



# Monterey County

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## Board Report

Legistar File Number: A 15-018

March 03, 2015

**Introduced:** 1/28/2015

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

Approve and authorize the Chair to sign a Contract to Purchase Public Utility Easement in the amount of \$5,000 from Leon D. Leash and Gloria A. Leash, his wife (APN 133-194-017) (Public Utility Easement "S") for the Moss Landing Rule 20A Underground Utility District Project in the Community of Moss Landing.

### RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the Chair to sign a Contract to Purchase Public Utility Easement in the amount of \$5,000 from Leon D. Leash and Gloria A. Leash, his wife (APN 133-194-017) (Public Utility Easement "S") for the Moss Landing Rule 20A Underground Utility District Project in the Community of Moss Landing.

### SUMMARY:

The recommended action will formalize the purchase of a Public Utility Easement (PUE) over, under, and upon the subject property for the construction, maintenance, use, and operation of electricity lines, telephone lines, cable television lines, internet service provider lines, and all the necessary appurtenances thereto, together with the right of ingress and egress from said easement, for the Moss Landing Rule 20A Underground Utility District project (Project). This is one of a total of ten PUEs required for the project.

### DISCUSSION:

On June 7, 2005, the Board of Supervisors approved Resolution No. 05-120 creating the Moss Landing Area Rule 20A and 20B Underground Utility District No. 14 in the Community of Moss Landing. This resolution set the completion date for underground utility companies and reconnection no later than December 2009, and removal of poles, overhead wires and other associated overhead structures no later than May 2010. On July 26, 2011, the Board approved Resolution No. 11-271 extending these dates to March 2015 and June 2015, respectively.

During preparation of engineering designs of the project by the utility companies, it has been determined that PUEs over private property will be required at ten different locations to facilitate placement of the overhead lines underground.

The PUE consists of a total of approximately 72 square feet. The property owner has accepted the County's offer to purchase the easement at the total appraised value of \$5,000, and has executed the Grant of Easement.

On December 11, 2014, the Zoning Administrator approved a Mitigated Negative Declaration and a Combined Development Permit for the Project, including acquisition of the subject PUE.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Contract to Purchase Public Utility Easement as to form. The RMA - Public Works is working closely with AT&T, PG&E, Charter Communications, Comcast, and Moss Landing Marine Laboratories to complete the engineering plans, specification, and construction documents to implement construction of the Project.

FINANCING:

There is no financial impact to the General Fund. Total cost of the Project will be funded by the utilities involved. Costs not eligible for reimbursement by Rule 20A funds, including acquisition of easements and rights of entry, including documentary transfer tax and recording fees (estimated to be approximately \$27.00) will be paid by the Moss Landing Deposit Account in the Road Fund (Fund 002, Liability Account 2686) funded by Duke Energy/ Dynegy.

Prepared by: G.H. Nichols, P.E., Civil Engineer, 831-755-5386

Approved by:

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Robert K. Murdoch, P.E., Director of Public Works

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Carl P. Holm, AICP, Acting RMA Director

Dated: January 30, 2015

Attachments: Contract to Purchase Public Utility Easement (on file with the Clerk of the Board)