

Agenda Report

TO: CITY COUNCIL

January 3, 2000

FROM: City Manager

SUBJECT: Kaweah Drive Outlet Drain
Right-of-Way

RECOMMENDATION:

It is recommended that the City Council adopt a resolution that will:

- (1) Authorize the City Manager or her designee to approve a right-of-way map showing the interests in real property to be acquired for the construction of the Kaweah Drive Outlet Drain project.
- (2) Authorize the City Manager or her designee to approve the appraisal report made by a qualified independent appraiser for the interests in real property to be acquired for the construction of the Kaweah Drive Outlet Drain project; to make the determination on behalf of the City of the just compensation for up to \$1,000 for said interests in real property; to make an offer on behalf of the City for the purchase of said interests in real property based on the approved just compensation and enter into an acquisition agreement therefor; and to consent to and accept on behalf of the City any deeds or grants whereby any interest in real property is conveyed to the City for said outlet drain project.

BACKGROUND:

The Kaweah Drive Outlet Drain project provides for the extension of an existing hillside drainage system in order to restore a slope damaged by concentrated storm water runoff from a City facility and eliminate future flooding and erosion.

The proposed project calls for the installation of a 15-inch diameter corrugated plastic pipe in a trench along the southerly five feet of the vacant lot at 1873 Kaweah Drive. The pipe will convey storm water from a catch basin/culvert at a sump or low point on Kaweah Drive to a 7-foot long extension of an ornamental rock channel within the westerly 12 feet of said vacant lot. The project will also provide for filling in ditches created by storm runoff from the culvert, the removal of minor improvements and vegetation interfering with the proposed pipe installation, the construction of an energy dissipating outlet structure, and the installation of plants with shallow fibrous roots to help retain the regraded slope.

The project was determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15304(f) of the State CEQA Guidelines (minor trenching and backfilling where the surface is restored to its pre-existing condition) by the Environmental Administrator on March 5, 1999, and a Notice of Exemption therefor filed with the Los Angeles County Clerk on March 19, 1999.

In order to carry out the project it will be necessary to acquire two permanent easements and three temporary construction easements for the construction and the future operation and maintenance of the proposed storm drain facilities.

Two of the three property owners involved in this project, both local residents, have already executed the required easement documents. Adoption of the recommended resolution will authorize the acceptance and recordation of these documents.

The owners of the vacant lot at 1873 Kaweah Drive where the pipe is to be installed, however, have declined to discuss the matter with staff. As the existing damage is located almost entirely on the other properties, these owners have no incentive to forego the receipt of compensation based on fair market value for the required permanent and temporary easements to which they are entitled by law. It is, therefore, recommended that the City Manager or her designee be authorized to carry out, on behalf of the City, the various actions required by law to acquire the interests in real property needed to construct the project. This will streamline the acquisition process and help expedite the project.

It is estimated that the combined appraised value for the required permanent and temporary easements at 1873 Kaweah Drive will be a nominal sum of not less than \$500 nor more than \$1,000. The written offer to purchase these interests in real property will be based, as required by California law, on the just compensation (fair market value) established by an independent appraisal. Should the acquisition of these two easements require payment in excess of their appraised fair market value, it will be necessary to obtain additional authorization from the City Council.

Plans and specifications for the project have been completed. A construction schedule for the work will be established when all of the needed easements have been acquired.

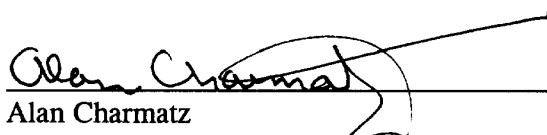
FISCAL IMPACT:

Sufficient funds are available in Budget Account 76527 (Kaweah Drive Outlet Drain) to complete the project.

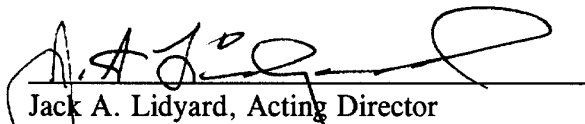
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Prepared by:


Alan Charmatz
Principal Engineer

Approved by:


Jack A. Lidyad, Acting Director
Public Works and Transportation

AC:sac
1K-1130-AC1