



Staff Report

TO: City Council
FROM: Jeff Hart, Public Works Director
DATE: September 1, 2020
SUBJECT: **A Resolution of The City of Beaumont Authorizing City Council to Summarily Vacate Street Right-of-Way from Luis Estrada Road Fronting Maya Plaza and Being Generally Located at the Southwest Corner of the Intersection with SR-79**

Background and Analysis:

The applicant, Lizmarto, LP, a California Limited Partnership, is requesting a summary street vacation of existing excess right-of-way on Luis Estrada Road near the intersection of Beaumont Avenue (see Attachment B) and fronting the Maya Plaza.

In conjunction with the street vacation, the applicant will reserve public utility easements over the street vacation area which consists of approximately 8,746 square feet. By reserving easements, utility purveyors will have the ability to maintain their respective utilities within the vacated portion of Luis Estrada Road. The applicant is not proposing any alterations to the existing ground, nor constructing any building infrastructure within the proposed vacation area. Therefore, if any utilities are located within the street vacation area which were not identified by the applicant's land surveyor, or any of the utility purveyors, they will remain undisturbed.

This street vacation will not impact the existing improvements or alignment of Luis Estrada Road.

The City sent a utility notice to all pertinent utility purveyors within the City of Beaumont of the proposed street vacation. The City has received responses from the following utility purveyors:

- Beaumont Cherry Valley Water District,
- Frontier Communications,
- Charter (Spectrum) Communications,
- Kinder Morgan,

- Questar,
- Southern California Gas Company, and
- Southern California Edison.

All of the preceding utility purveyors indicated that the proposed street vacation and reservation of public utility easement would not affect their respective utility.

The California Streets and Highway Code (SHC) allows a legislative body to process a summary street vacation in accordance with the regulations set forth in Sections 8330, 8333, 8334, and 8341. The regulations entail the following:

- Require that the street vacation shall not affect in place public utilities,
- Give the local agency the ability to vacate excess street right-of-way not required for street or highway purposes,
- Require that the legislative body adopt a resolution to vacate street right-of-way, and
- Require the legislative body to document the reservation of existing public utility easements.

Staff has reviewed the California Streets and Highway Code and determined that the vacation area will not affect the City's traffic circulation element. Therefore, staff recommends that the City Council summarily vacate the 8,746 square feet of street right-of-way from Luis Estrada Road by adopting the attached resolution.

Subsequent to the street vacation, the City will retain fee interest in approximately 5,872 square feet of property. The recordation of a quitclaim deed is necessary to convey the City's interest in said property to Lizmarto, LP.

Fiscal Impact:

The cost to prepare the staff report and have the city attorney review the street vacation documents is approximately \$1,000. The applicant has paid all fees associated with plan checking the street vacation documents.

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of The City of Beaumont Authorizing City Council to Summarily Vacate Street Right-of-Way from Luis Estrada Road Fronting Maya Plaza";
Approve the Quitclaim Deed and Authorize the Mayor to Execute; and

Record the street vacation and Quitclaim Deed documents with the Riverside County Clerk Recorder's Office.

Attachments:

- A. Street Vacation Resolution
- B. Legal Description and Plat for Street Vacation
- C. Quitclaim Deed