



AGENDA MEMORANDUM

Future Item for the City Council Meeting of October 13, 2015
Action Item for the City Council Meeting of October 20, 2015

DATE: September 15, 2015

TO: Ronald L. Olson, City Manager

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<p style="text-align: center;">Mary Rhodes Pipeline Phase 2 Partial Assignment of Water Pipeline Easement</p>
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CAPTION:

Ordinance authorizing the City Manager, or designee, to approve and sign multiple Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company (AEP) to install buried utility lines used in connection with City's construction, operation and maintenance of the Mary Rhodes Pipeline Phase 2 water pipeline and associated appurtenances.

PURPOSE:

The purpose of this agenda item is to authorize the City Manager to approve and sign multiple Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company (AEP).

BACKGROUND AND FINDINGS:

The City has entered into a series of Water Pipeline Easement and Right of Way Agreements (Easement Agreements) with Land Owners ("Grantors") in Jackson County and Matagorda County, Texas for the construction of the City's Mary Rhodes Pipeline Phase 2 project.

Under these Easement Agreements, Grantors conveyed to the City easements and rights-of-way granting the City the rights to construct, operate, and maintain, the 54-inch water pipeline. This also includes associated underground communication cables used for the operation and maintenance of the pipeline facilities, cathodic protection, air/vacuum relief valves, and other appurtenances (the "Pipeline Facilities") on, over, and across Grantor's lands in Jackson County and Matagorda County, Texas.

As per the requirements of design specifications and plans, buried utility lines for rectifiers along the Water Pipeline Easement and Right of Way are needed to provide cathodic protection for the Mary Rhodes Pipeline. AEP Texas Central Company (AEP) is installing buried utility lines to feed power to these rectifiers and requires an easement for each of these lines. In order to grant these required easements, the City needs to transfer, assign, and deliver to AEP certain rights under the Easement Agreements to install buried utility lines (together, collectively referred to as "AEP's Facilities") used in connection with City's construction, operation, and maintenance of its Pipeline Facilities.

This ordinance authorizes the City Manger to approve and sign multiple Partial Assignment of Water Pipeline Easement agreements with AEP as required to complete the second phase of the Mary Rhodes Pipeline project.

ALTERNATIVES:

1. Authorize the execution of partial assignment of easement rights.
2. Do not authorize the execution partial assignment of easement rights. (Not Recommended)

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

Conforms to City Fiscal Policy

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Utilities Department

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital X Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

RECOMMENDATION:

City Staff recommends approval of multiple Partial Assignment of Water Pipeline Easement agreements with AEP Texas Central Company (AEP) to install buried utility lines used in connection with City's construction, operation and maintenance of the Mary Rhodes Pipeline Phase 2 water pipeline and associated appurtenances.

LIST OF SUPPORTING DOCUMENTS:

Location Map
Ordinance
Presentation