

SUBJECT: Purchase and Sale Agreement with Houser/Maggiore 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

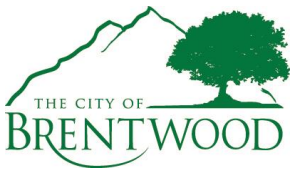
Adopt a resolution approving and authorizing the City Manager, or designee, in coordination with the City Attorney, to execute an Agreement for Purchase and Sale of Easements, in substantial conformance with the attached agreement, with Melrina A. Houser, as Trustee of the Houser Family Survivor's Trust, as to an Undivided 37.5% Interest; William P. Maggiore and Joyce K. Yano-Maggiore, Husband and Wife, as Joint Tenants, as to an Undivided 37.5% Interest; and Debra R. Maggiore, a married woman as her sole and separate property as to an Undivided 25% Interest, for a portion of APNs 019-081-009 and 019-081-020, to acquire utility easements necessary for CIP Project No. 336-31695 Innovation Center @ Brentwood Infrastructure ("Project") for \$84,500, and authorizing execution of other documents as necessary to complete the right-of-way transaction.

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

FISCAL IMPACT

An appraisal has been prepared to determine the current market value of the 10,314 square feet of Public Utility Easement and 5,423 square feet of Temporary Construction Easement. The total agreement amount is \$84,500 and the funds for this Project are included in the 2024/25 - 2028/29 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 Operating Budgets.

BACKGROUND



**CITY COUNCIL AGENDA ITEM NO. F.8
07/23/2024**

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 the permanent easement for the utilities, and temporary construction easement for the related construction work for the utilities will help facilitate the development of the Innovation Center @ Brentwood (formerly PA-1) by allowing the extension of utilities 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 generates 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. Once easements are obtained, construction of utilities is anticipated to begin in late 2024.

The Purchase and Sale Agreement considered in the item will facilitate the City's acquisition of 10,314 square feet of Public Utility Easement and 5,423 square feet of Temporary Construction Easement.

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.

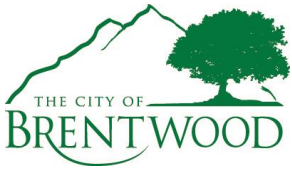
DATE OF NOTICE

Not Applicable.

ENVIRONMENTAL DETERMINATION

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

ALTERNATIVE OPTION(S)



**CITY COUNCIL AGENDA ITEM NO. F.8
07/23/2024**

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

ATTACHMENT(S)

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