

M E M O

TO: District Manager

FROM: District Engineer

SUBJECT: AGREEMENT FOR WATER DISTRIBUTION SYSTEM IMPROVEMENTS, APN 074-081-02.

DATE: March 28, 2007

RECOMMENDATION

It is recommended that the District Manager review this memorandum and the attached agreement between the District and Sven Walker. After review, it is recommended that the District Manager forward the attached agreement to the Board for consideration and approval.

BACKGROUND:

Sven Walker has an existing 5/8A – inch water meter which serves both his parcel, APN 074-081-02, and his neighbor's parcel, APN 074-081-22. APN 074-081-22 is owned by Scott Ballard. The existing water meter provides water service to three (3) separate existing dwelling units. Mr. Walker desires to install a six - inch (6") diameter mainline extension from Rosebloom Avenue along Wells Street to his parcel. See Attachment 1. The proposed mainline extension, approximately 350 feet in length, would include a six - inch (6") steamer hydrant and provide service to both parcels.

Staff has prepared an Agreement for Water Distribution System Improvements, APN 074-081-02. See Attachment 2. Mr. Walker will be responsible for all costs associated with this project. Engineered plans and specification for the proposed improvements will be submitted to the District for approval. The District will inspect the construction work and accept the facilities upon final completion. Mr. Walker will provide easements across the right of way, known as Wells Street, which crosses APN's 074-081-13 and 074-081-21. Mr. Walker will also have APN 074-081-22 annexed by LAFCO in to the District's service area prior to the installation of the two (2) meters for APN 074-081-22.

It is recommended that the District Manager review this memorandum and forward to the Board the attached resolution which authorizes and directs the District Manager to execute the subject agreement on behalf of the District.

Kenneth Girouard
District Engineer

SAN LORENZO VALLEY WATER DISTRICT

RESOLUTION NO. (06-07)

SUBJECT: AGREEMENT FOR WATER DISTRIBUTION SYSTEM IMPROVEMENTS, APN 074-081-02

WHEREAS, Sven Walker, the owner of APN 074-081-02 desires to install a 350 foot long 6” diameter ductile iron water line, and public “steamer” fire hydrant, and

WHEREAS, said project will allow for the replacement of a existing 5/8A – inch domestic water meter with three (3) 5/8 - inch domestic meters; and

WHEREAS, staff has determined that the cost of said hydrant installation, mainline extension, fire hydrant and three (3) 5/8 – inch domestic water meters should be the property owner’s responsibility,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the San Lorenzo Valley Water District hereby agrees to the installation of 350 foot long 6” diameter ductile iron water line extension. Further be is resolved, the District Manager is hereby authorized and directed to execute said agreement between the District and Sven Walker and carry out all necessary actions to fulfill said agreement.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the 5th day of April 2007, by the following vote of the members thereof:

AYES:
NOES:
ABSTAIN:
ABSENT:

District Secretary
San Lorenzo Valley Water District

TAX PURPOSES ONLY

POR. N.E. 1/4, SEC. 2, T.10S., R.2W., M.D.B.&M.

