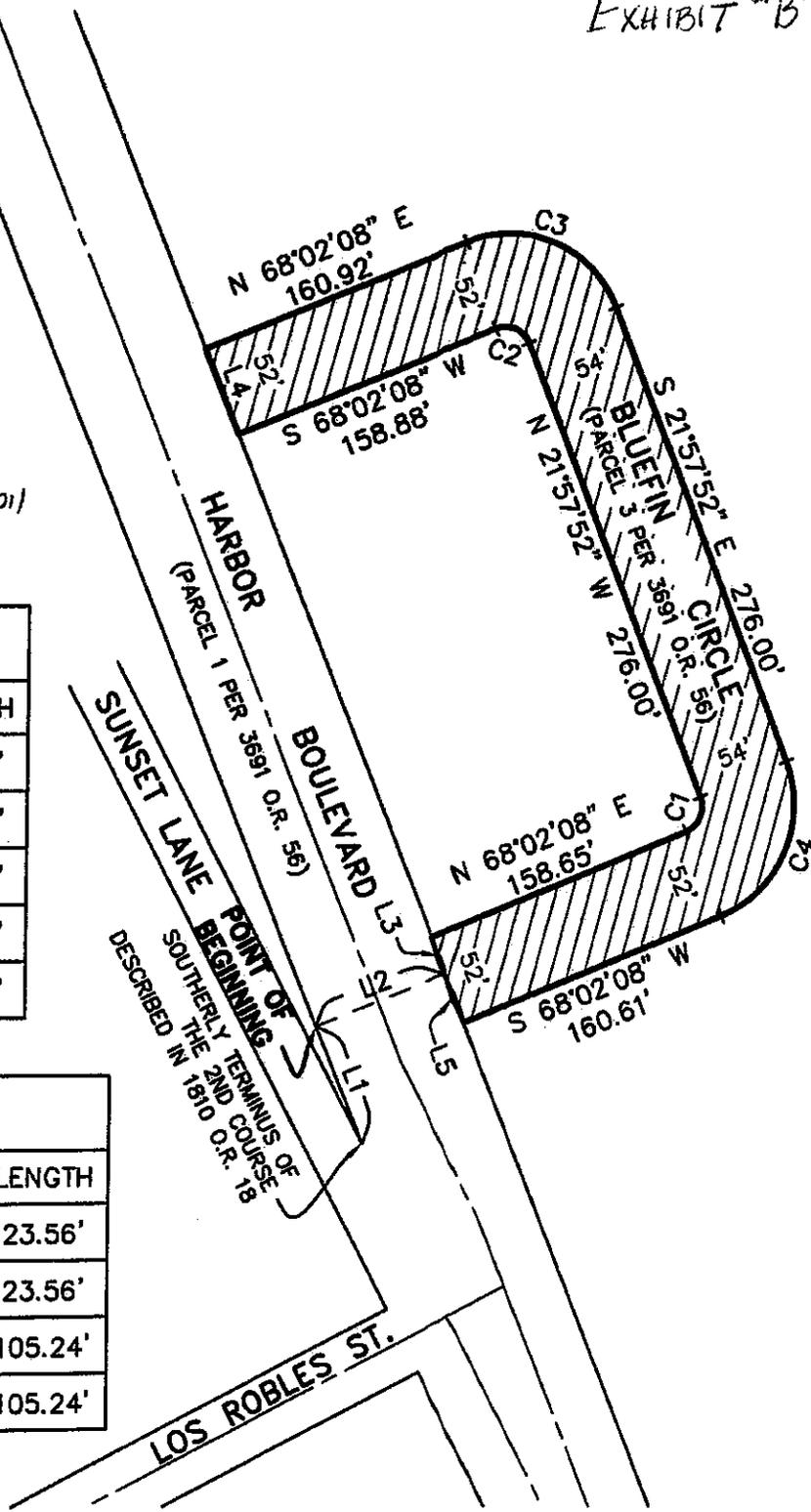
Benjamin P. Hardin 5/2/2011



Ben P. Hardin 5/2/2011

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 22°00'35" W	71.33'
L2	N 68°02'08" E	80.00'
L3	N 22°00'35" W	22.00'
L4	N 22°00'35" W	52.00'
L5	N 22°00'35" W	30.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	15.00'	23.56'
C2	90°00'00"	15.00'	23.56'
C3	90°00'00"	67.00'	105.24'
C4	90°00'00"	67.00'	105.24'



BS Penfield & Smith
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 · Construction Management ·

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W.O. 14050.11 DWG: 14050EX1-QUITCLAIM.dwg



**EXHIBIT MAP
 OF
 BLUEFIN CIRCLE**

COUNTY OF VENTURA
 STATE OF CALIFORNIA

SCALE: 1" = 100' PLOT DATE: 5/2/2011