



# STAFF REPORT

## CITY of YORBA LINDA

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### PUBLIC WORKS DEPARTMENT

**DATE: OCTOBER 19, 2021**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS / CITY ENGINEER**  
**PREPARED BY: JOSE ROMANI, ENGINEERING AIDE**  
**REGINA HU, P.E., SENIOR CIVIL ENGINEER**

**SUBJECT: ADOPT RESOLUTION NO. 2021-5764 VACATING UTILITY EASEMENT OF PARCEL MAP 90-144**

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### **RECOMMENDATION**

It is recommended that the City Council adopt Resolution No. 2021-5764, to vacate the public utility easement for storm drain and sanitary sewer purposes located on parcel 3 of Parcel Map 90-144 (APN 343-522-10), Short Street.

### **BACKGROUND**

On January 14, 1992, the City accepted an easement for storm drain and sanitary sewer purposes on Parcel Map 90-144; Book 269, pages 1-2 of official records of Orange County. See Attachment 1: Vicinity Map. The easement serves to convey runoff from the private slope to an abandoned v-ditch. The Yorba Linda Water District confirmed they do not have any existing sanitary sewer facilities or dedicated easement on the requested vacation, as described on Parcel 3 of the Parcel Map 90-144 (See Attachment 2: Property Exhibit). Additionally, the City has no use for the originally intended utility easement for storm drain purposes.

Other non-City owned utility easements reserved for future “pipelines, flumes, and ditches” will remain on the parcel.

### **DISCUSSION**

On June 23, 2021, Planning Commission found the proposed vacation of this public service utility easement to be in conformance with the Yorba Linda General Plan, as required by State Government Code Section No. 65402 (See Attachment 4: 65402 Finding). 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 and sewer pursuant to the Streets and Highway Code section 8333. The easement has been superseded by a private storm drain easement and determined to be excess by the Public Works Department. In addition, there are no public facilities located within the easements. It is recommended that City

Council vacate the easement for storm drain and sanitary purposes by adoption of Resolution No. 2021-5764 (see Attachment 3).

### **FISCAL IMPACT**

There is no fiscal impact with the approval of the proposed vacation.

### **ALTERNATIVES**

Do not accept staff recommendation and continue to own the utility easement for storm drain purposes that do not serve public facilities that are located on parcel 3 of Parcel Map 90-144.

### **ATTACHMENTS**

Attachment 1: Vicinity Map

Attachment 2: Property Exhibit

Attachment 3: Resolution No. 2021-5764

Attachment 4: Government Code Section No. 65402 Finding

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