

STAFF REPORT

City of Lancaster

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MVB

Date: May 11, 2010

To: Mayor Parris and City Council Members

From: Robert C. Neal, Director of Public Works

Subject: **Agreement with Dennis Pursley for the Construction of a Temporary Drainage Basin – Tentative Tract Map No. 62998; Located at the Northeast Corner of Avenue M and 32nd Street West**

Recommendation:

Approve an agreement with Dennis Pursley to construct a temporary drainage basin on the ten (10) acre parcel located west of Paraclete High School, proposed to be developed as Tentative Tract Map No. 62998.

Fiscal Impact:

Approximately \$70,000 in Drainage Fee Credits for the 15 proposed residential units of Tract No. 62998. The cost of constructing the basin is included in the budget for Public Works Construction Project (PWCP) 10-002, Avenue M Drainage Improvements from 30th Street West to 32nd Street West, currently being designed.

Background:

During winter storms the past several years, 35th Street West and Avenue L-8 have experienced flooding and silt deposition. The proposed basin has been designed in conjunction with a storm drain in Avenue M to mitigate the flood hazards to the area bounded by Avenue M, Avenue L, 30th Street West, and 35th Street West. PWCP 10-002 will construct a junction structure at the northwest corner of Avenue M and 30th Street West to intercept the existing storm drain pipes crossing under the intersection and redirect the surface runoff currently crossing Paraclete's property into a new 72 inch concrete storm drain pipe. The proposed storm drain is a portion of the City's Master Plan of Drainage (MPD) and an extension of a storm drain recently constructed by an adjacent residential development. The basin will be constructed at the outlet of this proposed storm drain extension and will provide flood protection to the downstream properties by detaining the peak runoff during storm events.

The agreement being considered will grant an easement to the City to allow construction of the temporary basin on Dennis Pursley's ten (10) acre parcel. The agreement has an initial term of five (5) years, with the ability to be extended by mutual agreement. The agreement will automatically terminate once the proposed MPD storm drain is extended to 35th Street West. Tract Map No. 62845, located west of Tract Map No. 62998, has been conditioned to construct the MPD with an outlet on the west side of 35th Street West.

In consideration of the grant of easement, the City will allocate a full credit toward and against any drainage impact fees that would be assessed at the time building permits for construction of the improvements for Tract Map No. 62998 are issued. Upon termination of the easement, the City will, at its sole cost and expense, remove all concrete, asphalt and/or other hardscape improvements associated with the basin. Also upon termination of the easement, the City will take reasonable steps, after consulting with the California Department of Fish and Game and/or any other state or federal environmental regulatory agency exercising jurisdiction over the subject property, to remediate any environmental condition created as a direct result of the City's use of the easement. The City will have no responsibility to grade or re-grade the property upon termination of the easement.

Approval of this agreement will allow for the construction of a temporary basin that provides flood protection to both Paraclete High School and Valley View Elementary School and many downstream residents. The improvements proposed in PWCP 10-002, will complete an important segment of the City's Master Plan of Drainage for southwest Lancaster.

CSW:ddd

Attachment:
Agreement