



City of Yuma

Legislation Details (With Text)

File #: O2024-015 **Version:** 1 **Name:**
Type: ordinance **Status:** Passed
File created: 3/28/2024 **In control:** City Council Meeting
On agenda: 5/1/2024 **Final action:** 5/15/2024
Title: Grant of Easement: Yuma County Water Users' Association

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. ORD Grant of Easement to YCWUA – 28th Street, between Avenue C and 33rd Drive, 2. 2. EXH B AGMT Grant of Easement to YCWUA - 28th Street, between Avenue C and 33rd Drive

Date	Ver.	Action By	Action	Result
5/15/2024	1	City Council Meeting	ADOPTED	
5/1/2024	1	City Council Meeting		

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Engineering	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Engineering	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input checked="" type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:
Grant of Easement: Yuma County Water Users' Association

SUMMARY RECOMMENDATION:

Authorize the grant of an easement to Yuma County Water Users' Association (YCWUA) along the south side of 28th Street, between Avenue C and 33rd Drive, for the relocation of a portion of the United States Bureau of Reclamation's (USBR) Thacker Lateral. (Engineering) (David Wostenberg)

STRATEGIC OUTCOME:

This item furthers City Council's strategic outcome of Respected and Responsible by working with YCWUA to assure they have rights to maintain the system within the City's right-of-way (ROW), while retaining the City's fee title to the underlying ROW.

REPORT:

During the planning and design phase of the 28th Street Widening (45th Avenue to 33rd Drive) CIP Project (the 28th Street Widening Project), YCWUA informed the City Engineering Department that a portion of the Thacker Lateral irrigation line that runs along the north side of 28th Street, between Avenue C and 33rd Drive, is failing and needs to be repaired. YCWUA indicated that its plans for repair called for abandoning the failing line and installing a new irrigation line along the south side of the existing alignment of 28th Street since USBR has a 55-foot right-of-way (ROW) for this portion of the Thacker Lateral. Unfortunately, this plan would locate the new irrigation line directly underneath the future alignment of 28th Street upon completion of the 28th Street

Widening Project.

To avoid having YCWUA cut into a newly widened 28th Street to install a new irrigation line in USBR’s 55-foot Thacker Lateral ROW, the City’s Engineering Department acquired 20 feet of additional ROW outside of USBR’s existing 55-foot ROW and to the south of the widened 28th Street. YCWUA is willing to place the new Thacker Lateral irrigation line within the City’s 20-foot ROW upon the grant of an easement over the 20-foot ROW giving YCWUA comparable rights to install, maintain and repair the Thacker Lateral that YCWUA enjoys within USBR’s 55-foot ROW.

YCWUA has promised to place the new Thacker Lateral irrigation line within the City’s new 20-foot ROW if the City grants an easement substantially in the form of the Contract and Grant of Easement attached as Exhibit B to Ordinance O2024-015.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

YCWUA’s requested easement is expected to have an offsetting fiscal impact by maintaining the structural integrity and lifespan of 28th Street.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 04/23/2024
Reviewed by City Attorney: Richard W. Files	Date: 04/23/2024