



Legislation Text

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AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 8/1/2018

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration to approve and authorize the City Manager to execute a Cooperative Agreement between the City of Corona and the Orange County Flood Control District pertaining to the exchange of real property interests between the City and District to accommodate the construction of a portion of the Alcoa Dike and provide partial mitigation for the Foothill Parkway Westerly Extension Project.

RECOMMENDED ACTION:

That the City Council approve and authorize the City Manager to execute a Cooperative Agreement between the City of Corona and the Orange County Flood Control District to convey City-owned property to the District for the construction of a portion for the Alcoa Dike between Rincon Street and Auburndale Street in the City of Corona in exchange of District-owned property interests to the City for a Conservation Easement to provide a portion of the mitigation required for the City construction of the Foothill Parkway Westerly Extension Project.

ANALYSIS:

Orange County Flood Control District (District) and the U.S. Army Corps of Engineers (Corps) are constructing Santa Ana River, Prado Dam and other flood control and protection improvements, in and around the Prado Basin, commonly known as the Santa Ana River Mainstem Project ("SARP Project"). The SARP Project is necessary to protect the safety, health and welfare of residents and properties in Orange County from the devastating effects of major storm events, including a 190-year storm event. The District serves as the Local Sponsor, responsible for performing necessary relocations and acquisitions of property rights for the SARP Project.

The Corps has determined the necessity to construct an earthen dike roughly 7,500 feet in length and over 34 feet high as a portion of the Alcoa Dike Feature ("Dike") to reduce flood risk and thereby protect the lives and the properties of both public and private-owned developments within Prado Basin, including heavily used roadways such as Rincon Street and Auburndale Street in the City of

Corona.

The District wishes to acquire vacant property for the Dike along the southeast corner of Rincon Street and Smith Street, which is owned by the City for construction of the Dike. Public Works staff has worked with the Corps and District staff to prepare a Cooperative Agreement between the City of Corona and the Orange County Flood Control District for the exchange of real property interests between the City and the District to accommodate the construction of a portion of the Alcoa Dike between Rincon Street and Auburndale Street in the City of Corona. The City shall provide approximately 20-acres of City-owned property to the District but retain utility easements for existing utilities throughout the property. The District will convey a Conservation Easement to the City over the District-owned property to provide a portion of the total mitigation required for the City construction of the Foothill Parkway Westerly Extension Project.

The final boundaries of the real property area to be provided to the City for a Conservation Easement will be verified as acceptable to the California Department of Fish and Wildlife before the District prepares the legal description of the conservation easement area and delivers a District executed easement deed for the City's acceptance.

The Cooperative Agreement stipulates the mechanism for the City to subsequently accept a conservation easement from the District in exchange for the conveyance of City property to the District.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

There will be no fiscal impact to the City as the District will convey approximately 40-acres of real property interests with a conservation easement in exchange of approximately 20-acres of City property to the District. The District will prepare the legal descriptions required to implement the full terms of this Agreement.

ENVIRONMENTAL ANALYSIS:

An Environmental Impact Report for the Foothill Parkway Westerly Extension Project was adopted by City Council on February 4, 2009, pursuant to the California Environmental Quality Act. The Final Supplemental Environmental Impact Statement/ Environmental Impact Report No. 583 (SCH 1997071087) for the Santa Ana River Mainstem Project ("SARP Project") was certified by the Orange County Planning Commission on December 19, 2001 pursuant to the California Environmental Quality Act, and approved by the U.S. Army Corps of Engineers Los Angeles District on January 17, 2002, pursuant to the National Environmental Policy Act.

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not

subject to CEQA. This action merely approves an agreement to exchange property for two different projects that have adopted Environmental Impact Reports, and there is no possibility that approving this agreement will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Attachment: Cooperative Agreement