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City Manager's Report
May 14, 2024 City Council Meeting
Prepared By: Melissa McConnell, Interim City Engineer
Item#: 7.5

Subject: Consider accepting a revised Irrevocable Offer of Dedication for public street right-of-way along the frontage of 1361 Broadway (Assessor's Parcel Numbers 002-251-020 and 002-261-011).

Recommendation: Adopt a resolution accepting a revised Irrevocable Offer of Dedication from Acorn Enterprises for public street right-of-way along the frontage of 1361 Broadway (Assessor's Parcel Numbers 002-251-020 and 002-261-011) for the purposes of sidewalk and roadway; authorizing the City Engineer to execute said offer; and directing the City Clerk to record said offer with the Office of the El Dorado County Recorder.

Purpose: The purpose of the proposed action is to accept a revised Irrevocable Offer of Dedication (IOD) for street right of way along Broadway.

Strategic Plan Strategy: Strategy 4 - Update and Maintain City-Owned Infrastructure.

Background: Over the years, the City has secured public access and utility rights by conditioning parcel maps and other development projects to dedicate rights of way through an Irrevocable Offer of Dedication pursuant to the Subdivision Map Act and California Government Code Section 7050. When a property owner, upon issuance of a building permit, is required to construct street frontage improvements per City Code Section 8-9-3, the property owner shall also provide the required grant of right-of-way. City Code Section 8-9-5 states that the property owner whose property the building is to be constructed or located shall make an offer of dedication to the City of all required easements and rights of way for the installation of street, utilities, and public service facilities.

Discussion: As a condition of approval for the Site Plan Review (SPR 03-03) and Conditional Use Permit (CUP 03-01) for the construction of the "Big Bear Car Wash" (now "Splasherville Car Wash and Lube"), the property owner was required to make an Offer of Dedication to the City for the public sidewalk and roadway. Upon completion of the construction on this property, the Offer of Dedication was never made to the City. During review of the public right-of-way in advance of the Broadway Maintenance Project, it came to the attention of staff that this action needed to be completed to correct the public right-of-way and deliver a more comprehensive project.

In 2023, the current property owner granted an Irrevocable Offer of Dedication to the City for the public sidewalk and street on August 9, 2023, and the City Council accepted the Offer of Dedication on September 12, 2023. When staff took the Offer of Dedication to be Recorded, it was discovered that an incorrect notary form was used, and the County rejected the documents. When staff reached out to the property owner, it was discovered the property owner had sold the property.

Staff contacted the new property owner, Acorn Properties, early in 2024 and informed them of the situation. The property owner gladly corrected the course and signed the Offer of Dedication with the correct notary form. Staff is recommending the City Council acceptance of this offer to secure the public right-of-way.

Options:

1. Accept the IOD to the City of Placerville from Acorn Properties for the public street right of way at 1361 Broadway; or
2. Direct staff to take other action.


Environmental: Not applicable.

Cost: There is no cost associated with this item.

Budget Impact: There is no budget impact associated with this item.



M. Cleve Morris, City Manager



Melissa McConnell, Interim City Engineer

Attachment:

- A. Resolution
- B. Irrevocable Offer of Dedication