



SUBJECT: Purchase and Sale Agreement with Nunn Family (No.2) Limited Partnership for utility easements to service the Innovation Center @ Brentwood.

DEPARTMENT: City Manager

STAFF: Darin Gale, Assistant City Manager
Ricardo Noguera, Economic Development Manager
Debra Galey, Senior Analyst, Engineering

TITLE/RECOMMENDATION

Adopt a resolution approving and authorizing the City Manager, or designee, in coordination with the City Attorney, to execute an Agreement for Purchase and Sale of Easement Rights, in substantial conformance with the attached Agreement, with Nunn Family (No.2) Limited Partnership, for a portion of APNs 019-081-023 and 019-081-024, to acquire utility easements necessary for CIP Project No. 336-31695, Innovation Center @ Brentwood Infrastructure ("Project") for \$193,904, and authorizing execution of other documents as necessary to complete the right-of-way transaction.

FISCAL IMPACT

Appraisals have been prepared to determine the current market value of the 26,613 square feet of Public Utility Easements and 14,744 square feet of Temporary Construction Easements. The total agreement amount is \$193,904 and the budget for this Project expenditure is included in the 2023/24-2027/28 Capital Improvement Program. The Project is funded by the Capital Infrastructure Fund and Development Impact Fees. There is no General Fund impact associated with this specific action. Any ongoing maintenance costs associated with improvements subsequently constructed will be budgeted for in future General Fund Operating Budgets.

BACKGROUND

At the direction of the City Council, staff has been working to obtain the real property rights necessary to realize the Innovation Center @ Brentwood vision. Acquisition of permanent easements for the utilities, and temporary construction easements for the related construction work of the utilities will help facilitate the development of the Innovation Center @ Brentwood (formerly PA-1) by allowing the extension of utilities



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from Empire Avenue to the west side of State Route 4. The Innovation Center @ Brentwood is intended to be predominately developed with a mixture of uses that generate jobs, including regional and general commercial, professional office, business park and light industrial uses. As a result of this General Plan designation, acquisition of easements for the extension of public utilities is therefore important to the City's future growth and economic development. Bringing necessary infrastructure to the region will support development into the vital area as it is planned. Construction of utilities is anticipated to begin in late 2024.

The Purchase and Sale Agreement considered in this item will facilitate the City's acquisition of 26,613 square feet of Public Utility Easements and 14,744 square feet of Temporary Construction Easements for \$193,904.

CITY COUNCIL STRATEGIC INITIATIVE

Acquisition of easements and subsequent construction of utilities furthers Strategic Plan FY2022/23-FY2023/24, Focus Area 1: Public Works, Goal 1 – Transportation, a. Construct Innovation Center infrastructure.

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

Not Applicable.

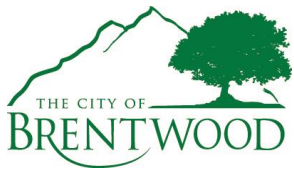
ENVIRONMENTAL DETERMINATION

Necessary CEQA findings will be made upon completion of construction plan design and prior to construction.

ALTERNATIVE OPTION(S)

1. Do not approve the Agreement for Purchase and Sale of Easement Rights and no utilities will be constructed in the area.
2. Direct staff to further negotiate with the property owner for easements.

ATTACHMENT(S)



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1. Previous Action
2. Easement Exhibit
3. Resolution
4. Agreement for Purchase and Sale of Easement Rights