



## Legislation Details (With Text)

---

**File #:** 13-020      **Version:** 2      **Name:** Easement to PG&E 454 Warden Avenue SR  
**Type:** Staff Report      **Status:** Filed  
**In control:** City Council  
**On agenda:** 6/3/2013      **Final action:** 6/3/2013  
**Enactment date:**      **Enactment #:**

**Title:** Staff Report for a Resolution Approving an Easement Agreement with PG&E for a Portion of City Property Located at 454 Warden Avenue, a Strip of Land that Serves as an Access to the Area Underneath I-880 and as an Emergency Access Road for the Davis West Neighborhood

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/3/2013	2	City Council	Received and Filed	
2/19/2013	1	City Council	Continued	

Staff Report for a Resolution Approving an Easement Agreement with PG&E for a Portion of City Property Located at 454 Warden Avenue, a Strip of Land that Serves as an Access to the Area Underneath I-880 and as an Emergency Access Road for the Davis West Neighborhood

### SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council approve an easement agreement with PG&E to allow PG&E to continue to install, maintain, and access its facilities on and under this particular City property. The property serves as an emergency access road for the Davis West Neighborhood and as an access point to the area under the I-880 freeway.

### BACKGROUND

PG&E contacted the City on behalf of Caltrans to request permission to relocate its underground facilities to accommodate the I-880 Southbound HOV Lane project. An encroachment permit was issued to allow PG&E to complete the work in the short time frame it had in advance of the project. However, PG&E did not have the property rights necessary to have its facilities on City property. The City and PG&E worked together to draft an easement agreement and PG&E issued a check to the City for \$10,000 for the easement rights.

### Analysis

The area is residential, and there are homes surrounding the access road. Having PG&E's facilities on the property does not impact the residential property owners and tenants in the area. There are no plans to use the property for any purpose other than as an access road.

### Permits and/or Variances Granted

An encroachment permit (ENC2012-00603) was issued on November 6, 2012 to allow PG&E to trench and install conduit. PG&E was informed that it would also need to acquire an easement.

**Legal Analysis**

The City Attorney helped draft the easement agreement and has approved it in its final form.

**Fiscal Impacts**

The General Fund will receive a one-time payment of \$10,000. There is no cost to the City.

**PREPARED BY:** Tara H. Peterson, Administrative Services Manager, Engineering & Transportation