



STAFF REPORT
9/14/2022

TO: Honorable Mayor and City Council Members

FROM: Andrew Simmons, P.E., City Engineer

SUBJECT: Standard Irrigation Installation Agreement for DR Horton Tract 32074 for Irrigation Lateral Relocation.

STAFF RECOMMENDATION:

That the City Council approve the City Manager to execute the Standard Irrigation Installation Agreement upon receipt and review of the exhibits.

BACKGROUND:

The Coachella Valley Water District (CVWD) has requested that DR Horton relocate the existing United States Bureau of Reclamation irrigation line at Tract 32074 Mariposa Pointe project. The construction of the Tract's street, offsite improvements and the occupancy of several homes are closely dependent on the construction of the new line and the abandonment of the old one. CVWD would not allow the developer to start constructing the new line until the City participated in the execution of the aforementioned agreement due to an encroachment of a small portion of City's public right-of-way.

The irrigation system is comprised of the Coachella Branch of the All-American Canal, Flood Protection Dikes & Channels and irrigation distribution piping system, which supply Colorado River water to irrigation customers. The United States Bureau of Reclamation owns the Coachella Canal, Protective Works, and Irrigation Distribution System. CVWD operates and maintains the Coachella Canal, Protective Works, and Irrigation Distribution System.

Developer will comply with CVWD's rules, regulations, ordinances and procedures regarding the design, installation and construction of the facilities. The Agreement provides that Developer is required to install approximately 1,330 linear feet of 12-inch (12") C900 PVC and 1,360 linear feet of 24-inch (24") C905 PVC pipelines along Calhoun Street to Avenue 50.

DISCUSSION/ANALYSIS:

By executing the agreement, the City is required and agrees to the following:

- a) An accommodation for the Project that the USBR Easement and the irrigation relocations confer prior and senior rights to the USBR and CVWD.

- b) That CVWD and USBR have the right to use the USBR relocation for all purposes for which the USBR Easement were acquired without the need for any further permits or permissions from the City. CVWD shall give reasonable notice to the City before performing any work within the traveled roadway or improved shoulder of Calhoun Street or Avenue 50 or if traffic will be obstructed. In all cases, CVWD shall perform its work in a manner that will afford security for life and property, and CVWD shall restore any affected street as near as may be to its former state or so as not to have impaired unnecessarily its usefulness.

- c) In the event of a future use of Calhoun Street or Avenue 50 that would necessitate a rearrangement, relocation, reconstruction, or removal of CVWD or USBR Easement and/or USBR relocation, City shall notify CVWD in writing of such necessity as soon as possible. The City agrees to reimburse CVWD on demand of any costs incurred in complying with such notice including any costs associated with easement acquisitions. City shall enter into a relocation agreement on the same terms and conditions as set forth herein. This Agreement shall not in any way alter, modify, or terminate any provisions of the USBR/CVWD Easement.

FISCAL IMPACT:

There will be no impact to the General fund.

EXHIBIT(S):

- 1) Standard Irrigation System Installation Agreement