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AUG 16 2012



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MEMORANDUM

Real Estate Council Memo No. RE13-003

DATE: AUGUST 16, 2012

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR *DS*
JOHN KNUDSON, UTILITIES ENGINEERING MANAGER *JK*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR

SUBJECT: RESOLUTION NO. 4609 – AUTHORIZE AND APPROVE THE ACQUISITION OF TEMPORARY RIGHTS OF ENTRY NEEDED FOR A WATER MAIN REPLACEMENT PROJECT – EAST OF HARTFORD STREET FROM CHANDLER BOULEVARD TO ERIE STREET, PROJECT NO. WA-0401; AUTHORIZING AND APPROVING SUCH RELOCATION ASSISTANCE AS MAY BE REQUIRED BY LAW, AND AUTHORIZING THE REAL ESTATE COORDINATOR TO SIGN THE APPROPRIATE DOCUMENTS NECESSARY TO FACILITATE THE ACQUISITION OF THE RIGHTS OF ENTRY AND RELOCATION ASSISTANCE AS MAY BE REQUIRED FOR THIS PROJECT ON BEHALF OF THE CITY.

RECOMMENDATION: Staff recommends Council pass and adopt Resolution No. 4609 authorizing and approving the acquisition of temporary rights of entry needed for a Water Main Replacement Project – East of Hartford Street from Chandler Boulevard to Erie Street, Project No. WA-0401; authorizing and approving such relocation assistance as may be required by law, and authorizing the Real Estate Coordinator to sign the appropriate documents necessary to facilitate the acquisition of the rights of entry and relocation assistance as may be required by this project on behalf of the City.

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BACKGROUND/DISCUSSION: The City will be relocating water mains from the alleys in the neighborhood East of Hartford Street from Chandler Boulevard to Erie Street. This project will require relocating the water services for approximately 100 homes so service will be provided from the street rather than the alley. In order to accomplish this, it will be necessary to obtain Rights-of-Entry from the property owners who will benefit from this project. Since this is an established neighborhood, it is possible relocation of some personal property or improvements may be required. It is not anticipated any businesses, property owners or tenants will be relocated.

This Resolution authorizes acquisition of the required Rights-of-Entry at a fair value, to be determined by the Real Estate Coordinator, and relocation assistance where required by law.

FINANCIAL IMPLICATIONS: A portion of funds budgeted for the Project will be used for acquisition and relocation.

PROPOSED MOTION: Staff recommends Council pass and adopt Resolution No. 4609 authorizing and approving the acquisition of the temporary rights of entry needed for a Water Main Replacement Project - Hartford Street from Chandler Boulevard to Erie Street, Project No. WA-0401; authorizing and approving such relocation assistance as may be required by law, and authorizing the Real Estate Coordinator to sign the appropriate documents necessary to facilitate the acquisition of the rights of entry and relocation assistance as may be required by this project on behalf of the City.

Attachments: Resolution 4609
Location/Site Map

RESOLUTION NO. 4609

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACQUISITION OF TEMPORARY RIGHTS OF ENTRY NEEDED FOR A WATER MAIN REPLACEMENT PROJECT – EAST OF HARTFORD STREET FROM CHANDLER BOULEVARD TO ERIE STREET, PROJECT NO. WA-0401, AUTHORIZING AND APPROVING SUCH RELOCATION ASSISTANCE AS MAY BE REQUIRED BY LAW, AND AUTHORIZING THE REAL ESTATE COORDINATOR TO SIGN THE APPROPRIATE DOCUMENTS NECESSARY TO FACILITATE THE ACQUISITION OF THE RIGHTS OF ENTRY AND RELOCATION ASSISTANCE AS MAY BE REQUIRED FOR THIS PROJECT ON BEHALF OF THE CITY.

WHEREAS, the City will be relocating water mains from the alleys in the neighborhood East of Hartford Street from Chandler Boulevard to Erie Street, Project No. WA-0401 (the “Project”), which is intended to benefit the public; and

WHEREAS, in order to allow the Project to proceed and be constructed in accordance with its schedule, and provide water service from the new water mains, the City of Chandler needs to acquire Temporary Rights-of-Entry from private property owners; and

WHEREAS, the City is authorized by law to acquire, such rights of entry; and

WHEREAS, the acquisition of some of the rights of entry for the Project may result in the temporary relocation of personal property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Maricopa County, Arizona, as follows:

Section 1. It is hereby determined that the acquisition of temporary rights of entry needed for the construction of the Water Main Replacement Project for the neighborhood East of Hartford Street from Chandler Boulevard to Erie Street, Project No. WA-0401, in accordance with the previously approved alignment for the Project, is for a public and necessary purpose, and is in the best interest of the citizens of the City of Chandler.

Section 2. The City is authorized and directed to acquire such rights of entry for an amount equal to the fair value as determined by appraisal or the Real Estate Coordinator. .

Section 3. The City's Real Estate Coordinator, any City real estate officer acting on the Coordinator's behalf, or any retained right-of-way consultant acting at the direction of the Real Estate Coordinator, is authorized to make written offers for the temporary rights of entry and, where accepted, to execute, deliver and deposit into escrow, if required, the approved purchase agreement, along with all other documents and instructions necessary to consummate the acquisition of the temporary rights of entry.

Section 4. The City is authorized to provide such relocation assistance, including benefits, as may be required by law. The City's Real Estate Coordinator shall make the initial determination of any claim received for relocation benefits; any administrative appeal from such decision shall be considered and acted upon by and through its Real Estate Coordinator or persons acting under the Coordinator's direction or on the Coordinator's behalf for such purpose, whose decision shall be final in accordance with applicable law.

