TO:     HONORABLE CITY COUNCIL

FROM:   CITY MANAGER     DEPARTMENT: ADMINISTRATIVE SERVICES

DATE:   NOVEMBER 3, 2008     CMR: 430:08

REPORT TYPE: CONSENT

SUBJECT: Adoption of a Resolution Summarily Vacating a Public Utilities Easement at 3180 Waverley Street

RECOMMENDATION
Staff recommends that Council approve the attached Resolution summarily vacating a Public Utilities Easement (PUE) at 3180 Waverley Street, Palo Alto.

DISCUSSION
The owners of the property at 3180 Waverley Street have requested that the City vacate a PUE, which runs across the back section of their property (see attached map), so that they can build an accessory structure. The owners have paid the required fees to the Electric Utilities department to have an overhead electric line moved from within this PUE area and the line has now been removed, and no other utilities are located within this PUE. There are no longer any public facilities located within this easement, and it is no longer needed for utilities purposes. Staff has notified AT&T (formerly SBC Communications), the City Utilities, Public Works and Planning Departments of the proposal to vacate the PUE and all concur with the vacation. Therefore, the PUE to be vacated is not necessary for any present or future use and it may be summarily vacated in accordance with Section 8333 of the California Streets and Highways Code.

RESOURCE IMPACT
The easement vacation processing fee of $1,260, as set forth in the Municipal Fee Schedule, has been paid by the owners.
POLICY IMPLICATIONS
The recommendation does not represent any change to City policies. The Planning Department has determined that the vacation of the PUE is in conformity with the Palo Alto Comprehensive Plan.

ENVIRONMENTAL REVIEW
The proposed summary vacation of the PUE is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use limitations.
PREPARED BY:  

MARTHA MILLER  
Senior Financial Analyst

DEPARTMENT HEAD APPROVAL:  

LALO PEREZ  
Director, Administrative Services

CITY MANAGER APPROVAL:  

JAMES KEENE  
City Manager

ATTACHMENTS  
Attachment A: Summary Vacation Resolution

cc: property owners