



## **CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL**

### **AGENDA ITEM**

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Report: Summary Vacation of the Electrical Easement on the Properties Located at 5426 San Fernando Road and 753 West California Avenue

1. Resolution Ordering the Summary Vacation of the City of Glendale's Electrical Easement on properties located at 5426 San Fernando Road and 753 West California Avenue (APN: 5638-018-032).

### **COUNCIL ACTION**

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**Item Type:** Consent Calendar

**Approved for** August 10, 2021 **calendar**

### **ADMINISTRATIVE ACTION**

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**Submitted by:**

Mark Young, General Manager - Glendale Water and Power

**Prepared by:**

Daniel Scorza, P.E., Chief Assistant General Manager - Electric

**Reviewed by:**

Michele Flynn, Director of Finance

Michael J. Garcia, City Attorney

**Approved by:**

Roubik R. Golanian, P.E., City Manager

## **RECOMMENDATION**

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Glendale Water and Power (GWP) staff recommends that the City Council adopt a Resolution ordering the Summary Vacation of the certain right of way and electrical easement that was granted to the City by Grant of Easement on the Properties Located at 5426 San Fernando Road and 753 West California Avenue, and authorize the City Manager, or his designee, to execute any other documentation as may be required to accomplish said summary vacation.

## **BACKGROUND/ANALYSIS**

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California Streets and Highways Code Section 8333 allows a legislative body to summarily vacate a public service easement in either one of the following instances:

- (a) 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.
- (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.
- (c) The easement has been superseded by relocation and there are no other public facilities located within the easement.

The Summary Vacation process differs from the traditional vacation process in that a public hearing is not required. If either one of the above circumstances are met, the City Council can adopt a Resolution to summarily vacate an easement.

The properties located at 5426 San Fernando Road and 753 West California Avenue with APN: 5638-018-032 ("Property") belong to REVV Property, LLC, a California limited liability company ("Owner") per Quitclaim Deed recorded January 20, 2012, Instrument No. 20120099612, Official Records, Los Angeles County, California. The owner has applied for the vacation of the electric easement on the property. After investigation, the City has determined that the existing electrical easement to be vacated is no longer necessary to the City, as there are no electrical facilities within the easement, and there are no other public facilities located within the easement which would be affected by the vacation. Therefore, the vacation qualifies for the summary vacation process, under Streets and Highways Code Section 8333(a). The City's electric easement proposed to be vacated is described and shown in Exhibit 1 - Legal Description & Map.

The proposed action is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed action involves the vacation of the electrical easement where said easement has not been used for the purpose for which it was dedicated, and will not cause or facilitate any physical changes that may result in environmental impacts.

**FISCAL IMPACT**

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There will be no fiscal impact on the City of Glendale as a result of this transaction.

**ALTERNATIVES**

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Alternative 1: The City Council may adopt the Resolution ordering a Summary Vacation of the City of Glendale's electric easement referenced herein.

Alternative 2: The City Council may choose to not adopt the Resolution ordering the Summary Vacation as requested herein.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

**CAMPAIGN DISCLOSURE**

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Not applicable.

**EXHIBIT(S)**

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Exhibit 1: Legal description and map of the electrical easement proposed for the summary vacation.