



# City of Morgan Hill

## Legislation Details (With Text)

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**Title:** ACCEPT OFFER FROM THE SANTA CLARA VALLEY WATER DISTRICT FOR PURCHASE OF PORTIONS OF PROPERTIES, ADJACENT TO THE CENTENNIAL RECREATION CENTER, APN'S 767-21-060 AND 767-18-025

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Offer Letter 767-18-025, 2. ROW Agreement 767-18-025, 3. Offer Letter 767-21-060, 4. ROW Agreement 767-21-060

Date	Ver.	Action By	Action	Result
2/15/2017	1	City Council		

## **CITY COUNCIL STAFF REPORT**

### **MEETING DATE: FEBRUARY 15, 2017**

**PREPARED BY:** David Gittleson, Associate Engineer, Public Works-Engineering  
**APPROVED BY:** City Manager

## **ACCEPT OFFER FROM THE SANTA CLARA VALLEY WATER DISTRICT FOR PURCHASE OF PORTIONS OF PROPERTIES, ADJACENT TO THE CENTENNIAL RECREATION CENTER, APN'S 767-21-060 AND 767-18-025**

### **RECOMMENDATION(S)**

1. Accept the Santa Clara Valley Water District's offer of \$72,000 for purchase of portions of properties, APN's 767-21-060 and 767-18-025 needed to construct improvements for the Upper Llagas Creek Flood Protection project; and
2. Authorize the City Manager to execute the Right of Way Agreements that document the sale and transfer of land.

### **COUNCIL PRIORITIES, GOALS & STRATEGIES:**

#### **Ongoing Priorities**

Enhancing public safety  
Maintaining fiscal responsibility

#### **2016 Focus Areas**

Developing Our Community  
Participate in Regional Issues

## REPORT NARRATIVE:

The Upper Llagas Creek Flood Protection project is a large storm drainage project intended to provide 100-year flood protection for Morgan Hill. The project was initiated in 1954 to address recurring flooding from Morgan Hill to Gilroy. Approximately 60% of the overall project was completed 20 years ago when the lower reaches were constructed in the Gilroy area. The portion still not completed extends through Morgan Hill.

The Water District is the host agency for completing the project and notified the City in June 2016 that the project would require the acquisition of portions of City-owned property located adjacent to the Indoor Recreation Center site. The initial offer made was to acquire 24,114 SF from parcel APN 767-18-025 for an amount of \$1,000 and 2,103 SF from parcel APN 767-21-060 for an offer price of \$1,000. Staff reviewed the proposed offer and determined that a portion of the West Little Llagas Creek paved trail was within the take area and that the City should be compensated for replacing that trail should it be removed during the flood control project construction. The Water District was asked to revise its offer. In January 2017, the Water District revised its offer to \$72,000 based on an appraisal by Smith & Associates, which includes the loss of trail improvements and a total of 27,023 SF of land take. This is 806 SF more than the original take area. This additional area was originally thought to be already owned by the Water District. The offer letters and right of way agreements for both parcels are attached.

<u>Parcel No.</u>	<u>Taking (SF)</u>	<u>Offer Amount</u>
767-21-060	2,103	\$1,000
767-18-025	<u>24,920</u>	<u>\$71,000</u>
<b>TOTAL</b>	27,023	\$72,000

Staff recommends accepting the Water District's offer of \$72,000 for 27,023 SF of land and executing the Right of Way Agreements in order to support phase 2 of the flood protection project.

## COMMUNITY ENGAGEMENT: Inform

The Santa Clara Valley Water District staff will inform the City Council and the community about the status of the flood control project.

## ALTERNATIVE ACTIONS:

City Council could decide not to sell the Santa Clara Valley Water District the subject properties; however, the City has long supported the flood protection project and its efforts to reduce flooding within the City of Morgan Hill.

## PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Council has long supported the completion of the Upper Llagas Creek Flood Control project.

On May 24, 2006, City Council approved a Joint Use Agreement with the Santa Clara Valley Water District for the West Little Llagas Creek Bike Trail, also known as the "Wildlife Trail."

On November 2, 2016, staff provided an update to City Council on the Upper Llagas Creek Flood Protection project.

## FISCAL AND RESOURCE IMPACT:

If City Council approves the sale, the \$72,000 would be put toward rebuilding the trail once the Upper Llagas Creek Flood Protection project is completed.

**CEQA (California Environmental Quality Act):**

Project, Description of CEQA requirements

The Santa Clara Valley Water District is the lead agency for the Upper Llagas Creek Flood Protection Project and therefore is responsible for all CEQA requirements for the project.

**LINKS/ATTACHMENTS:**

Offer Letter 767-18-025

ROW Agreement 767-18-025

Offer Letter 767-21-060

ROW Agreement 767-21-060