



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Administrative Services

Meeting Date: June 19, 2023

Report #:2303-1115

TITLE

Grant of Easements to City of Mountain View for the City of Mountain View's Phase 2 San Antonio Area Sewer Main Improvements Project. CEQA Status – Exempt Under CEQA Guidelines Section 15378(b)(5).

RECOMMENDATION

Staff recommends that Council:

1. Authorize the City Manager or their designee to execute the attached Grant of Easement and Agreement to City of Mountain View (Attachment A); and
2. Authorize the City Manager or their designee to execute the attached Temporary Construction Easement (Attachment B).

EXECUTIVE SUMMARY

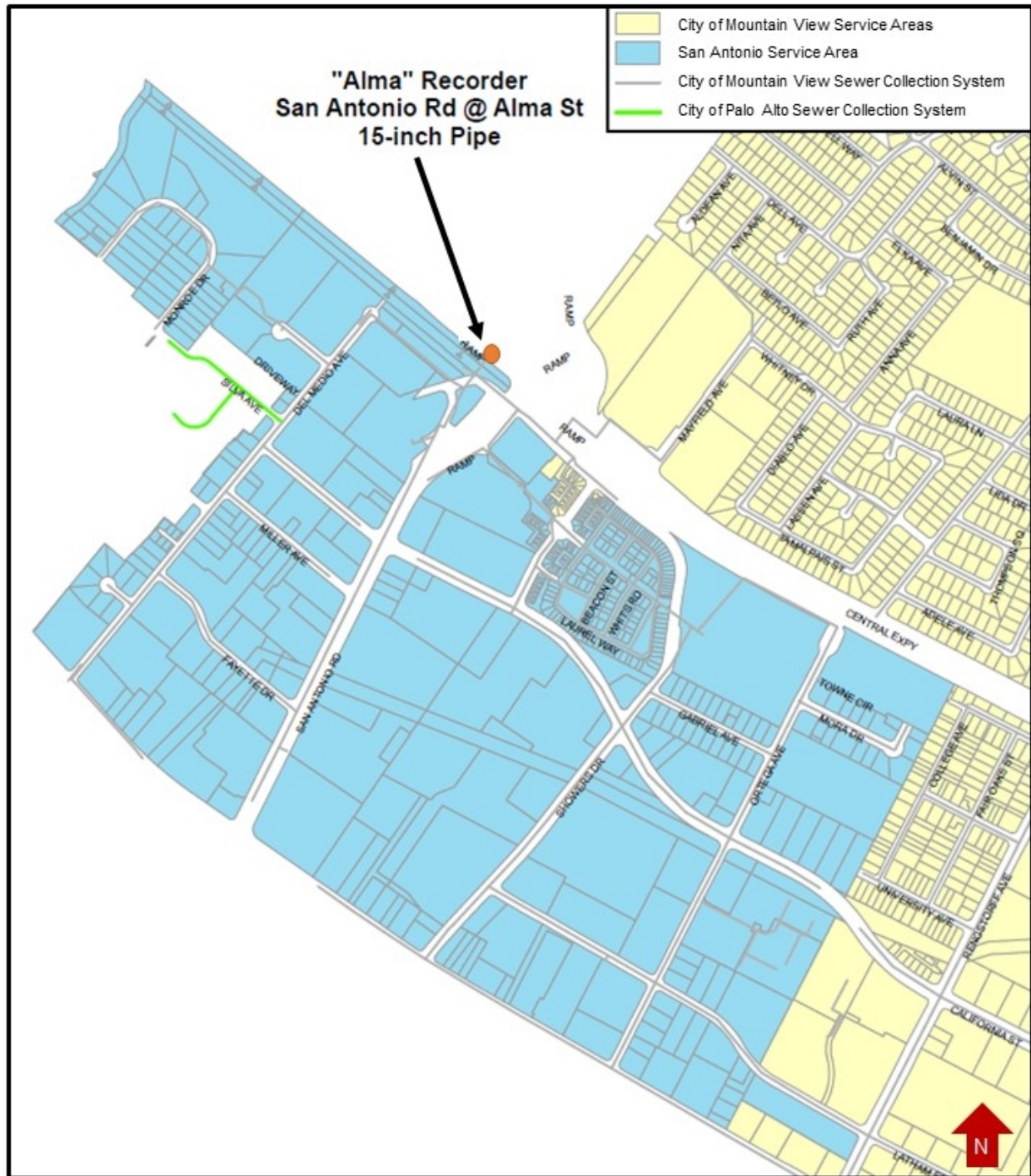
The San Antonio Area Sewer Main Improvements Project (Project) will address operation and capacity issues for the City of Mountain View's sanitary sewer collection system in the San Antonio service area and replace a sewer meter, also known as the Alma Recorder. The San Antonio service area is located along the western border of the City of Mountain View. The Mountain View system also collects sewage from a small area of the City of Palo Alto at Silva Avenue and Silva Court. As part of this Project, the City of Mountain View will construct a new sanitary sewer pipeline on San Antonio Avenue that encroaches onto City of Palo Alto owned Assessor Parcel Number 147-09-051 located between San Antonio Avenue and San Antonio Road (Attachment C). To support the project, the City of Palo Alto will execute a Grant of Easement and a Temporary Construction Easement to the City of Mountain View.

