STAFF REPORT
CITY OF YORBA LINDA

Public Works Department

DATE: APRIL 7, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E. DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
PREPARED BY: MATT SIMONETTI, P.E., SENIOR CIVIL ENGINEER

SUBJECT: ADOPT RESOLUTION NO. 2020-5663 DECLARING SUMMARY VACATION OF STORM DRAIN EASEMENT OF PARCEL MAP NO. 2015-113 TOWN CENTER (REPORT NO. 2020-12)

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 2020-5663, to summarily vacate an easement for storm drain purposes located at Town Center, APN 323-321-25.

BACKGROUND

On July 25, 1978 the City obtained a 25-foot-wide easement for storm drain purposes at the Town Center. (See Attachment 1: Vicinity Map). The dedication was accepted by the City on Parcel Map No. 2015-113, recorded on December 21, 2016 in Official Records of Orange County. (See Attachment 2: Property Exhibit).

The easement was intended to serve a 48-inch storm drainpipe. During the construction of the Town Center, it was determined by the project Civil Engineer that the original design was cost prohibitive. The storm drain was realigned onto Valencia Ave. See Attachment 2: Property Exhibit. The easement has been superseded by realignment of the storm drain, determined to be excess, and there are no other public facilities located within the easement. Therefore, staff recommends that the City Council adopt Resolution No. 2020-5663, to summarily vacate the storm drain easement at Town Center, APN 323-321-25.

ANALYSIS

Per Government Code section 7050 a public hearing is not required for summary vacations of public service easements. A public service easement is defined as an easement for a number of public purposes other than streets or highways and includes easements for drainage pursuant to the Streets and Highway Code section 8333. Government Code section 65402 typically requires a general plan consistency determination from the Planning Commission but because this is a public service
ADOPT RESOLUTION NO. 2020-5663 DECLARING SUMMARY VACATION OF STORM DRAIN EASEMENT OF PARCEL MAP NO. 2015-113 TOWN CENTER (REPORT NO. 2020-12)

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Easement, the 65402 determination is not necessary. The easement has been superseded by relocation, determined to be excess by the Public Works Department, and there are no public facilities located within the easement. It is recommended that City Council summarily vacate the easement for storm drain purposes by adoption of Resolution No. 2020-5663. (See Attachment 3: Resolution No. 2020-5663).

FISCAL IMPACT

None

ALTERNATIVE

Do not accept staff recommendation and continue to own the 20-foot-wide easement for storm drain purposes at Town Center, APN 323-321-25. This alternative is not recommended because there is no public storm drain facility within the easement.

ATTACHMENTS

1. Attachment 1: Vicinity Map
2. Attachment 2: Property Exhibit
3. Attachment 3: Resolution No. 2020-5663

Approved by: Certified as to Fiscal Impacts:

Mark A. Pulone Scott Catlett
City Manager Finance Director