



Item Number: 13

City Council / Board of Directors

Written Communications

Meeting of: October 3, 2023

Submitted By:

Fredy Bonilla, Acting City Engineer

Subject:

Vacation of Water Easement on Tract Map No. 17599

Recommendation:

That the Honorable Board of Directors of the Victorville Water District:

- (1) Find the easement vacation not subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2) and 15060(c)(3); and
- (2) Adopt Resolution No. VWD 23-013 vacating the easement as described and depicted by the exhibits attached thereto and ordering the recordation of the same.

Fiscal Impact:

There is no fiscal impact associated with this item.

Strategic Plan Goal:

This item aligns with “Goal E Invest in Infrastructure” in the City of Victorville Strategic Plan 2023-2026. Although this is not a Capital Improvement Project, we apply the same strategy to private development projects as they are essential in meeting the community’s needs.

Background:

Tract Map No. 17599 (Tract 17599) is a 22-lot, single family subdivision, located at the southwest corner of Verano Street and Richmond Avenue. Please refer to Attachment B, location map. When the map was recorded in 2007, a 20-foot-wide water easement had been granted by the original developer (Standard Pacific Corp.) to the Baldy Mesa Water District (now the Victorville Water District) for the construction of a looping water main through Lot Nos. 5 and 15. Please refer to Attachment C, Grant of Easement Document and Tract Map No. 17599.

In December 2021, LGI Homes (LGI), the successor developer, entered into a Subdivision Improvement Agreement (SIA) with the City and provided bonds as security for the public improvements, including completing the partially constructed water improvements.

Discussion:

During tract development, LGI submitted a revision to the previously approved water improvement plans. LGI proposed to abandon the previously installed water main on Lot Nos. 5 and 15, to avoid conflicts with the new tract masonry walls. The revision was approved by the Engineering and Public Works & Water Departments, as it is the Victorville Water District's preference to keep water mains within dedicated right-of-way (ROW). A letter from LGI describing the specific circumstances of the relocation and requesting vacation of the easement can be found in Attachment D.

The Board of Directors of the Victorville Water District, as the legislative body of a local agency, can summarily vacate a public service easement pursuant to and in accordance with the provisions of California Streets and Highways Code Section 8333, subparagraph (c), if the following findings are made:

The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

Since Tract 17599's water improvements are no longer within the confines of the water easement originally granted to the Victorville Water District, the existing easement can be summarily vacated.

Staff is available for any questions the Board may have.

Attachments:

- A. Resolution No. VWD 23-013
- B. Location Map
- C. Grant of Easement Document and Tract Map No. 17599
- D. Request for Vacation