BACKGROUND

The City of Mountain View owns and operates the wastewater collection system within its boundaries. The majority of wastewater generated within the City of Mountain View is collected and conveyed to the Shoreline Pump Station in the City of Mountain View's Shoreline Regional

Park, which is then pumped to a trunk sewer conveying to the Palo Alto Regional Water Quality Control Plant (RWQCP). However, two areas on the western border of the City of Mountain View have topography such that wastewater does not flow to the Shoreline Pump Station.

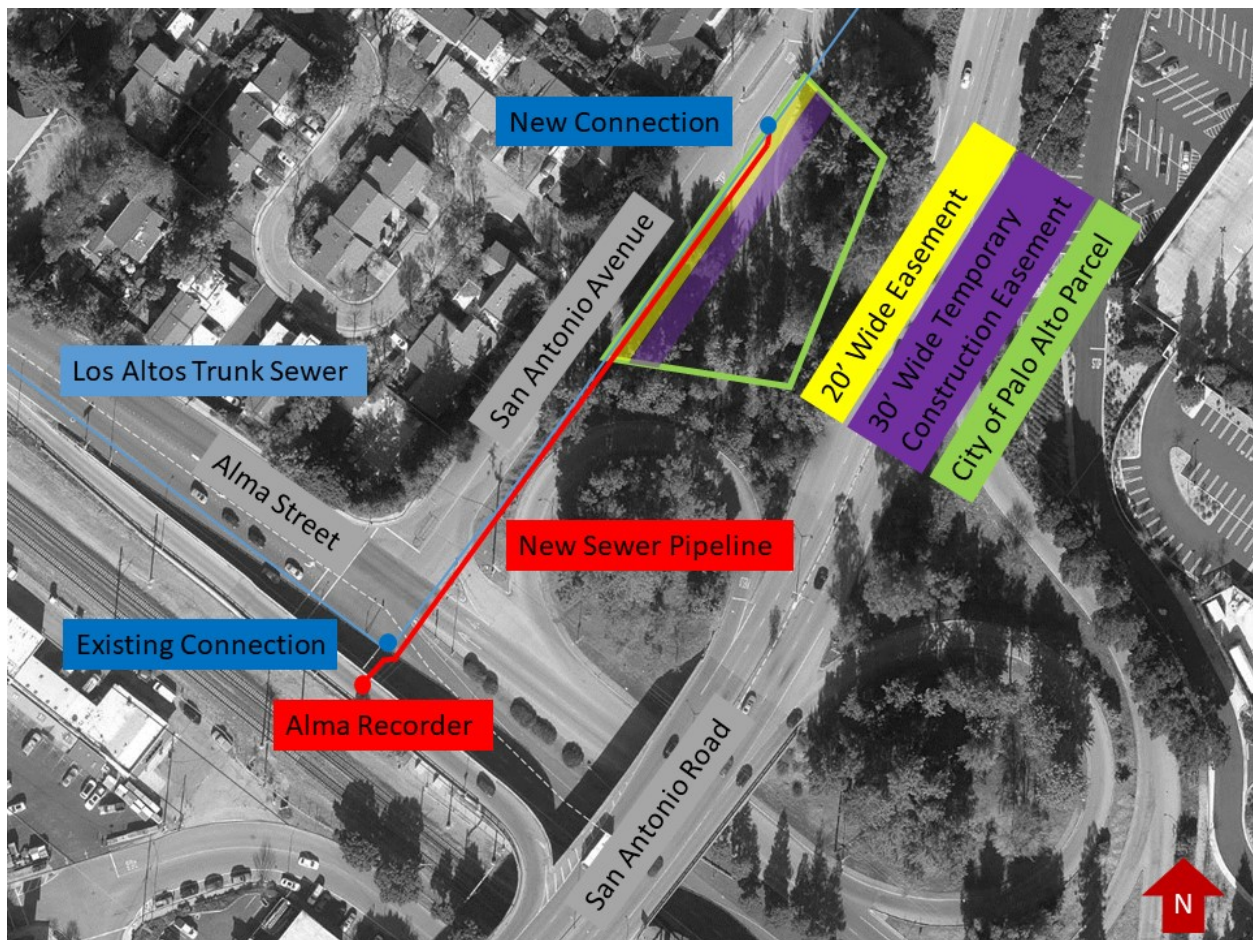
In these areas, wastewater is collected and conveyed to the Los Altos Trunk Sewer for conveyance to the Palo Alto RWQCP. The San Antonio service area as shown below is the larger of the two areas. Wastewater flows are collected from the San Antonio service area and a small service area from the City of Palo Alto before being conveyed through the Alma Recorder to calculate wastewater flows. The sewage then flows to the Los Altos Trunk Sewer at the intersection of Alma Street and San Antonio Avenue in the City of Palo Alto.



