

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DAN HENNESSEY, DIRECTOR
TRANSPORTATION & PUBLIC WORKS DEPARTMENT
SUBJECT: APPROVE SUMMARY VACATION OF PORTIONS OF PUBLIC
SERVICE EASEMENTS FOLLOWING COMPLETION OF LONG
DRIVE AND VICINITY SEWER AND WATER IMPROVEMENTS
PROJECT
AGENDA ACTION: RESOLUTION

RECOMMENDATION

The Water Department, Transportation and Public Works Department and Real Estate Services recommend that the City Council, by two separate resolutions, approve summarily vacating unused public service easements on four parcels located at 2771 4th Street, 190 Farmers Lane, 2777 4th Street and 1945 Long Drive, Santa Rosa, California (Assessor Parcel Numbers 181-190-004, 181-180-001 & -002, 181-190-007 and 181-190-001, respectively); and authorize the Assistant City Manager to make non-substantive changes to the vacation documents, subject to approval by the City Attorney, and execute the vacation documents. This item has no impact on current fiscal year budget.

EXECUTIVE SUMMARY

Under the Long Drive and Vicinity Sewer and Water Improvement Project, the City replaced an aging sewer main near 4th Street and Highway 12, extending through the Hillside Inn area, Rogers Way, and portions of Farmers Lane, Long Drive, Sunridge Drive, and Alice Street. The upgrades reduced inflow and infiltration, improved fire flow, and lowered maintenance costs. Where necessary, the project relocated public sewer and water infrastructure from private property into the public right-of-way. These resolutions formally vacate unused portions of public service easements and, in the case of 1945 Long Drive, transfer former public facilities into private ownership.

GOAL

This action relates to Council Goal #2: Invest in the Development and Maintenance of the City's Infrastructure. As part of the Project, the City upgraded the infrastructure. By vacating the easements, the City will no longer incur unnecessary liability.

BACKGROUND/PRIOR COUNCIL REVIEW

Section 8333 of the State Streets and Highways Code grants authority to the legislative

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body of a local agency to summarily vacate a public service easement if the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

Staff have determined that these easements are not necessary and that no public facilities exist within the easements. The conditions of Section 8333 have been met, and Staff recommends the vacation of these public service easements.

In the case of 1945 Long Drive, this action is intended to formally quitclaim the sewer lateral to the property owner pursuant to the Termination of Easement document attached as Exhibit A to Resolution 2.

ANALYSIS

Vacation procedures are established by the California Public Streets, Highways, and Service Easements Vacation Law, which is implemented through the California Streets and Highways Code (Code).

Pursuant to Section 8333 of the Code, City may summarily vacate a public easement which has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation. The portions of the easements being vacated have no public facilities located within them and are not being used for public utilities as they were previously relocated into the public right of way.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the Enterprise or General Funds.

ENVIRONMENTAL IMPACT

The recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (minor alterations in land use limitations) because the summary vacation of public service easements does not increase the density of development in the easement area and no other special circumstances exist that would create a reasonable possibility that the proposed action will significantly affect the environment; therefore no further environmental review is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On May 21, 2015, the Board of Public Utilities, by motion, approved the Project and awarded a construction contract for \$2,556,240.70 to Ghilotti Construction Company.

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NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution 1
 - Exhibit A to Resolution 1 – Exhibits A and B-Legal Description and Depiction -Vacation of Sanitary Sewer Easement (Portion)
 - Exhibit B to Resolution 1 - Exhibits A and B- Legal Description and Depiction- Vacation of Sanitary Sewer Easement (Portion)
 - Exhibit C to Resolution 1 - Exhibits A and B- Legal Description and Depiction- Vacation of Sanitary Sewer Easement (Portion)
- Resolution 2
 - Exhibit A- Termination of Easement/Quitclaim

PRESENTER(S)

Jill Scott, Real Estate Manager