



Legislation Text

File #: 23-407, Version: 1

Report regarding a resolution approving the summary vacation of public sewer easement for a sewer main on the property APN 014-183-110 (180 El Camino Real) due to sewer main relocation. (*Matthew Ruble, Principal Engineer*)

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving the summary vacation of public sewer easement for a sewer main on the property APN 014-183-110 (180 El Camino Real) due to sewer main relocation.

BACKGROUND/DISCUSSION

The 180 El Camino ("Property") project being developed by Steelwave ("Developer") has proposed to redevelop the existing 14.5 acre retail lot into a new Safeway, additional retail, multiple research & development buildings, a residential building, and a dedicated parking garage ("Project"). There was an existing sewer main and easement on the Property that impeded the mapping and construction of the Safeway and residential buildings. The Developer was conditioned to relocate the sewer main and grant a new public sewer easement. The original existing sewer easement and the new sewer easement are shown in **Attachment 1**.

The existing 10-inch sewer main is owned and maintained by the City, and it is located in an existing 10-ft wide sewer easement (via 1173 O.R. 193). It has since been abandoned and replaced by a new 15-inch sewer main that is aligned along the Project's Internal Drive as confirmed by staff on September 15, 2022. The new 15-inch sewer main was installed in a new sewer easement that was granted to the City (via DOC 2022-039448) included as **Attachment 2**.

Other than the abandoned sewer main mentioned above, there are no remaining public sewer facilities within this existing easement.

Pursuant to California Streets and Highways Code section 8333, cities may summarily vacate public service easements in any of the following circumstances: (1) the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation, (2) the date of dedication or acquisition is less than five years and more than one year immediately preceding the proposed vacation and the easement has not been used continuously since that date, (3) the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

As the easement has been determined to be superseded by relocation and no other public facilities are located within the easement, the easement may be summarily vacated. Pursuant to California Streets and Highways Code section 8335, in order to summarily vacate the easement, the City Council must adopt a resolution of vacation.

As staff has concluded that this easement is no longer necessary and no other public facilities and utilities are located within the easement, staff recommends that the City Council adopt a resolution to summarily vacate the easement.

FISCAL IMPACT

Approving the summary vacation will have no fiscal impact on the City.

RELATIONSHIP TO STRATEGIC PLAN

Approval of this easement vacation will promote SSF Priority Area 2, Initiative 2.4 by promoting employment and retail options through this development project.

CONCLUSION

Staff recommends that the City Council adopt a resolution approving the summary vacation of public sewer easement for a sewer main on the property APN 014-183-110 (180 El Camino Real) due to sewer main relocation.

Attachment:

1. Sewer Realignment
2. New Sewer Easement