



## STAFF REPORT

**Date:** Tuesday, January 27, 2015

**To:** Bryan Montgomery, City Manager

**From:** Kevin Rohani, Public Works Director/City Engineer

**Subject:** Revisions to City Council Resolution 95-14 related to the Acceptance of Grapevine Lane Offers of Dedication Associated with Subdivisions 8760, 7662, 8734 and Parcel Map 32 PM 48 between Rose Avenue and O'Hara Avenue

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

### **Background and Analysis**

On October 28<sup>th</sup>, 2014 the City Council adopted Resolution 95-14 for the purpose of accepting several offers of dedication of right of way for Grapevine Lane. Accepting these offers will allow Discovery Builders, Inc., Albert D. Seenoo Construction Co. and West Coast Builders, Inc. (collectively the Developer) to relocate the United States Bureau of Reclamation (USBR) Irrigation Lateral into the Grapevine Lane right of way.

After the City Council adopted Resolution 95-14, the Developer provided their title company a copy of Resolution 95-14 in order to have a title insurance policy prepared, as required by USBR. After reviewing Resolution 95-14 and other documentation, the title company requested having some revisions made and the revised resolution being adopted by the City Council again.

The revisions that were requested provide some additional clarification and more specific descriptions of some of the documents described in Resolution 95-14. The title officer stated to the Developer that these revisions would be necessary for them to be able to issue the title insurance policy.

Although the revisions are fairly technical in nature, they are minor and have no impact to the City.

### **Fiscal Impact**

Approval of the resolution will have no fiscal impact, as the Developer is responsible for preparation of all documents, construction of the relocated irrigation lateral and all other costs related to their project.

**Staff Recommendation**

Staff recommends that the City Council adopt the revised resolution approving the acceptance of the offers of dedication.

**Attachments**

- 1) Marked up Resolution 95-14
- 2) Revised Resolution

RESOLUTION NO. 95-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
ACCEPTING THE GRAPEVINE LANE OFFERS OF DEDICATION  
ASSOCIATED WITH SUBDIVISIONS 8760, 7662, 8734 AND  
PARCEL MAP 32 PM 48

WHEREAS, on January 9, 2006 the City of Oakley adopted Resolution 03-06 approving the final map for Subdivision 7662 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

WHEREAS, on January 9, 2006 the City of Oakley adopted Resolution 05-06 approving the final map for Subdivision 8760 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

WHEREAS, on May 14, 2007 the City of Oakley adopted Resolution 59-07 approving the final map for Subdivision 8734 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

WHEREAS, on March 27, 1974 Parcel Map 32 PM 48 <sup>SHOWS</sup> was recorded in the office of the Contra Costa County Recorder and said map made certain offers of dedication of right of way including the future Grapevine Lane; and AS DESCRIBED IN THE OFFER OF DEDICATION RECORDED MAY 6, 1974, BOOK 7220, PAGE 637, OFFICIAL RECORDS; AND

WHEREAS, on October 14, 2008 a Relocation Agreement was executed between the United States Bureau of Reclamation, the Contra Costa Water District, the City of Oakley, and Discovery Builders, Inc., Albert D. Seeno Construction Co., and West Coast Builders, Inc. (collectively the Developer) which allowed for the Developer to relocate certain irrigation laterals that ran through easements on several lots contained within the Developer's Subdivision 7881; and

WHEREAS, the Relocation agreement requires, among other items, the Developer to dedicate right of way to the City and for the City to accept the right of way in the Developer's Subdivisions 7662, 8760 & 8734 as well as that which was dedicated by Parcel Map 32 PM 48; and

WHEREAS, the Developer desires to relocate said irrigation laterals into the future Grape Vine Lane in accordance with the Relocation Agreement and has requested that the City accept the offers of dedication to allow the Developer to proceed with the relocation; and

