



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT

ATTACHMENT 8

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DATE: December 21, 2001
TO: Bill Mahoney, Assistant CEO
Strategic and Intergovernmental Affairs
FROM: Vicki L. Wilson, Director
Public Facilities & Resources Department
SUBJECT: Costa Mesa/Fairview Park

COUNTY EXECUTIVE OFFICE

DEC 26 2001

This memo is prepared in response to your memo addressed to Ken R. Smith dated September 21, 2001. Your memo outlined the City of Costa Mesa's request to remove certain deed restrictions that require the property in question to be "perpetually used for public park, recreation, and open space purposes". As you know, the City of Costa Mesa purchased the subject property from the County in 1986. The subject land lies between a residential tract along its northern border and an existing flood control channel, (Fairview Channel), along the southern border. Based upon the results of our investigation the following comments are offered:

GENERAL COMMENTS:

1. PFRD conducted field investigations that revealed certain property owners within the residential development have already extended fences and walls into the subject land and are using portions of the parcels owned by the City. These individuals are using this area in direct conflict with the existing deed restrictions.
2. The existing channel improvements consist of a 100 feet-wide earthen trapezoidal channel with raised levees. The interior channel slopes are riprap lined, the outside slopes are steep and earthen, channel access maintenance roads are provided along both the north and south levees, and the channel includes chain link fencing to define the channel right-of-way boundaries at the toe of the outside slopes. The outside earthen channel slopes referred to above are steep and the ratios exceed the District's standard of 2:1. From a maintenance standpoint, the slopes are problematic and it doesn't take much rain before the slopes experience erosion, sloughing and minor failures that require frequent restoration.
3. Fairview Channel is not in its ultimate configuration. However, because the southerly channel levee is lower than the northerly levee, 100 year design flows overflow into the park instead of the adjacent homes. Improvement alternatives to

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Fairview Channel have included proposals to remove the southerly channel levee that allow for occasional flooding of the park.

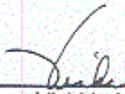
4. The area southerly of the tract boundary contains a 10 feet wide pipeline easement and a 30 feet wide easement for ingress/egress we believe to the Mesa Consolidated Water District (see attached map). The homeowners may need permission from this easement holder whom we could not confirm. However, Consolidated Water District would be the likely easement holder.

RECOMMENDATIONS:

The current deed restrictions may be removed with the following conditions:

1. Provide setback of at least 10 feet to buildings, structures, fences, etc. from the OCFCD right-of-way line.
2. The City and adjacent property owners need to be made aware of the 10 feet wide pipeline and 30 feet wide ingress/egress easement. These easements may limit uses intended by the City and adjacent homeowners.

Please feel free to call me at 834-5302 if I can be of further assistance.



Vicki L. Wilson

RSB:cd:\Pwf\2032\Sara\2001999-008 D04 Costa Mesa Deed Restriction Sara's Version 2.doc

cc: Ken R. Smith, Deputy Director, PFRD
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