



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: OCTOBER 23, 2018**
FROM: PUBLIC UTILITIES DEPARTMENT **WARD: ALL**
SUBJECT: TWIN BUTTES 6 MONITORING WELL RELOCATION AGREEMENT WITH LBA RV-COMPANY XI, LP

ISSUE:

Approve the Well Relocation Agreement with LBA RV-Company XI, LP for the relocation of the Twin Buttes 6 Monitoring Well.

RECOMMENDATION:

That the City Council:

1. Approve the Well Relocation Agreement with LBA RV-Company XI, LP for the relocation of the Twin Buttes 6 Monitoring Well.
2. Authorize the City Manager, or his designee, to execute the Well Relocation Agreement with LBA RV-Company XI, LP, including making minor and non-substantive changes.

BOARD RECOMMENDATION:

On September 24, 2018, the Board of Public Utilities, with eight (8) members present, unanimously voted to recommend that the City Council approve the Well Relocation Agreement between the City of Riverside and LBA RV-Company XI, LP for the relocation of the Twin Buttes 6 Monitoring Well.

BACKGROUND:

In 1967, Riverside Public Utilities (RPU) acquired the Twin Buttes Water Company and with it all facilities, water rights, and easements. The Twin Buttes 6 Well is located in the City of Colton, between the Santa Ana River and Agua Mansa Road overlying the Riverside North Basin. Through acquisition of the Twin Buttes Water Company, RPU obtained the Twin Buttes 6 Well, however, the land upon which the well is located remained privately held.

The Twin Buttes 6 Well was drilled in 1962 and was historically used as an irrigation well to provide water to the La Sierra area through the West Riverside Canal and Twin Buttes Canal. Use of these facilities ceased sometime between 1970 to 1980. Between the period from 1980 to the early 2000's, the well was occasionally used by the overlying property owner and was eventually

idled in 2004. Other than use by the Twin Buttes Water Company, RPU had never utilized the Twin Buttes 6 well due to its location in the northwest area of the basin.

In 2008, RPU implemented a groundwater monitoring program in response to the discovery of a fast moving perchlorate plume in the Rialto-Colton Basin. The Twin Buttes 6 Well was identified as an important well in the monitoring program; however, due to the well's design and condition, staff were unable to routinely collect water samples from the well, and eventually only routine water level measurements were collected from this well.

In 2015, a developer acquired the property upon which Twin Buttes 6 Well is located and began grading operations to develop a distribution center. At that time, the Twin Buttes 6 Well was located just outside of the footprint of the proposed distribution center. Shortly after beginning, grading activities at the site ceased. In 2017, staff observed that activity had resumed and re-engaged with the developer. The developer had begun construction of the distribution center with plans showing the Twin Buttes 6 Well located outside the proposed building footprint within a parking area.

In March of 2018, staff learned that the developer had planned to expand the footprint of the distribution center requiring the Twin Buttes 6 Well to be relocated. The developer worked with staff to identify a suitable replacement well and location.

An agreement was drafted by the City Attorney's Office and provided to the developer in May of 2018. The executed agreement and all necessary supporting documentation was returned to the City on August 3, 2018. While the developer was fully informed that Board and Council action was necessary prior to any work being completed, the developer opted to proceed with construction of their distribution center expansion and moved forward with abandoning the Twin Buttes 6 Well, stating that they have every intention of honoring the agreement but needed to keep their construction schedule.

DISCUSSION:

The Well Relocation Agreement requires the property owner, LBA RV-Company XI, LP, to relocate the City's existing well to a location approved by the City, and to construct the well in accordance with specifications that are included as Exhibit C of the agreement. The dual-nested monitoring well design identified in Exhibit C originated from the Monitoring Well Assessment and Siting report that was prepared for RPU in 2015 by Geoscience Support Services. Geoscience created standard monitoring well designs for RPU that would meet the monitoring needs identified in their report. The dual-nested monitoring well design in Exhibit C of the Agreement was refined based on the anticipated geologic conditions expected at the site.

The multi-level nested monitoring well that is proposed to replace the Twin Buttes 6 Well will provide RPU with much needed groundwater data for the Riverside North Basin. Once constructed, the monitoring well will be sampled quarterly for different parameters and measured monthly to monitor water levels. The replacement monitoring well is proposed to be located within the City's existing easement over the property, and thus staff will maintain ingress and egress rights to the well site. Upon approval and execution of the Well Relocation Agreement, it is anticipated that RPU will take ownership of the replacement monitoring well within three months as LBA RV-Company XI, LP is eager to fulfill the terms of the agreement and complete monitoring well construction at the distribution center site.

FISCAL IMPACT:

There is no fiscal impact to the City of Riverside with the execution of this agreement. The cost of abandoning the existing Twin Buttes 6 well and drilling a replacement monitoring well will be borne by the LBA RV-Company XI, LP.

Prepared by: Todd Jorgenson, Interim Utilities General Manager
Certified as to
availability of funds: Edward Enriquez, Acting Chief Financial Officer/City Treasurer
Approved by: Al Zelinka, FAICP, City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment:

1. Well Relocation Agreement
2. Draft Minutes from the 9/24/18 Public Utilities Board Meeting
3. Presentation