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**Title:** Approve the acquisition of permanent pipeline right-of-way easement and temporary construction easement from Frances L. Barigian for APN 427-171-25 (Council District 4)

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map PS 250A.pdf, 2. Purchase Agreement PS 250A.pdf, 3. Exhibit 1A - Dead of Easement PS 250A.pdf, 4. Exhibit 1B - Temp Construction Easement PS 250A.pdf

Date	Ver.	Action By	Action	Result
5/21/2015	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**May 21, 2015**

**FROM:** THOMAS C. ESQUEDA, Director  
Department of Public Utilities

**BY:** MICHAEL CARBAJAL, Division Manager  
Department of Public Utilities - Water Division

**SUBJECT**

Approve the acquisition of permanent pipeline right-of-way easement and temporary construction easement from Frances L. Barigian for APN 427-171-25 (Council District 4)

**RECOMMENDATIONS**

Staff recommends that City Council:

1. Approve the acquisition of a permanent pipeline right-of-way and a temporary construction easement (See Exhibits 1A and 1B), which are necessary for the installation of a well's discharge pipe and relocation of an existing service water connection, from property owner Frances Barigian, for the amount of \$15,000.
2. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City.

## **EXECUTIVE SUMMARY**

The Water Division maintains a network of some 260 plus municipal water supply wells that provides 88 percent of the City's potable water. New wells are required to meet new demands, replace wells that have reached the end of their useful service life, or assist in remediating water quality issues.

The proposed acquisition of the easement will allow the Water Division to install necessary piping for the construction of a replacement well known as Pump Station (PS) 250A. The temporary construction easement is needed to relocate an existing private water service outside of the well site.

## **BACKGROUND**

Previously, a parcel for PS 250A was acquired and a production well drilled. Due to the unexpected high yield of the new well, a dedicated and larger diameter discharge pipe needs to be installed so the new well can be utilized to its full potential. Due to numerous utilities in place and limited right-of-way, a pipeline easement is necessary to properly locate the discharge pipe.

The temporary construction easement is necessary to relocate an existing water service outside of the well lot.

Staff has negotiated with the land owner to purchase the subject easement for the amount of \$15,000, which is based on appraised values. Owner of the parcel has agreed to the amount of compensation offered by the City and signed the Purchase Agreement and Grant Deed. With Council approval, the construction of PS 250A will continue as planned without further delays.

The documents signed by the property owner have been approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

The project has been previously environmentally assessed. An environmental assessment was completed for the construction of PS 250A. Mitigated Negative Declaration EA No. C-12-127 was adopted by the City's Development and Resource Management on August 17, 2012 and a Notice of Determination was filed with the Fresno County Clerk's Office on December 7, 2012. The construction of PS 250A, was included in the project description and environmentally assessed in the initial study resulting in the finding of a Mitigated Negative Declaration. Staff has performed an analysis and determined that no substantial changes have occurred with respect to the circumstances under which Mitigated Negative Declaration EA No. C-12-127 was adopted, and that no new information, which was not known and could not have been known at the time Mitigated Negative Declaration EA No. C-12-127 was adopted has become available. Therefore, all necessary environmental review required by the California Environmental Quality Act has been completed for the construction PS 250A.

## **LOCAL PREFERENCE**

Local Preference was not considered because this action does not include a bid or an award of a City construction or services contract.

## **FISCAL IMPACT**

The project, which is located in District 4, will not have any impact to the General Fund. Funds for the construction of PS 250A are included in Water Division's FY 2015 Capital Improvement Program budget within the Water Enterprise Fund (40101). The construction and development of replacement water wells was included in the water rate model used to create the five-year utility rate plan and subsequently adopted by City Council on February 27, 2007 (Resolution 2007-79). No additional funding is required for the construction of this project.

Attachments:

- Vicinity Map
- Purchase Agreement
- Exhibit 1A Deed of Easement
- Exhibit 1B Temporary Construction Easement