To plan for the existing and projected future developments in the San Antonio service area, the City of Mountain View completed a study in 2017 to evaluate improvement options for the sewer collection system. The project identified areas of pipeline capacity deficiencies, and existing operation and capacity issues at the Alma Recorder. Based on the study findings, City of Mountain View developed a design plan to replace the existing Alma Recorder and to construct a new pipeline on San Antonio Avenue in order to relocate the existing Los Altos Trunk Sewer

connection point to a lower elevation. This new pipeline and connection point will resolve a backwater issue currently experienced at the Alma Recorder that makes the sewer flow readings problematic. This new pipeline will not directly connect to the City of Palo Alto's sanitary sewer system.

Due to existing utility conflicts along San Antonio Avenue, the new pipeline alignment will be located along the south edge of San Antonio Avenue. The alignment will encroach onto a City of Palo Alto's Assessor Parcel Number 147-09-051 located adjacent to the traffic ramp from Alma Street to San Antonio Road. The City of Palo Alto acquired the 28,089 square foot parcel in 2011 via an exchange agreement as part of the Mayfield Mall redevelopment project (CMR 1268¹). The parcel is currently a landscaped island between roadways, and the site will be restored after project construction. For the project to complete design and before construction proceeds, the City of Mountain View requested the City of Palo Alto to grant a temporary construction easement and a permanent easement for the new pipeline.



¹ 01/18/2011 City Council, Approval of an Agreement and Quit Claim Deed
<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmr/year-archive/2011/1268.pdf>

ANALYSIS

For the construction of the San Antonio Area Sewer Main Improvements project to proceed, a permanent sewer easement and a temporary construction easement will need to be granted by the City of Palo Alto to the City of Mountain View. The City will be granting the following easement rights for the Project:

- A 20' wide non-exclusive permanent easement, containing approximately 5,203 square feet, parallel to San Antonio Avenue from the City of Palo Alto owned parcel APN 147-09-051, for the new sanitary sewer pipeline as a part of the San Antonio Area Sewer Mains Improvements Project.
- A 30' wide temporary construction easement to the east of and parallel to the permanent easement for the pipeline, from the City of Palo Alto owned parcel APN 147-09-051. This temporary easement is approximately 7,129 square feet and will be used for construction and staging for the Project. The term will commence upon notification to proceed and terminate within 200 days and not exceed June 30, 2025.