WHEREAS, Staff determined that the offer of dedication associated with Parcel Map 32 PM 48 was rejected and terminated by the recordation of the final map for Subdivision 8734; and that pursuant to Section 66477.2(a) of the Subdivision Map Act the City Council may rescind its action and accept the offer of dedication by resolution; and

*and a revised Grapevine Lane alignment was dedicated*  
(7220 or 637) AS TO LANDS WITHIN SUBDIVISION 8734

Resolution No. 95-14

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WHEREAS, STAFF DETERMINED THAT THE OFFER OF DEDICATION ASSOCIATED WITH PARCEL MAP 32 PM 48 (7220 or 637) LYING OUTSIDE OF SUBDIVISION 8734 HAS NOT YET BEEN ACCEPTED.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that the ~~Rejection and Termination of the Offer of Dedication by Parcel Map 32 PM 48 is hereby rescinded and that the Offers of Dedication of Right of Way described above are hereby accepted by the City.~~

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the ~~28<sup>th</sup> of October, 2014~~ by the following vote: 5-0


**AYES:** Burgis, Hardcastle, Pope, Rios, Romick

**NOES:**

**ABSTENTIONS:**


**ABSENT:**

**APPROVED:**

  
\_\_\_\_\_  
Sandy Pope, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Libby Vreonis, City Clerk

  
\_\_\_\_\_  
Date

**RESOLUTION NO. \_\_-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
ACCEPTING THE GRAPEVINE LANE OFFERS OF DEDICATION  
ASSOCIATED WITH SUBDIVISIONS 8760, 7662, 8734 AND  
PARCEL MAP 32 PM 48**

**WHEREAS**, on January 9, 2006 the City of Oakley adopted Resolution 03-06 approving the final map for Subdivision 7662 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

**WHEREAS**, on January 9, 2006 the City of Oakley adopted Resolution 05-06 approving the final map for Subdivision 8760 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

**WHEREAS**, on May 14, 2007 the City of Oakley adopted Resolution 59-07 approving the final map for Subdivision 8734 and said map made certain offers of dedication of right of way including the future Grapevine Lane; and

**WHEREAS**, on March 27, 1974 Parcel Map 32 PM 48 was recorded in the office of the Contra Costa County Recorder and said map shows certain offers of dedication of right of way including the future Grapevine Lane as described in the offer of dedication recorded May 6, 1974, Book 7220, Page 637, Official Records (7220 OR 637); and

**WHEREAS**, on October 14, 2008 a Relocation Agreement was executed between the United States Bureau of Reclamation, the Contra Costa Water District, the City of Oakley, and Discovery Builders, Inc., Albert D. Seeno Construction Co., and West Coast Builders, Inc. (collectively the Developer) which allowed for the Developer to relocate certain irrigation laterals that ran through easements on several lots contained within the Developer's Subdivision 7681; and

**WHEREAS**, the Relocation agreement requires, among other items, the Developer to dedicate right of way to the City and for the City to accept the right of way in the Developer's Subdivisions 7662, 8760 & 8734 as well as that which was dedicated by Offer of Dedication 7220 OR 637 as shown on Parcel Map 32 PM 48; and

**WHEREAS**, the Developer desires to relocate said irrigation laterals into the future Grapevine Lane in accordance with the Relocation Agreement and has requested that the City accept the offers of dedication to allow the Developer to proceed with the relocation; and

**WHEREAS**, Staff determined that the offer of dedication associated with Parcel Map 32 PM 48 (7220 OR 637) as to lands within Subdivision 8734 was

rejected and terminated and a revised Grapevine Lane alignment was dedicated by the recordation of the final map for Subdivision 8734; and

**WHEREAS**, Staff determined that the offer of dedication associated with Parcel Map 32 PM 48 (7220 OR 32) lying outside of Subdivision 8734 has not yet been accepted.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that the Offers of Dedication of Right of Way described above are hereby accepted by the City.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 27<sup>th</sup> of January, 2015 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
Doug Hardcastle, Mayor

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date