



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: August 13, 2024

SUBJECT: Agenda Item 6C: Adoption of a Resolution Authorizing the General Manager to Approve the Application for Abandonment of Interest in Public Utility Easement Associated with APN 093-290-006 and 093-290-007

RECOMMENDED ACTION:

Staff recommends the following action:

I move to adopt Resolution 21-2024 Authorizing the General Manager to Approve the Application for Abandonment of Interest in Public Utility Easement Associated with APN 093-290-006 and 093-290-007.

BACKGROUND:

On May 9, 2023, the Board approved Resolution 24-2023, titled “*Prohibiting the Abandonment of District Public Utility Easements.*” Despite this resolution, the District frequently receives requests from property owners to abandon PUEs, allowing for the merging of adjacent lots or construction that would encroach on these easements.

The PUE associated with APN 093-290-006 and APN 093-290-007 was established recently as part of a development project that divided a section of land into eight residential lots, each over two acres. The current property owner has acquired two adjacent parcels and intends to merge them into a single lot for residential development. Their proposed construction plan for a home would encroach upon the existing PUE.

Prior to this recent development, no PUEs existed on these parcels. There is already an easement for the existing water utility at the top end of the properties, and there are currently no sewer utilities in this area. Should sewer utilities be developed in the future, they would require new deeded easements in different locations. Given that the PUE serves no current purpose and is unlikely to be needed in the future, it is reasonable to consider abandoning the District's interest in this PUE.

RECOMMENDATION:

The District's Property, Easements, and Assets Manager has reviewed the easement associated with APN 093-290-006 and APN 093-290-007 and determined that the PUE in question is unnecessary for current or future utility purposes. Therefore, staff recommends that the Board approve the abandonment of the District's interest in the PUE separating these two parcels, enabling the property owner to proceed with their construction plans.

FINANCIAL IMPACT

There is no financial impact to the District to abandon this easement.

ATTACHMENTS:

1. Resolution 21-2024

RESOLUTION 21-2024

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO APPROVE THE APPLICATION FOR ABANDONMENT OF INTEREST IN PUBLIC UTILITY EASEMENT ASSOCIATED WITH APN 093-290-006 AND 093-290-007

WHEREAS, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

WHEREAS, the District received an Application for the Abandonment of Interest in Public Utility Easement associated with APN 093-290-006 and 093-290-007; and

WHEREAS, The current property owner has acquired two adjacent parcels and intends to merge them into a single lot for residential development; and

WHEREAS, there is already an easement for the existing water utility at the top end of the properties, and there are currently no sewer utilities in this area; and

WHEREAS, the PUE serves no current purpose and is unlikely to be needed in the future, it is reasonable to consider abandoning the District's interest in this PUE; and

WHEREAS, the District's Property, Easements, and Assets Manager has reviewed the easement and determined that the PUE in question is unnecessary for current or future utility purposes.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES hereby approve Resolution 21-2024 Authorizing the General Manager to Approve the Application for Abandonment of Interest in Public Utility Easement Associated with APN 093-290-006 and 093-290-007.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on August 13, 2024, by the following vote:

AYES:

ABSENT:

NOES:

ABSTAIN:

APPROVE:

Nancy Mora, Board President

ATTEST:

Rachel Pearlman, Board secretary

CERTIFICATE OF SECRETARY

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on August 13, 2024.

DATED: _____