



## Legislation Details (With Text)

**File #:** 09-1066      **Version:** 1      **Name:** PW - easement deed River Ave Storm Drain  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 9/28/2009      **In control:** City Council  
**On agenda:** 10/13/2009      **Final action:** 10/13/2009  
**Title:** Recommendation to authorize City Manager, or designee, to purchase and accept an easement deed from Southern California Edison (SCE) in the appraised amount of \$76,500, for purposes of constructing, operating, and maintaining the River Avenue Storm Drain within SCE's Hinson Sub Station. (District 7)  
**Sponsors:** Public Works  
**Indexes:** Easement Deeds  
**Code sections:**  
**Attachments:** 1. 101309-C-9sr.pdf

| Date       | Ver. | Action By    | Action                 | Result |
|------------|------|--------------|------------------------|--------|
| 10/13/2009 | 1    | City Council | approve recommendation | Pass   |

Recommendation to authorize City Manager, or designee, to purchase and accept an easement deed from Southern California Edison (SCE) in the appraised amount of \$76,500, for purposes of constructing, operating, and maintaining the River Avenue Storm Drain within SCE's Hinson Sub Station. (District 7)

As a result of several flooding incidents that have impacted residents on and adjacent to Arlington Avenue, including damaged homes and vehicles, the City of Long Beach is moving forward with construction of a storm drain project to bring the flood protection in this area to a full ten-year protection level. The project consists of the construction of a parallel storm drain system on River Avenue, north of Arlington Street, connected to an underground storage (detention) basin on the SCE property that would temporarily hold two acre-feet of storm water during heavy flows, and release them as the storm abates and the downstream pipe is no longer flowing full. The construction contract was awarded by the City Council on September 8, 2009, with construction to commence this month.

Since a portion of this storm drain will reside within SCE's property adjacent to Arlington Avenue, also known as their Hinson Sub Station, the City needed to acquire an easement from SCE for the construction, operation, and maintenance of this storm drain. Under California Public Utility Commission Regulations, any property owned by SCE to be sold, leased, licensed, or granted as easements must be done so at a fair market value to protect the utility rate payers. Based on this requirement, an appraiser was hired by the City to value the needed 47,596 square feet easement. After full consideration of current and prospective land uses, as well as the impacts and the benefits the storm drain will provide, the appraiser determined the easement had a net value of \$76,500. SCE staff reviewed the appraisal and concurred with these findings.

This matter was reviewed by Deputy City Attorney Linda Trang on September 22, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on September 23, 2009.

**SUSTAINABILITY**

The water quality mitigation improvements in the project will significantly reduce trash, debris, green waste, sediment, bacteria and pollutants, by including bacteria filters and catch basin screens. In addition, all excavated soils will be retained by SCE for use on future planned improvements to their substation significantly reducing truck trips and the associated air pollution.

City Council action is requested on October 13, 2009, to expeditiously secure the required easements for the operation and maintenance of the River Avenue Storm Drain.

The funding for the purchase of the required easement was included in the American Recovery and Reinvestment Act (ARRA) Community Development Block Grant (CDBG) funds from federal Housing and Urban Development Department (HUD) that were allocated to this project by the City Council on September 8, 2009. Funds are budgeted in the Capital Projects Fund (CP 201) in the Department of Public Works (PW).

Approve recommendation.

Michael P. Conway  
Director of Public Works

NAME  
TITLE

APPROVED:

\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER