



STAFF REPORT

MEETING DATE: October 11, 2023

PRESENTER: Theresa Johnson, Community Services Director

SUBJECT: Proposed Easement for Public Utility Line at Kerckhoff Park (TJ)

RECOMMENDATION: Council by motion adopt resolution approving Grant of Easement Deed for public utilities to Pacific Gas & Electric Company through a portion of Kerkchoff Park (APN 023-360-04) and authorize City Manager to execute.

EXECUTIVE SUMMARY:

Due to installation of the New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T) cell tower at Kerckhoff Park, Pacific Gas and Electric Company is requiring an easement deed from the City to bring power to the cell tower. Currently the cell tower is receiving temporary power from the City's switchgear while awaiting the arrival of the permanent switchgear from the manufacturer.

Staff has reviewed the Easement Deed and confirmed that the alignment and easement provisions are to the satisfaction of the City and AT&T. The easement area is described as follows:

APN 023-360-04 [a portion]

A portion of 4th Street and F Street and Lot 1 through Lot 3 of Block 36 and Lot 1 through Lot 6 of Block 45 as said street, lot and blocks are shown upon the map "Town of Kerman" filed for record in Block 3 of record of Surveys at page 31, Fresno County Records.

The strip of land of the uniform width of 10 feet, lying 5 feet on each side of the alignment of the facilities as initially install hereunder; and the parcels of land of the uniform width and length of 14 feet centered on said facilities as initially installed hereunder. The approximate location of said facilities are shown upon Grantee's Drawing No. 35191067.

FISCAL IMPACT:

No fees will be charged to the City of Kerman.

ATTACHMENTS:

- A. Resolution w/Exhibit
- B. Drawing No. 35191067

Attachment 'A'

RESOLUTION NO. 23-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING GRANT OF EASEMENT DEED FOR PUBLIC UTILITIES TO PACIFIC GAS
& ELECTRIC COMPANY TO RECEIVE UTILITY SERVICES THROUGH A PORTION OF
KERCKHOFF PARK (APN 023-360-04)**

WHEREAS, the City of Kerman is the owner of real property located at Kerckhoff Park (APN 023-360-04); and

WHEREAS, Pacific Gas & Electric (PG&E) desires a utilities easement to install electrical facilities to provide electrical power to cell tower located at Kerckhoff Park; and

WHEREAS, the City agrees the easement is necessary to facilitate utilities to the cell tower at Kerckhoff Park; and

WHEREAS, the City finds and declares that it is in the best public interest that said easement deed be granted to PG&E by the City of Kerman.

NOW, THEREFORE, the City Council of the City of Kerman hereby resolves as follows:

1. The foregoing recitals are true and correct and incorporated by reference.
2. The utility easement to PG&E as set forth in the Easement Deed attached as Exhibit 'A' is hereby granted.
3. The City Manager is hereby authorized to execute the Easement Deed.
4. This resolution is effective upon adoption.

The foregoing resolution was introduced at a regular meeting held on the 11th day of October 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Marci Reyes
City Clerk