



CITY OF POMONA COUNCIL REPORT

May 1, 2017

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Meg McWade, Public Works Director

Subject: **Adoption of a Resolution Approving Grants of Easement Nos. EC2-2016, EC3-2016 and EC1-2017 to Southern California Edison for Access and Electrical Equipment Installation Associated with the Mission Commerce Center Project Located at 462 and 468 S. Humane Way and 1939, 1941, 1943 and 2001 W. Mission Boulevard, Pomona, CA (Council District 5)**

OVERVIEW

Recommendation – That the City Council adopt a Resolution:

1. Approving Grants of Easement Nos. EC2-2016, EC3-2016 and EC1-2017 to Southern California Edison (SCE) for access and electrical equipment installation associated with the Mission Commerce Center Project located at 462 and 468 S. Humane Way and 1939, 1941, 1943 and 2001 W. Mission Boulevard, Pomona, CA (Council District 5); and
2. Authorizing the City Manager, or her designee, to sign on behalf of the City the Grants of Easements to SCE and the PSIP CHI Pomona, LLC Offer to Purchase Grants of Easement.

Fiscal Impact – The revenue from this action will result in a one-time payment of \$2,000 from PSIP CHI Pomona LLC that will be deposited in the General Fund's Public Works Transportation and Development Revenue Account, 101-2530-40280-00000.

Environmental Impact – The proposed action is in compliance with the California Environmental Quality Act (CEQA), Section 15061 in that the activity is covered by the general rule that CEQA applies only to projects which have the potential of causing a significant effect on the environment.

Previous Council Action – None.

Previous Planning Commission Action - Development applications submitted by PSIP CHI Pomona, LLC for Conditional Use Permit (CUP) 14-065 and Parcel Map PM Nos. 73327 and 73228 were approved by the Planning Commission on September 9, 2015.

Resolution Approving Grants of Easement Nos. EC2-2016, EC3-2016 and EC1-2017 to Southern California Edison for Access and Electrical Equipment Installation at 462 and 468 S. Humane Way and 1939, 1941, 1943 and 2001 W. Mission Boulevard (Council District 5)

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EXECUTIVE SUMMARY

PSIP CHI Pomona, LLC, Owner, has requested the City of Pomona grant easements EC2-2016 (SCE TD No. 1120537), EC3-2016 (SCE TD No. 1104268) and EC1-2017 (SCE TD No.1122170) to Southern California Edison (SCE) for access and electrical equipment installation necessary to provide electrical power to the new buildings within Mission Commerce Center located at 462 and 468 S. Humane Way and 1939, 1941, 1943 and 2001 W. Mission Boulevard.

DISCUSSION

The Mission Commerce Center project consists of the demolition of four vacant industrial buildings, along with the adjacent parking lots, and the construction of six new warehouse buildings, totaling approximately 432,943 square feet on a 19.89-acre property located at 2001 W. Mission Boulevard, at the northeast corner of Humane Way and Mission Boulevard.

SCE has been requested by the Owner to furnish electrical services to the above referenced project location. To enable SCE to provide these services, additional electrical equipment and access easements have been deemed necessary. These easements are requested to be granted across City-owned property, which is not subject to the City-SCE Franchise Agreement.

The proposed easements and electrical equipment installations are described as follows:

- Grants of Easements EC2-2016 and EC3-2016 (EXHIBIT 1 and EXHIBIT 2 to Attachment 1)
 - These easements are located within the real property associated with Assessor Parcel Number 8707-019-902, as shown in Attachments 3 and 4, owned in fee by the City.
 - These easements are necessary to install underground conduit and risers to existing 12,000-volt circuit SCE power poles for the purpose of serving the new warehouse buildings located at 462 and 468 Humane Way and 2001 W. Mission Boulevard.
 - The size of EC2-2016 easement is 6 feet wide by 8.81 feet long for a 52.86 square-foot total area, as shown in EC2-2016 EXHIBITS “A” and “B”.
 - The size of EC3-2016 easement is 6 feet wide by 4 feet long for a 24 square-foot total area, as shown in EC3-2016 EXHIBITS “A” and “B”.
 - PSIP CHI Pomona, LLC is offering to purchase the right-of-way easements corresponding to EC2-2016 and EC3-2016 for the nominal value of \$1,000 each, for a total value of \$2,000. This amount is based on the appraised fair market value of the easement areas, as determined by an SCE real property certified appraiser, in compliance with Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. The date of the appraisal report is November 8, 2016.
 - The Offer to Purchase Grants of Easements EC2-2016 and EC3-2016 is included in EXHIBIT 4 to Attachment 1.
- Grant of Easement EC1-2017 (EXHIBIT 3 to Attachment 1)
 - This easement is located within the real property associated with Assessor Parcel Number 8707-019-906, as shown in Attachments 3 and 4, owned in fee by the City.
 - This easement is necessary to install underground conduit and risers to existing 12,000-volt circuit SCE power poles for the purpose of serving the new warehouse buildings located at 1939, 1941 and 1943 W. Mission Boulevard.

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- An offer to purchase is not necessary for easement EC1-2017 in compliance with the terms of the Access Easement Agreement between the City of Pomona and PSIP CHI Pomona, LLC, recorded as Instrument # 20151649134 and included in Attachment 2 to this report. The “Purpose” of said agreement includes the following specification: “The PSIP Easement is hereby created for the benefit of, and as an easement appurtenant to the PSIP Property, for the benefit of PSIP, its successors, transferees and assignees, and shall be used exclusively for ingress and egress by vehicle or pedestrian over, upon and across the PSIP Easement (but not for parking), and for the installation and maintenance of utility wires, fiber, cables, conduits and pipes under or along the PSIP Easement Area...”
- Easement EC1-2017 consists of three strips of land, as shown in EC1-2017 EXHIBITS “A” and “B”, and sized as follows:
 - Strip #1 – 13 feet wide by 649 feet long; for an 8,437 square-foot total area.
 - Strip #2 – 6 feet wide by 22.50 feet long; for a 135 square-foot total area.
 - Strip #3 – 6 feet wide along an arc of a 12.50-foot radius, with a total length of 19.63 feet; for a 117.78 square-foot total area.

The easements’ legal descriptions and plat plans are included in EXHIBITS “A” and “B” to Attachment 1 attached hereto and by reference made parts hereof.

Granting these easements will not hinder any City operations or right-of-way needs.

- Attachments:
1. Resolution with Grants of Easements as EXHIBITS 1, 2 and 3, with Legal Descriptions as EXHIBIT "A" and Maps as EXHIBIT "B" and Offer to Purchase Grants of Easements as EXHIBIT 4
 2. Access Easement Agreement
 3. Vicinity Map
 4. Aerial Vicinity Map

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