

RESOLUTION NO. 234-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA
ACCEPTING THE EXPANSION OF A PUBLIC UTILITY EASEMENT OF A
PORTION OF ASSESSOR PARCEL NUMBER 507-041-001**

WHEREAS, in 2019 the City of Arcata negotiated the acquisition of a public utility easement on a portion of Assessor Parcel No. 507-041-001, more particularly described in Exhibits C, C-1 and C-2 attached to the Easement Agreement, attached hereto and incorporated herein; and

WHEREAS, the purpose of the public utility easement is to construct, operate and maintain a municipal water storage tank; and

WHEREAS, at the May 28, 2019 City of Arcata Planning Commission Meeting, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Commission considered all the facts related to the easement acquisition and the pertinent General Plan policies and found the project to be in conformance with the General Plan; and

WHEREAS, the City of Arcata negotiated the expansion of the original utility easement with Green Diamond Resources Company in order to expand the tank site footprint to accommodate new requirements from the state for water storage tanks; and

WHEREAS, the City shall compensate Green Diamond Resources Company \$1,980 for the value of the additional 3,375 square feet easement area and certain standing redwood trees which are required to be removed from the tank site; and

WHEREAS, on July 17, 2019 the City Council adopted a CEQA Negative Declaration for the acquisition of the original easement and construction of Tank 1C and the proposed additional 3,375 square feet easement area and removal of six small redwood trees would not substantially change the analysis in the Negative Declaration; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Arcata that:

1. The City Council hereby accepts the expansion of a public utility easement interest in a portion of Assessor Parcel Number 507-041-001, more particularly described in the First Amendment, attached hereto and incorporated herein.
2. The City Manager is directed to execute said easement amendment and all other associated documents on behalf of the City of Arcata.

This resolution shall be effective upon its adoption.

DATED: _____

ATTEST:

APPROVED:

City Clerk, City of Arcata

Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the Resolution No. 234-41 passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, held on the 3rd day of April, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

City Clerk, City of Arcata