



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: JANUARY 7, 2020**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT      WARD: 5  
DEPARTMENT**

**SUBJECT: AGREEMENT FOR CONVEYANCE OF EASEMENT WITHOUT ESCROW WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR ACCESS ACROSS APPROXIMATELY 1,625.8 SQUARE FEET OF GAGE CANAL FOR THE CONSTRUCTION OF UNDERGROUND STORM DRAINAGE FACILITIES LOCATED NEAR THE INTERSECTION OF GRATTON STREET AND HERMOSA DRIVE FOR THE MONROE MASTER DRAINAGE PLAN LINE E, STAGES 2 AND 3, LINE E-2 AND LINE E-5 STORM DRAIN PROJECT**

## **ISSUE:**

Approve the Agreement for Conveyance of Easement without Escrow with the Riverside County Flood Control and Water Conservation District for access across approximately 1,625.8 square feet of the Gage Canal for the construction of underground storm drainage facilities located near the intersection of Gratton Street and Hermosa Drive for the Monroe Master Drainage Plan Line E, Stages 2 and 3, Line E-2 and Line E-5 Storm Drain project.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the Agreement for Conveyance of Easement without Escrow with the Riverside County Flood Control and Water Conservation District for access across approximately 1,625.8 square feet of the Gage Canal, identified as APNs 238-180-003 and 238-170-004, for the construction of underground storm drainage facilities located near the intersection of Gratton Street and Hermosa Drive for the Monroe Master Drainage Plan Line E, Stages 2 and 3, Line E-2 and Line E-5 Storm Drain project; and
2. Authorize the City Manager, or his designee, to execute the Agreement for Conveyance of Easement without Escrow, including making minor non-substantive changes, and to sign all documents necessary to complete this transaction with the Riverside County Flood Control and Water Conservation District.

## **BOARD RECOMMENDATION:**

On December 9, 2019, the Board of Public Utilities, with all members present, unanimously recommended that the City Council approve the Agreement for Conveyance of Easement

Without Escrow with the Riverside County Flood Control and Water Conservation District for access across approximately 1,625.8 square feet of the Gage Canal for the construction of underground storm drainage facilities located near the intersection of Gratton Street and Hermosa Drive for the Monroe Master Drainage Plan Line E, Stages 2 and 3, Line E-2 and Line E-5 Storm Drain project.

## **BACKGROUND:**

In 1885, Matthew Gage, a private developer, built the Gage canal. At the time of its construction, the Gage Canal was the most ambitious irrigation project in Southern California. The Gage Canal provided the water needed for the citrus industry in La Placita, High Grove, and Riverside.

The Gage Canal Company was established in 1890 as a private non-profit California corporation. The purpose of the company was to bring artesian and pumped well waters originating in the Bunker Hill Basin area of San Bernardino into Riverside for irrigation.

Riverside Public Utilities established itself in 1895 as a customer-owned water and electric utility in and around the city of Riverside.

In 1959, the City of Riverside (City) used its power of eminent domain to secure water rights for beneficial public use to the residents of the city. The courts ruled in favor of the City on June 9, 1965, for the necessary public use of the water and water rights held by the Gage Canal Company.

The Gage canal continues to use this facility for water conveyance. The Gage Canal obtains one-hundred percent (100%) of Riverside's water from groundwater basins. Wells pump water from various areas throughout the Bunker Hill Basin area of San Bernardino, and the Colton and Riverside Basins. Over time, Riverside Public Utilities constructed new facilities, repaired and replaced portions of the canal, and allowed for wise usage of groundwater resources to become thoroughly water independent.

On May 16, 2017, the City and Riverside County Flood Control and Water Conservation District (RCFC) entered into a cooperation agreement to develop a Master Drainage Plan (MDP) for the entire City. The construction of underground storm drainage facilities located near the intersection of Gratton Street and Hermosa Drive for the Monroe Master Drainage Plan Line E, Stages 2 and 3, Line E-2 and Line E-5 Storm Drain project (Project) is one of the segments of the MDP in the Southwest Riverside Area. The Project consists of 2.12 miles of underground storm drainpipes and ancillary structures within: a) Gratton Street from Lincoln Avenue to Hermosa Drive; b) Dufferin Avenue from Gratton Street to Adams Street; and c) Hermosa Drive from Gratton Street to St. Lawrence Street. The Project will minimize flooding by capturing runoff from upstream and carrying ample stormwater flows into the proposed drainage line reducing property damage and securing public safety in the green belt area.

## **DISCUSSION:**

The proposed Project covers 2.12 miles of underground storm drain facilities. RCFC is requesting an easement over approximately 1,625.8 square feet which crosses the Gage Canal located near the intersection of Gratton Street and Hermosa Drive for the Project. The Project will mitigate flooding in the green belt area along with capturing runoff from upstream of the Gage Canal by reducing flood damage and public inconvenience in the area. (See site map below.)

### CITY-OWNED PROPERTY



RCFC proposes to acquire a perpetual non-exclusive easement for underground storm drainage facilities across the Gage Canal to prevent changes to land use by RCFC that could harm the City and preserve the City's water interest. If the City determines that the easement unreasonably interferes with the City's present or future use of the area, the City will have the right to enter the Easement and alter, remove or modify RCFC's facilities such that there is no unreasonable interference. The City will coordinate with RCFC to ensure and protect the Gage Canal from any interference by RCFC of the City's present and future use of the Gage Canal.

RCFC proposes to pay the City \$2,450 as compensation for the value of the Easement. Staff, along with the Riverside Public Utilities' General Manager, agree that the compensation represents the current fair market value for the proposed Easement to RCFC.

### **FISCAL IMPACT:**

RCFC will make a one-time payment for a non-exclusive, permanent easement to access and install, operate, and maintain underground storm drainage facilities under the Gage Canal near the intersection of Gratton Street and Hermosa Drive. The revenue generated in the amount of \$2,450 from RCFC will be deposited into the Riverside Public Utilities Water Fund – Land and Building Rental Revenue Account No. 0000520-373100.

Prepared by: David Welch, Community & Economic Development Director  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Gary G. Guess, City Attorney

### Attachment:

1. Agreement for Conveyance of Easement without Escrow
2. RPU Board Meeting Minutes – December 9, 2019