PASSED AND ADOPTED by the City Council of the City of Chandler, Maricopa County, Arizona, this ___ day of _____, 2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4609 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ___ day of _____, 2012, and that a quorum was present thereat.

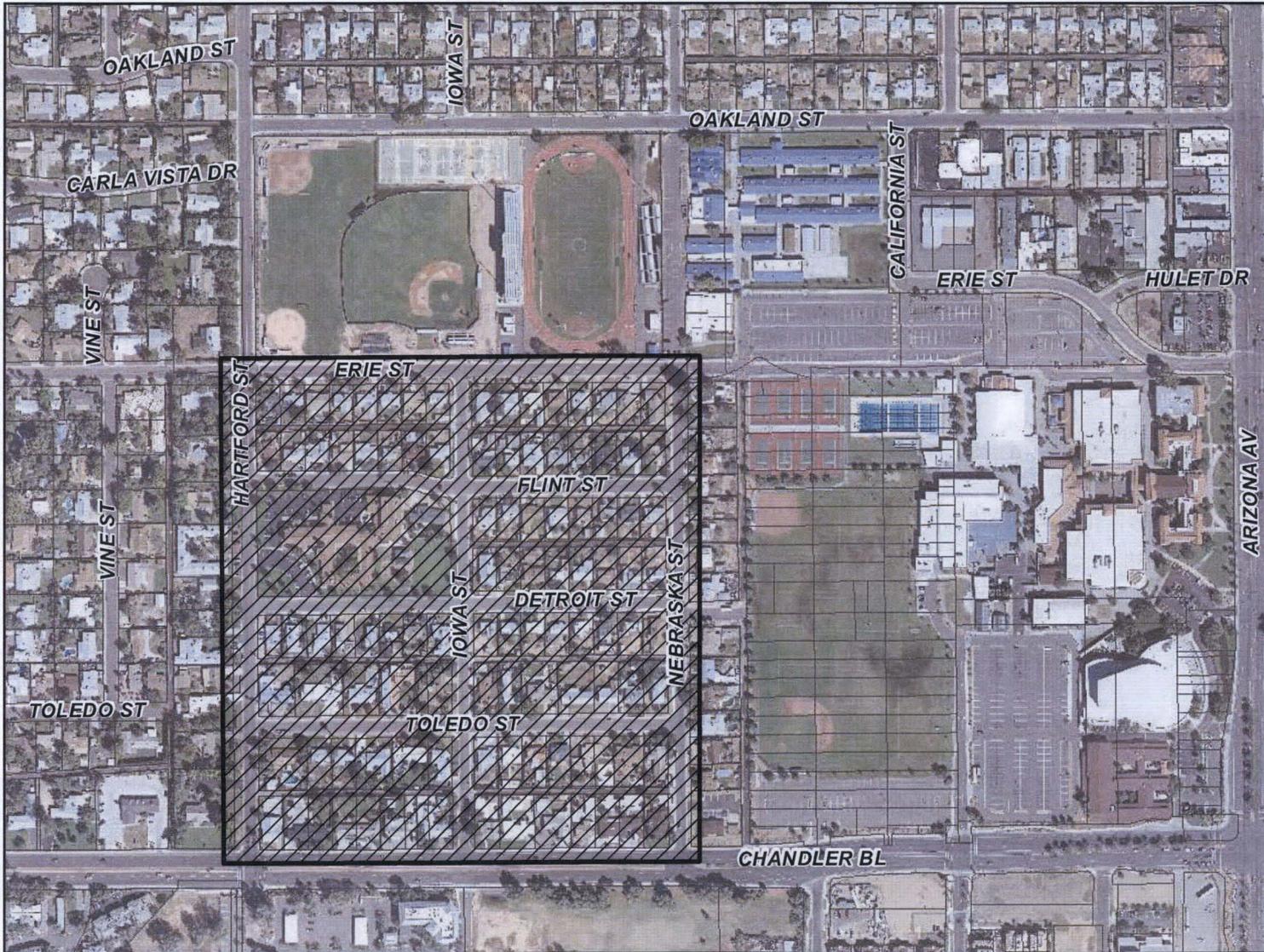
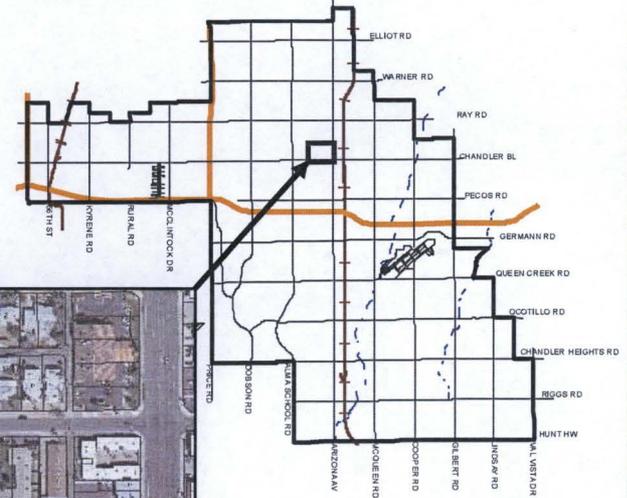
CITY CLERK

APPROVE AS TO FORM

CITY ATTORNEY *GAB*



AUTHORIZE ACQUISITION OF RIGHTS-OF-ENTRY FOR A WATER MAIN REPLACEMENT PROJECT NO. WA0401-454



MEMO NO. RE13-003

RESOLUTION NO. 4609

 PROJECT SITE



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