



CITY OF SAN MATEO

City Hall
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Agenda Report

Agenda Number: 10

Section Name: {{section.name}}

File ID: {{item.tracking_number}}

TO: City Council
FROM: Drew Corbett, City Manager
PREPARED BY: Public Works Department
MEETING DATE: January 19, 2021

SUBJECT:
Wastewater Treatment Plant Upgrade and Expansion Project – Acquisition of Easements

RECOMMENDATION:

Adopt a Resolution to approve the Agreement Granting Easements and Escrow Instructions between the City of San Mateo and All American Self Storage, L.P. for the granting of easements for the Wastewater Treatment Plant site in the amount of \$145,000; approve payment of estimated closing costs for the transaction of approximately \$4,000; and authorize the Mayor to execute the Agreement Granting Easements and Escrow Instructions, the Easement Deed and Agreement, and Temporary Construction Easement Deed and Agreement in substantially for the form presented.

BACKGROUND:

The Wastewater Treatment Plant Upgrade and Expansion Project ("WWTP Project") consists of several new treatment process facilities and a new administration building on a currently undeveloped parcel on Detroit Drive, as well as upgrades and enhancements to the existing facilities. All American Self Storage, L.P. (AAS) is a self-storage business located directly across Detroit Drive from both the existing wastewater treatment plant and WWTP Project site. The WWTP Project requires multiple easements from AAS for the placement of wastewater infrastructure and for construction access. Staff, with the consultant support of Associated Right of Way Services (ARWS), has negotiated with AAS over a small portion of the privately-owned property adjacent to the existing WWTP. Negotiations occurred in two phases, described below. This current easement purchase request is associated with Phase 2 easement needs.

Phase 1 Temporary Construction Easement: The City owns a vacant parcel directly adjacent to and south of the AAS property. The City is currently using that parcel for contractor parking and staging during the construction of the WWTP Project. AAS owns a portion of an existing bike path easement between Detroit Drive, and that AAS portion of the bike path is needed for general access during construction. ARWS provided appraisal and negotiation services to acquire the temporary construction easement (TCE). In March 2019, the City executed a five-year TCE agreement with AAS in the amount of \$15,000. Since the AAS facility is in close proximity to the WWTP Project construction site, the City also committed to noise and vibration mitigation and monitoring measures, which the project continues to implement. In July 2020, the City approved an administrative settlement with AAS in the amount of \$17,408.85 for additional noise mitigating measures during the pile driving phase of construction.

Phase 2 Temporary Construction Easement and Public Utility Easement: Phase 2 intends to convert the Phase 1 TCE area to a permanent public utility easement and acquire a new TCE located inside of the existing fence that separates the AAS facility from the public path. The new TCE is required to allow access for the contractor to construct multiple subsurface wastewater pipelines during a one-year construction period commencing in February 2021. After the construction is complete, the Phase 2 TCE area will be restored to its original, pre-construction condition.

After several months of negotiations, the City and AAS agreed on the amount for the easement interests. Staff

recommends approval of the Purchase and Sale Agreement for the settlement amount not to exceed \$145,000, and payment of the estimated \$4,000 closing costs for the transaction.

BUDGET IMPACT:

Sufficient funds are budgeted in the WWTP Project to cover this expense.

ENVIRONMENTAL DETERMINATION:

The City prepared a Final Programmatic Environmental Impact Report (Final PEIR) in accordance with the California Environmental Quality Act (CEQA) (SCH No. 2015032006). The PEIR was certified by City Council on June 6, 2016. In accordance with CEQA, the Final PEIR serves as the primary environmental compliance document for implementation of the Clean Water Program. The City prepared an Addendum to the Final PEIR that were approved on July 16, 2018 (Addendum 1) and April 15, 2019 (Addendum 2). This work is within the scope of the project evaluated in the PEIR and Addenda.

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Proposed Resolution

Att 2 – Agreement Granting Easements and Escrow Instructions

Att 3 – Easement Deed and Agreement

Att 4 – Temporary Construction Easement Deed and Agreement

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