



City of Grand Island

Tuesday, February 27, 2018

Council Session

Item E-7

Public Hearing on Acquisition of Public Right-of-Way in Windolph's Subdivision (Villanueva)

Council action will take place under Consent Agenda item G-10.

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz, Assistant Public Works Director

Meeting: February 27, 2018

Subject: Consideration of Transferring Certified Irrigated Rights from the City of Grand Island to Marcos A. and Josefina Villanueva (2725 E Seedling Mile Road)

Presenter(s): John Collins PE, Public Works Director

Background

During the closeout stage of the North Interceptor Phase I sanitary sewer project Marcos A. and Josefina Villanueva of 2725 E Seedling Mile Road filed a claim against the City of Grand Island stating damage to their property. Investigating such claim uncovered that the City did in fact encroach on the Villanueva's private property when restoring the construction area of Museum Drive for public use. The northern end of Museum Drive (south of Seedling Mile Road) has a thirty-three (33) foot public right-of-way, while the southern end of Museum Drive (north of Swift Road) has a sixty (60) foot public right-of-way.

The City has approached the property owners of 2725 E Seedling Mile Road in regards to acquiring an additional 13.5 foot of public right-of-way (half of the 27 foot needed to gain a full 60 foot width) on the northern end of Museum Drive to move towards gaining consistency in the width of such public roadway.

Discussion

During negotiations with the property owners of 2725 E Seedling Mile Road in regards to the City acquiring an additional 13.5 foot of public right-of-way on the northern end of Museum Drive interest was expressed in irrigating the currently dry farm land they own at such location.

An agreement was reached between City staff and such property owners to transfer the City's rights in the certified irrigated acres adjacent to 450 Museum Drive, on the southern end of Museum Drive. The City of Grand Island Utilities Department owns such property, with plans to use it as a solar array site, and has agreed to the transfer. The site is currently irrigated agricultural land, which has been certified as irrigated acres by the Central Platte Natural Resource District (CPNRD) and is leased out for farming. For the duration of the solar array site the irrigated acres will be dormant.

City staff is requesting to grant the transfer of four (4) certified irrigated acre rights to the property owners of 2725 E Seedling Mile Road in exchange for the additional 13.5 foot of public right-of-way on the northern end of Museum Drive. The City will retain ownership and possession of the land, but will transfer Certified Irrigated Acres to the property owner of 2725 E Seedling Mile Road through the CPNRD, which regulates the transfer of groundwater irrigation rights.

The acquisition of public right-of-way is a separate item being presented at the February 27, 2018 City Council meeting.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve a resolution transferring the four (4) Certified Irrigated Acre rights to the property owners of 2725 E Seeding Mile Road from the irrigated acres adjacent to 450 Museum Drive in exchange for the additional 13.5 foot of public right-of-way on the northern end of Museum Drive.

Sample Motion

Motion to approve the resolution.

