



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 9, 2023

SUBJECT: Agenda Item 6C: Adoption of a Resolution Prohibiting the Abandonment of District Public Utility Easements

RECOMMENDED ACTION:

Staff recommends the following action:

I move to adopt Resolution 24-2023 prohibiting the abandonment of District Public Utility Easements.

BACKGROUND:

The district regularly receives requests for the abandonment of public utility easements, primarily when two lots within Pine Mountain Lake are being merged together. The district reviews these requests carefully by conducting a site inspection and reviewing the utilities and easements associated with the property, if any, and reviews the preliminary sewer expansion plan to determine whether abandonment of the easement will conflict or restrict access to the future sewer system should it be built.

With the number of unauthorized encroachments we have discovered on existing easements, access to our sewer system in some locations has become difficult to impossible. This restricted access will cause a significant cost and private property impact when the sewer system or water system impacted by the encroachment will need to be removed. In some cases our only access to our utilities is using the public utility easements which are located on every property line in PML. We are also finding that in some cases where the preliminary sewer expansion plan is shown on the map, there is really no way to build the sewer in that location or that the public utility easements may be needed for the installation of pressurized sewer laterals from the septic tank of existing homes, to a new sewer main in the street.

We want to avoid relinquishing our interest in these public utility easements until such time as the engineering of a sewer system expansion is far enough along that we are certain that the public utility easement will not be needed for any purpose, in perpetuity. With a formal abandonment prohibition in place, should a property owner insist on the District approving

the abandonment, they can complete an engineering study and prepare evidence for presentation to, and District Board consideration of the request.

FINANCIAL IMPACT

None

ATTACHMENTS:

1. Resolution 24-2023

RESOLUTION 24-2023

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT PROHIBITING THE ABANDONMENT OF DISTRICT PUBLIC UTILITY EASEMENTS

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, public utility easements were created along the property lines of the properties contained in the Pine Mountain Lake subdivision, for the purpose of the installation and access to public utilities such as water and sewer; and

WHEREAS, the district is the local water and sewer utility provider and therefore has a property interest in each of these public utility easements created; and

WHEREAS, the district regularly receives requests from the public to abandon its interest in the public utility easement so that the property owners can merge two adjacent lots or otherwise build on the public utility easement after abandonment; and

WHEREAS, the district has determined that is critical to its operation to maintain the integrity and access to the public utility easements and should not consider abandonment or otherwise relinquishing interest and these important public utility property rights.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES hereby approve Resolution 24-2023 prohibiting the abandonment of District Public Utility Easements.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on May 9, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT

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 May 9, 2023.

DATED: _____