TO: Mayor and City Council
FROM: Municipal Utilities Department

SUBJECT: EASEMENT AGREEMENTS BETWEEN THE CITY OF STOCKTON AND THE STOCKTON EAST WATER DISTRICT RELATIVE TO THE SOUTH STOCKTON AQUEDUCT PROJECT

RECOMMENDATION

Adopt a Resolution approving findings and authorizing the City Manager to execute an acquisition of easement agreement, temporary construction easement agreement, and permanent easement agreement with Stockton East Water District (SEWD) for construction of a portion of the South Stockton Aqueduct on SEWD property.

SUMMARY

The agreement and easements will allow the City to access SEWD property and construct the connection between the South Stockton Aqueduct and the SEWD water treatment plant.

DISCUSSION

Background

The South Stockton Water System service area generally includes Weston Ranch, the San Joaquin General Hospital and Jail complex, the Stockton Metropolitan Airport and Northern California Youth Center, as well as surrounding industrial areas. The approximate 17,000-acre Service Area is served by seven (7) municipal water wells.

In recent years, the South Stockton Service Area has experienced rapid growth. Weston Ranch is nearly built-out. Other areas in South Stockton are targeted for industrial and commercial growth. The consequent increased demand on the South Stockton Water System exacerbates conditions affecting water quality and quantity for the Service Area.

The City currently purchases treated water from the Stockton East Water District (SEWD) to augment water wells in the City's North Water System. SEWD has been identified as a potential source of treated water to serve the City's South Water System.
Accordingly, on April 30, 2002, Council authorized a contract amendment with West Yost and Associates, Civil Engineers, to prepare a project pre-design report which evaluated the technical issues and identified potential alignments from the SEWD Treatment Plant on East Main Street to the City's South System. In general, the selected alignment crosses the Diverting Canal at East Main Street and continues westerly, then proceeds southerly on Gillis Road to State Route 4, westerly on State Route 4 approximately ¼ mile, southerly to Carpenter Road, westerly to Pock Lane, then southerly approximately 1000 feet to the City’s South Water System.

In December, 2003, Council approved a contract with amendment with HDR Engineering, Inc., for the preparation of plans and specifications for the South Stockton Aqueduct.

In March, 2004, the City was awarded a $5,980,000 EDA, of which $5,553,000 will be used for construction of the South Stockton Aqueduct.

On November 30, 2004, the City Council authorized the City Manager to execute a construction contract for the South Stockton Aqueduct with Sundt Construction Inc. for $9,868,589.00 (Resolution 04-0781).

**Present Situation**

Approximately 500-feet of the 42-in diameter water transmission pipeline will be constructed on SEWD property. This segment also includes the installation of a meter, valves, and electrical equipment which will be controlled by SEWD. The control modifications will enable a stable treated water delivery rate to the City’s north and south systems, ensuring system reliability.

The Agreement with SEWD provides for a temporary easement within which the City will conduct construction operations. The temporary easement will revert back to SEWD after construction is complete. The Agreement also provides for a permanent easement which provides the City access to the pipeline for operation and maintenance purposes.

The Agreement further provides that upon completion of construction, the 42-in transmission pipeline, meter, valves, electrical controls, and related improvements constructed at the SEWD water treatment plant will become the property of SEWD. The City will retain ownership of that portion of the transmission pipeline under the Diverting Canal and levees in the new permanent easement.
Findings

The transfer of improvements (pipeline, meter, valves, electrical controls and related improvements, constructed by the City, to SEWD is not a gift of public property because:

- It is necessary and appropriate that SEWD retain operational control and ownership of facilities within the water treatment plant facility.
- The improvements have no value except for the sole benefit of the CITY.

ENVIRONMENTAL CLEARANCE

An Initial Study/Mitigated Negative Declaration (IS35-02) together with the “South Stockton Aqueduct Project Findings Report” was adopted on November 30, 2004 by Stockton City Council Resolution No. Resolution 04-0780.

PREPARED BY: Lawrence B. Deimler

Respectfully Submitted,

MARK J. MADISON
DIRECTOR OF MUNICIPAL UTILITIES

APPROVED BY CITY MANAGER

MJM:LBD:sn