



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/01/2026

ITEM NO: 6

DATE: September 1, 2026
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Adopt a Resolution to Summarily Vacate a Public Service Easement at 15995 Cerro Vista Drive**

RECOMMENDATION: Adopt a resolution to summarily vacate the Public Service Easement at 15995 Cerro Vista Drive pursuant to Streets and Highways Code Sections 8333 and 8335.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

STRATEGIC PRIORITY:

This item addresses the Town's Strategic Priority to preserve the Town's small-town charm and provide a range of housing opportunities and historic neighborhoods, while diligently maintaining and implementing the Housing Element (Goal: Community Character).

BACKGROUND:

On August 26, 1986, the Santa Clara County Recorder recorded the Map of Tract No. 7613 in Book 564 of Maps, Pages 7-10 (Attachment 2), creating 12 numbered parcels. Parcels 6 and 7 on said map, which were subsequently addressed 15995 Cerro Vista Drive and 15975 Cerro Vista Drive, respectively, both included a 20-foot-wide Public Service Easement ("PSE") along their western boundaries dedicated for "any and all public service facilities including poles, wires, conduits, gas, water, and heat mains, and all appurtenances thereto under, upon or over..."

PREPARED BY: James Watson
Senior Civil Engineer – Land Development

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Administrative Services Director

SUBJECT: Adopt a Resolution to Summarily Vacate a Public Service Easement at 15995 Cerro Vista Drive

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The property owner of 15995 Cerro Vista Drive (Parcel 6) applied for abandonment of the PSE on their property. Staff have reviewed the request and coordinated with the public service providers serving the area. The providers contacted by the Town confirmed that they do not have facilities within the subject PSE on Parcel 6 and do not object to its abandonment. The PSE on Lot 6 terminates on this lot without connection to the public right-of-way. Since the proposed abandonment is at the end of the 20-foot-wide easement without connection to the public right-of-way, the abandonment will not create any land-locked unusable remainder sections of the PSE.

DISCUSSION:

California Streets and Highways Code Section 8333 authorizes a local agency to summarily vacate a public service or utility easement when the easement has been determined to be excess by the easement holder, and there are no other public facilities located within the easement. Section 8335 provides for the resolution of vacation and requires the resolution to state the facts supporting the summary vacation. Based on Staff's review of the recorded tract map and utility coordination, the Town has determined that the subject PSE is excess and is no longer needed for its intended public service purpose, and that there are no public facilities located within the easement. Accordingly, Staff recommends that the Town Council summarily vacate the PSE pursuant to Streets and Highways Code Sections 8333 and 8335.

The Town coordinated with AT&T, Comcast, PG&E, San Jose Water, West Valley Sanitation District, and Verizon. These providers confirmed that they do not have facilities within the subject easement and do not object to the proposed summary vacation. Based on this coordination, Staff have determined that no public facilities would be affected by the vacation.

CONCLUSION:

The subject PSE is excess and is no longer needed for its intended public service purpose. The public service providers contacted have confirmed that they do not have facilities within the easement and do not object to its abandonment. Staff recommend that Council adopt the attached resolution summarily vacating the PSE pursuant to Streets and Highways Code Sections 8333 and 8335. Upon recordation of the resolution with the Santa Clara County Clerk-Recorder, the PSE would no longer constitute a public easement.

COORDINATION:

This application has been coordinated with the Town Attorney, Community Development Department, and the following utilities: AT&T, Comcast, PG&E, San Jose Water, West Valley Sanitation District, and Verizon. Documentation of utility coordination will be retained in the project file.

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ENVIRONMENTAL ASSESSMENT:

The proposed summary vacation of the PSE is categorically exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15301, which exempts permitting, licensing, leasing or minor alteration of existing structures provided there is no expansion of the existing use.

Attachments:

1. Resolution - 15995 Cerro Vista Drive
2. Book 564 Pages 7-10