

ITEMS TO BE CONSIDERED

CITY COUNCIL
JULY 22, 2003

To: Mayor and City Council

From: George J. Rodericks, City Manager

**SUBJECT: VILLA ISLE AREA STORM DRAIN ALONG CANYON DRIVE
AUTHORIZATION FOR CAPITAL PROJECT**

BACKGROUND

In early 2003, the property owners along Villa Isle approached the City regarding drainage and possible contamination concerns along the rear of their properties. The City retains a 40 foot drainage easement along the rear of the properties (Attachment A). The property owners expressed concern over possible contamination of the water flowing through the drainage easement and asked the City to investigate.

The City has requested that the County Health Department conduct a test of the water in the easement. It is anticipated that there will be a certain amount of contaminants in the drainage easement due to the fact that the easement collects water from neighboring street and land surfaces. Contaminants from these surfaces will include pesticides, oils, and greases. However, it is indeterminate at this time whether the contaminants rise to a harmful level.

As you are aware, the National Pollution Discharge and Elimination Systems Act and the Santa Ana Regional Water Quality Control Board requires that municipalities control and direct runoff in accordance with certain standards. Therefore, irrespective of whether there are contaminants in the drainage easement, the City is responsible for controlling water within the easement.

The property owners have requested that the City investigate possible alternatives to the continued open channel, 40 foot drainage easement.

FINDINGS

After meeting with the property owners, several alternatives were discussed to mitigate the issue. These alternatives are:

Alternative #1 – Maintain the easement in its natural state

The City can maintain the easement in its current unfenced condition. In the exercise of this option, the City will not incur any immediate financial impact beyond existing clearance and maintenance issues. However, it is likely that this option will result in future costs to the City due to established “Best Management Practices” outlined in the NPDES guidelines. The City may be required to conduct regular inspections of the open drainage easement to ensure that it continues to be free of contaminants and other possible pollutants. In addition, at some point in the future, the City may be

required to fence the easement to prevent future access. Continuing to maintain the easement as an unfenced open easement will increase the City's risk exposure.

Staff does not recommend this alternative.

Alternative #2 – Installation of an underground storm drain in cooperation with the property owners

The City can pursue installation of an underground storm drain along the entire length of the easement. The estimated cost of the project was prepared from an existing plan for a similar project and total costs are dependent upon the location and size of the pipe:

Item	Estimated Cost
<i>Storm Drain Construction</i> – installation of high density polyethylene pipe of total length of approximately 600 feet	\$95,000
<i>Preparation of Plans & Specifications</i> – new topography and plan revisions	\$9,000
<i>Construction Administration & Inspection</i>	\$14,000
Approximate Cost	\$118,000

Installation of an underground storm drain would allow for the easement to be reduced from its existing 40 feet to approximately 15 feet. This would allow each property owner to increase the usable space on the property by the length of their easement – on average this equates to 3,000 square feet per property. Currently, the property owners are prohibited from surface use of the 40 foot easement. While some have respected the easement conditions, others have begun to use and redesign the space in violation of the City's easement conditions.

Using an estimated cost of \$6 per square foot for flat vacant beyond the basic developed parcel of 20,000 square feet, the property owners would be gaining land valued at \$88,500 (approximately 14,750 square feet). However, the property is steeply sloped and the land is difficult to build upon. Reducing the cost per square foot to \$5 per square foot, the estimated value gained is \$73,750. The property owners have offered to contribute \$70,500 toward the project. This equates to \$4.80 per square foot of land and 60 percent of the estimated project cost.

It is recommended that the City conduct a cooperative project with the property owners and that the contribution from the landowners be represented as a percentage of total final project cost rather than a flat figure at the start of the project – 60/40.

Alternative #3 – Fence the easement

The City can fence the easement along its entire length at minimal cost. The estimated cost to install chain link fencing along the easement is \$10,000. This alternative retains the easement and the open drainage channel. The channel is fenced and access would be controlled. However, the fencing option may not be aesthetically pleasing and would

run the entire length of the properties involved thereby cutting each homeowner off from the farthest portion of their properties along Canyon Drive.

If Alternative #2 cannot be completed, staff recommends at a minimum that the City complete Alternative #3.

Summary

The Capital Projects Committee has reviewed this project and recommends that the City Council select Alternative #2.

FISCAL IMPACT

Varies dependent upon the alternative selected.

RECOMMENDATION

It is recommended that the City Council:

- 1) Authorize the addition of the project to the Capital Projects Budget;
- 2) Authorize staff to transfer the appropriate amount of funds from the Unrestricted General Fund Reserve to the Capital Projects Budget; and
- 3) Authorize staff to work with the property owners to complete the project based on a contribution of 60 percent of the total project cost from the adjacent property owners.