

PERALTA COMMUNITY COLLEGE DISTRICT
Board of Trustees Agenda Report
For the Trustee Meeting Date of October 22, 2013

ITEM TITLE:

Consideration of Resolution 13/14-29, Resolution of Intent to Convey an Easement

SPECIFIC BOARD ACTION REQUESTED:

Consider approval of Resolution 13/14-29, Resolution of Intent to Convey an Easement, in order to permit the District to grant an easement to Pacific Gas and Electric Company (PG&E) as requested by the Bay Area Air Quality Management District (BAAQMD)

ITEM SUMMARY:

In order to comply with new monitoring requirements imposed by the Environmental Protection Agency and to assess health risks associated with exposure to roadway pollution, BAAQMD desires to install an air quality monitoring station (trailer) near Interstate 880 in the Laney College parking lot. BAAQMD has agreed to pay the District an annual fee of \$4,800 for use of the property where the trailer will be located. Additionally, BAAQMD will pay for the installation of all items necessary to extend electrical service to the site as required to operate their monitoring station, including the installation of a new electrical conduit to the site.

PG&E must install certain equipment on a small strip of District-owned property between East 8th Street and the Laney College parking lot in order to connect the new electrical conduit to existing underground utilities running along East 8th Street. PG&E requires that the District grant an easement to PG&E, comprising an area of approximately 80 square feet as shown on PG&E's drawing No. 30987316 attached to the resolution, in order to permit PG&E to install, operate and maintain this equipment.

SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):

This action does not require any funds, and has no fiscal or budgetary impact. All costs will be covered by BAAQMD and/or PG&E.

BACKGROUND/ANALYSIS:

This monitoring project will help BAAQMD obtain evidence that can be used to reduce roadway pollution impacts. The resolution requires a two-thirds majority of the Board (five affirmative votes). The Chancellor recommends approval. Pursuant to Education Code Section 81310 et seq., following approval of this Resolution of Intent on October 22, 2013, a separate resolution authorizing the Chancellor or his delegate to execute the easement agreement will be brought to the Board on November 12, 2013.

DELIVERABLES AND SCOPE OF WORK:

None

ANTICIPATED COMPLETION DATE:

Not applicable.

ALTERNATIVES/OPTIONS:

None

EVALUATION AND RECOMMENDED ACTION:

The administration recommends this resolution of intent to convey an easement, authorizing the District to grant an easement to PG&E as requested by the BAAQMD.

OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):

YES _____ No X

COMMENTS:

None

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING? Vice Chancellor Ikharo

(*****Board contract approval is subject to negotiation and execution by the Chancellor.)

DOCUMENT PREPARED BY:

Prepared by: Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

DOCUMENT PRESENTED AND APPROVED BY:

Presented and approved by: Dr. Sadiq B. Ikharo
Vice Chancellor of General Services

FINANCE DEPARTMENT REVIEW

Finance review required Finance review *not* required

If Finance review is required, determination is: Approved Not Approved

If not approved, please give reason: _____

Signature: Ronald Gerhard
Ron Gerhard, Vice Chancellor for Finance and Administration

GENERAL COUNSEL (Legality and Format/adherence to Education Codes):

Legal review required Legal review *not* required

If Legal review is required, determination is: Approved Not Approved

Signature: Thuy Thi Nguyen
Thuy Thi Nguyen, General Counsel

CHANCELLOR'S OFFICE APPROVAL

Approved, and Place on Agenda Not Approved, but Place on Agenda

Signature: José M. Ortiz
Dr. José M. Ortiz, Chancellor

PERALTA COMMUNITY COLLEGE DISTRICT

Resolution No. 13/14-29

INTENTION TO CONVEY AN EASEMENT

WHEREAS, the Bay Area Air Quality Management District (“BAAQMD”), in order to comply with new monitoring requirements imposed by the Environmental Protection Agency and to assess health risks associated with exposure to roadway pollution, desires to install an air quality monitoring station (trailer) near Interstate 880 in the Laney College parking lot;

WHEREAS, BAAQMD has agreed to pay the District an annual fee of \$4,800 for use of the property where the trailer will be located, and BAAQMD has further agreed to pay for the installation of all items necessary to extend electrical service to the as site required to operate BAAQMD’s monitoring station, including the installation of a new electrical conduit to the site;

WHEREAS, the Pacific Gas and Electric Company (“PG&E”) must install certain equipment on a small strip of District-owned property between East 8th Street and the Laney College parking lot in order to connect the new electrical conduit to existing underground utilities running along East 8th Street;

WHEREAS, PG&E requires that the District grant easement to PG&E, comprising an area of approximately 80 square feet as shown PG&E’s drawing No. 30987316 attached hereto and by this reference incorporated herein, in order to permit PG&E to install, operate and maintain this equipment; and

WHEREAS, pursuant to Education Code Sections 81310 *et seq.*, the District is authorized to grant the requested easement to PG&E, as a private company engaged in the public utility business,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby adopts this Resolution of Intent to Convey an Easement, and to fix **October 22, 2013**, at 7:00 p.m. at the Board Room, District Administration Center, 333 East Eighth Street, Oakland California, as the time, date and place of the public meeting of the Board of Trustees to consider, and to vote on, the adoption of a resolution to authorize and direct the Chancellor or his designee to take such further action, including without limitation the execution, delivery, filing and recording of agreements and other written instruments, as shall be necessary or desirable, in their discretion, to effectuate the grant of this easement.

PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Peralta Community College District held on this 22nd day of October, 2013, by the following called vote:

AYES:

NOES:

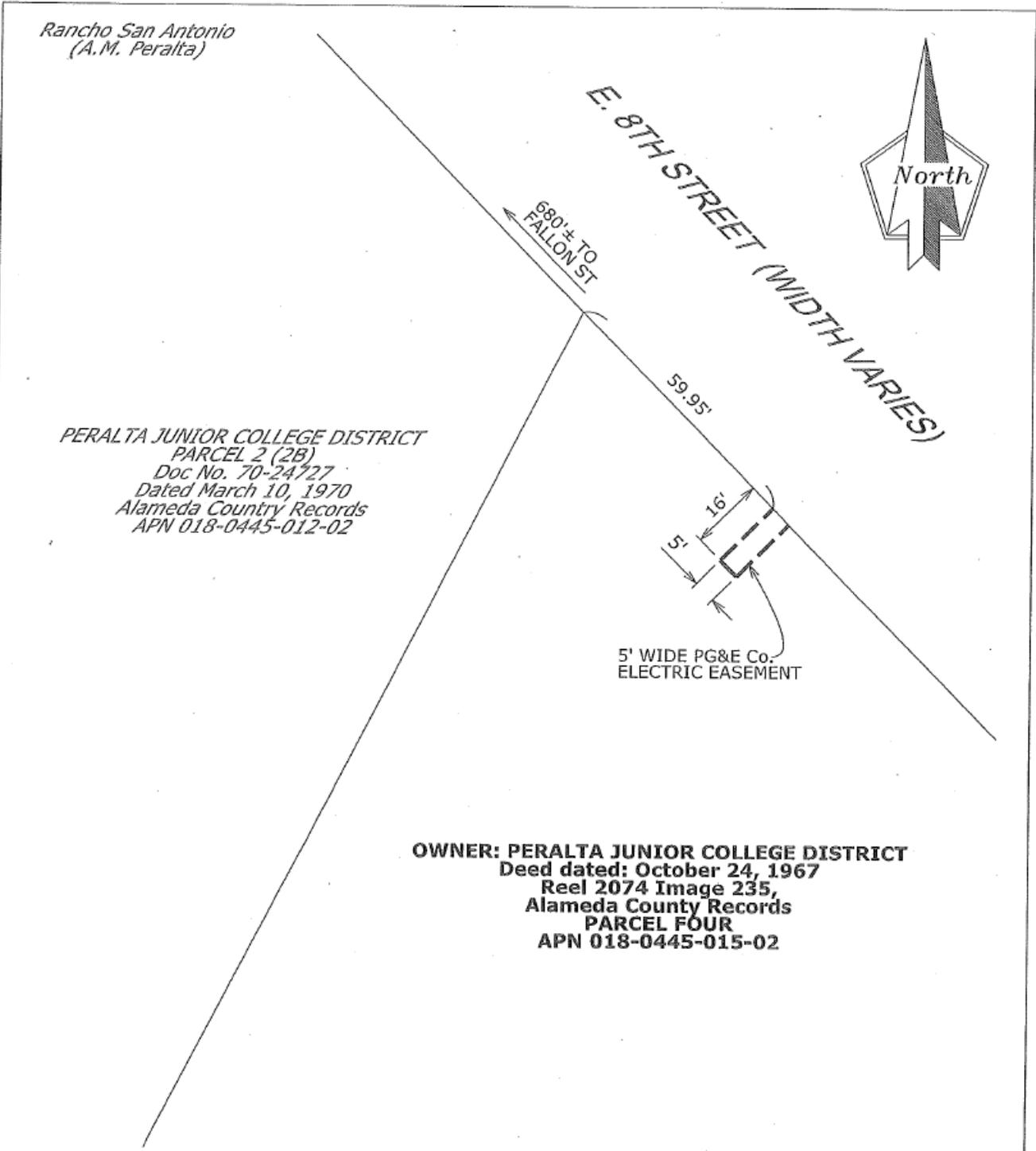
ABSTAIN:

ABSENT:

Secretary, Board of Trustees
Peralta Community College District

FOR REFERENCE PURPOSES ONLY

Drawing No. 30987316



UNLESS OTHERWISE SHOWN ALL COURSES EXTEND TO OR ALONG BOUNDARIES OR LINES

Applicant:				SCALE	DATE
LANEY COLLEGE - 510 FALLON STREET, OAKLAND				1"=40'	5/21/13
SECTION SW/4, SW/4 SECTION 36	TOWNSHIP (01S)	RANGE (04W)	MERIDIAN M.D.B.M.	COUNTY OF: ALAMEDA	CITY OF: OAKLAND
PLAT MAP G0507				F.B.: T2M7	DR.BY: JTMZ
REFERENCES				PG&E	CH.BY: T2M7
				EAST BAY DIVISION	30987316 DRAWING NO.
				AUTHORIZ	