Granting the easement rights to City of Mountain View to support the San Antonio Area Sewer Main Improvements project is consistent with policies and programs in the Comprehensive Plan to promote public safety and infrastructure investments, to develop a safer regional area, and to work in cooperation with neighborhood cities to solve regional issues that impact many residents and communities.

Once the City of Palo Alto grants the easements to the City of Mountain View, the City of Mountain View will finalize the construction documents and advertise the project for bidding. The contractor for the project will apply for the City of Palo Alto Street Work Permit and Encroachment Permit and secure both before the start of construction. Construction is scheduled to commence in September 2023 and is anticipated to require approximately four to six months.

FISCAL/RESOURCE IMPACT

The City of Palo Alto's Easement Document Preparation and Processing fee of \$1,504 each as set forth in the Municipal Fee Schedule will be paid by the City of Mountain View. As noted in CMR 1268², the market value of the land was estimated at \$25,000 or \$0.89 per square foot, suggesting that the value of the easements would likely be minimal. Assuming that the value of the permanent easement is no more than 50% of the fee simple land value (\$0.89 per square foot x 5,203 square feet x 50% = \$2,315) and the temporary construction easement is no more than 10% of the fee simple land value, per year (\$0.89 per square foot x 7,129 square feet x 10% x 200 days / 365 days = \$348), the total value of the easements would be valued at less than

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\$2,663. Therefore, the City of Palo Alto plans to issue the two easements with no fee to the City of Mountain View.

STAKEHOLDER ENGAGEMENT

The City of Mountain View has provided the project design plans for review to the City of Palo Alto Utilities and Public Works Engineering, the City of Los Altos, and the County of Santa Clara. The proposed sewer line crosses underneath Palo Alto's existing storm drain line, as part of the Street Work Permit the contractor will need to protect the storm drain line and may need to CCTV the line prior to and post construction to verify the line was not damaged by the project. During the project design, City of Mountain View staff contacted utility companies and checked that the proposed sewer line do not have conflicts with the existing utility pipes.

Over the past few years, City staff have been meeting and working with the staff of the City of Mountain View to coordinate the project, and to develop and review the plats, legal descriptions, and real estate rights that will be included in the easements to be granted to facilitate the Project. To support regional collaboration and to consider the proposed project will benefit the City of Palo Alto by continuing to provide reliable sanitary sewer collection for the City of Mountain View's San Antonio service area and a small portion of the City of Palo Alto. The agencies have addressed public inquiries as they have been received. The City of Mountain View plans to provide community notification on the construction work and has offered to work with the City of Palo Alto if other outreach is needed.

ENVIRONMENTAL REVIEW

Council action on this item is not a project as defined by CEQA because the conveyance of a sewer easement is an administrative activity that will not result in direct or indirect physical changes in the environment. CEQA Guidelines section 15378(b)(5).

On January 26, 2021, the City of Mountain View filed a notice of exemption for the project with the Santa Clara County Recorder. The project is the Phase 2 San Antonio Area Sewer Main Improvements, statutorily exempt from CEQA under Public Resources Code section 21080.21; CEQA Guidelines section 15282(k) (pertaining to construction or installation of pipelines that do not exceed one mile in length).

ATTACHMENTS

Attachment A: Grant of Easement and Agreement

Attachment B: Temporary Construction Easement

Attachment C: San Antonio Area Sewer Main Improvements Drawings

APPROVED BY:

Kiely Nose, Assistant City Manager

Lead Staff: Sunny Tong, Real Property Manager