



Legislation Text

File #: 20-355, **Version:** 1

Report Prepared by: Julie Nelson, Associate Planner, Development Services Department

SUBJECT: Continued Public Hearing - Vacation No. 20-01 for the Adoption of a Resolution Ordering the Vacation of a Sewer Lift Station Easement, Temporary Construction Access Easement, and a Public Utilities Easement Generally Located at the West End of the Property Located at 1610 West 16th Street

REPORT IN BRIEF

Continue the public hearing to August 17, 2020, for a request to vacate a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement for the sewer lift station, and a 2,791-square-foot public utilities easement generally located on the west end of the property located at 1610 West 16th Street.

RECOMMENDATION

City Council - Open the continued Public Hearing and adopt a motion continuing the Public Hearing to the meeting of August 17, 2020.

ALTERNATIVES

1. Continue, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by Council; or,
3. Deny based on specific findings; or,
4. Refer back to staff for reconsideration of specific items as requested by Council; or,

AUTHORITY

Section 8335 of the Streets and Highways Code authorizes the City Council to vacate a right-of-way or easement by adopting a resolution of vacation. Section 8336 of that Code requires the City Clerk to record a certified copy of the resolution of vacation. Additionally, City of Merced Administrative Policy A-6 provides direction to staff for processing vacation requests, and City Resolution 76-80 establishes a policy concerning costs associated with the vacation.

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

City staff has been working with the owner to determine a new easement area to replace the area being vacated. This new easement area must be determined prior to vacating the existing easement. Unfortunately, an agreement on the new easement area has not been reached between the property owner and the company intending to lease the area in the future, nor has the new easement area

been approved by the City. Therefore, staff recommends the continued public hearing (from May 18, 2020) be opened and continued to the August 17, 2020, City Council meeting to allow additional time for the new easement area to be determined and approved.

Recommendation

Staff is recommending this item be continued to the City Council meeting of August 17, 2020.