

**CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda date: May 2, 2005

Prepared on: April 8, 2005

Reviewed by \_\_\_\_\_

**SUBJECT:** Approval of Grant of Sewer Easement and Agreement by and between the City of Albany and the University of California over a portion of Ocean View Park

**FROM:** Ann Chaney, Community Development Director  
Randy Leptien, City Engineer

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**RECOMMENDATION**

Approve Resolution #05-17 Approving Grant of Sewer Easement and Agreement by and between the City of Albany and the University of California over a portion of Ocean View Park.

**BACKGROUND**

Prior to constructing the Step 1 replacement housing at University Village, the University of California, Berkeley staff approached the City regarding sanitary sewer service. It was determined that the appropriate action would be to replace and upgrade the old line that existed along the western edge of Ocean View Park, adjacent to the USDA fence. It was agreed that the University would continue to own and maintain the line, but that a sewer easement across City property should be formally recorded. In May 1999, a letter was sent from Albany staff to the senior architect of the project requesting submittal of this sanitary sewer easement information (see attached). Because of changes in the University staff, the Grant of Sewer Easement and Agreement documentation was never prepared until now.

Crystal Barriscale, UC Berkeley Senior Planner, who has been working with Randy Leptien, City Engineer, has submitted the necessary documentation for recordation (attached). The easement is ten (10) feet wide and approximately 440 feet in length. It extends along the western edge of Ocean View Park between the University Village property and the City sewer, which lies just south of Buchanan Street (sewer). Attached is a *Grant of Sewer Easement and Agreement* by and between the City and the Regents of the University of California, which includes a legal description and map depicting the sanitary sewer easement location.

## **DISCUSSION:**

This sewer lateral that was installed in 1999, helped improve the City's overall system and correct the I/I (Inflow/Infiltration) conditions in this area. Because the line is located near the western property line of the park, it is not expected to interfere with any future park development plans. The existing sewer lateral from the Teen Center connects to the University's sewer. The proposed easement agreement will legitimize and perpetuate this arrangement. The City has reserved the right to require the University to relocate the sewer if necessary for a future building expansion on the site. If, in the unlikely event, relocation of the sewer and the easement were ever required, the University and City would share the cost. Thus, the City Council's acceptance of this easement is not expected to have any major impact on the City.

## **FINANCIAL IMPACT:**

None. The University has agreed to reimburse the City for professional services costs provided by the City engineer for site visits, consultation with the University staff and assistance with the preparation and review of some of the documentation. As a final note, the City will not be responsible for any sewer repair costs in that the University will continue to own and maintain the line per this agreement.

## **Attachments**

- Grant of Sewer Easement and Agreement
- Exhibit A – Legal Description
- Exhibit B – Map
- May 25, 1999 letter to Ellen O'Leary (UC) from Ann Chaney