



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Summary Vacation of the City of Glendale's Electric Easement on the Properties Located at 608, 612 & 620 West Elk Avenue and 605 Vine Street

1. Resolution Ordering the Summary Vacation of the City of Glendale's Electrical Easement on properties located at 608, 612 & 620 West Elk Avenue and 605 Vine Street (APN: 5696-007-018, 019, 045 & 026).

COUNCIL ACTION

Item Type: Consent Calendar

Approved for September 21, 2021 **calendar**

ADMINISTRATIVE ACTION

Submitted by:

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Prepared by:

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Reviewed by:

Michele Flynn, Director of Finance

Michael J. Garcia, City Attorney

Approved by:

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

RECOMMENDATION

Glendale Water and Power (GWP) staff recommends that the City Council adopt a Resolution Ordering the Summary Vacation of the certain right of ways and electrical easements that were granted to the City of Glendale by Grants of Easements as described in Exhibit 1 - Legal Description & Map, attached hereto, and authorize the City Manager, or his designee, to execute any other documentation as may be required to accomplish said summary vacation.

BACKGROUND/ANALYSIS

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- (c) The easement has been superseded by relocation, and there are no other public facilities located within the easement.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 608, 612 & 620 West Elk Avenue and 605 Vine Street with APN: 5696-007-018, 019, 045 & 026 ("Property") belong to TROJAN STORAGE OF GLENDALE, LLC, a Delaware limited liability company ("Owner") per Grant Deed recorded on February 11, 2019, as Instrument No. 20190122734, Official Records, Los Angeles County, California. The Owner has applied for the vacation of the Electric and Public Utility Easements on the Property. After investigation, the City has determined that the existing electrical easements to be vacated are 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 easements proposed to be vacated are described in Exhibit 1.

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

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

ALTERNATIVES

Alternative 1: The City Council may adopt the Resolution Ordering 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 Summary Vacation as requested herein.

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

CAMPAIGN DISCLOSURE

Not applicable.

EXHIBIT(S)

Exhibit 1: Property Legal Description, List of Easements proposed for Summary Vacation and Vicinity Map.