

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING GRANT EASEMENTS TO THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY, PACIFIC GAS AND ELECTRIC COMPANY, AND AT&T, FOR THE CONSTRUCTION AND MAINTENANCE OF THE SMITH CANAL GATE PROJECT, AND EXECUTE AN AMENDED MEMORANDUM OF UNDERSTANDING WITH THE SAN JOAQUIN AREA FLOOD CONTROL AGENCY TO INCORPORATE ADDITIONAL UTILITY EASEMENTS AND UPDATE CONDITIONS RELATED TO THE CLOSURE OF CITY FACILITIES

The San Joaquin Area Flood Control Agency (SJAFCA) is a Joint Powers Authority comprised of the cities of Stockton, Lathrop, Manteca, San Joaquin County, and the San Joaquin County Flood Control and Water Conservation District; and

The SJAFCA is constructing a gate structure near the mouth of Smith Canal at the San Joaquin River to provide added flood protection to the Smith Canal area; and

The project will remove approximately 5,000 properties from the Federal Emergency Management Agency 100-year floodplain. The project also includes significant improvements to the Dad's Point open space area partially owned by the City of Stockton; and

On November 19, 2015, SJAFCA adopted Resolution No. SJAFCA 15-19 and, in doing so, certified an Environmental Impact Report and adopted: (a) Findings of Fact and Statement of Overriding Considerations; and (b) a Mitigation Monitoring & Reporting Plan, all pursuant to the California Environmental Quality Act; and

On August 11, 2020, the City Council authorized the granting of the permanent easement rights to the SJAFCA for the project improvements, and the execution of the Memorandum of Understanding (MOU), including general conditions for the project; and

The SJAFCA requests additional easements needed to facilitate utility connections for their project. In addition, full closure of the Louis Park boat launch and parking lot area at Dad's Point is being requested. An amended MOU has been prepared to outline updated terms and conditions relative to additional easements and closure of Dad's Point open space area, Louis Park boat launch, and parking lot area; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council authorizes the City Manager to grant utility easements to the SJAFCA, Pacific Gas and Electric Company, and AT&T for the construction and

maintenance of the Smith Canal Gate project, a description of which is attached as Exhibit 1 and incorporated by this reference.

2. The City Council authorizes the City Manager to execute an amended MOU with the SJAFCA to incorporate additional utility easements and update conditions related to the closure of Dad's Point open space area, Louis Park boat launch, and parking lot area, a copy of which is attached as Exhibit 2 and incorporated by this reference.

3. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED April 27, 2021.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

ELIZA R. GARZA, CMC
City Clerk of the City of Stockton