Tax Area Code
90-022 90-030

74-08

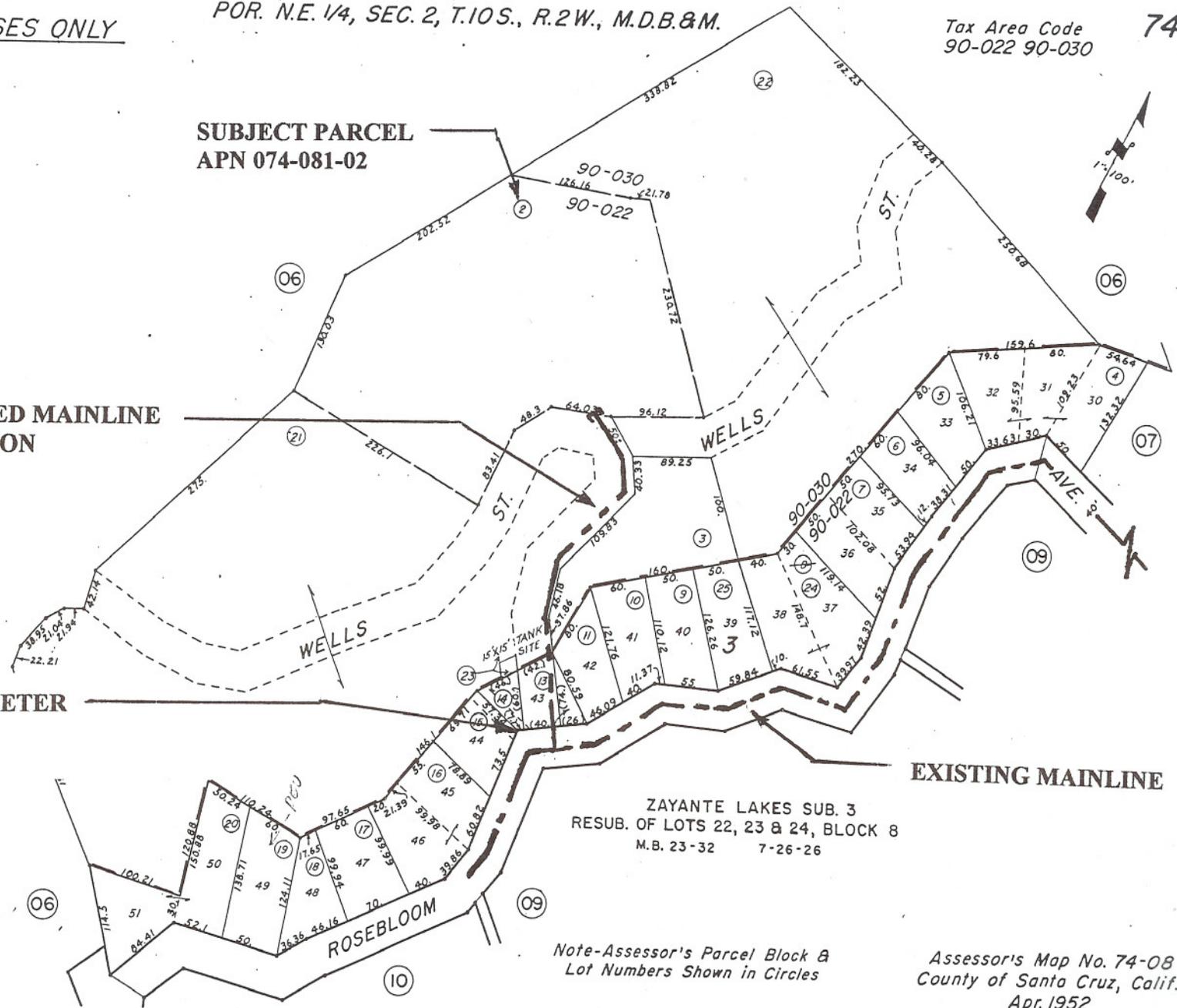
SUBJECT PARCEL
APN 074-081-02



PROPOSED MAINLINE EXTENSION

EXISTING METER LOCATION

EXISTING MAINLINE



ZAYANTE LAKES SUB. 3
RESUB. OF LOTS 22, 23 & 24, BLOCK 8
M.B. 23-32 7-26-26

Note-Assessor's Parcel Block & Lot Numbers Shown in Circles

Assessor's Map No. 74-08
County of Santa Cruz, Calif.
Apr. 1952

Recorded at the Request of:

Attachment 2

SAN LORENZO VALLEY WATER DISTRICT

and when recorded mail to:

BRANDON BARCHI
SAN LORENZO VALLEY WATER DISTRICT
13060 HIGHWAY 9
BOULDER CREEK, CA 95006-9119

**SAN LORENZO VALLEY WATER DISTRICT
AGREEMENT FOR WATER DISTRIBUTION
SYSTEM IMPROVEMENTS
SVEN WALKER
APN 074-081-02
Government Code No. 27383**

THIS AGREEMENT is made this ____ day of _____, 2007 by and between the SAN LORENZO VALLEY WATER DISTRICT, hereinafter referred to as "DISTRICT" and SVEN WALKER, hereinafter referred to as "APPLICANT."

W I T N E S S E T H

WHEREAS, APPLICANT desires to install a 6" diameter mainline extension, a 6" diameter "steamer" fire hydrant with one 4-1/2" nozzle and two 2-1/2" nozzles, and three (3) 5/8" domestic meters; and

WHEREAS, APPLICANT'S property, APN 074-081-02, is located within the boundaries of the San Lorenzo Valley Water District located near the intersection of Wells Road and Rosebloom Avenue; and

WHEREAS, APNs 074-081-02 and 074-081-22 are currently served jointly by an existing 5/8A - inch domestic water meter; and

WHEREAS, a 6 - inch diameter ductile iron mainline extension approximately 350 feet in length is needed to serve APNs 074-081-02 and 074-081-22; and

WHEREAS, a steamer fire hydrant installation is needed by APPLICANT; and

WHEREAS, three (3) domestic meters are needed by APPLICANT to replace the existing 5/8A – inch water meter; and

WHEREAS, one domestic meter will serve APN 074-081-02, 166 Wells Street, owned by Sven Walker; and

WHEREAS, two domestic meters will serve APN 074-081-22, 160 Wells Street, owned by Scott Ballard; and

NOW, THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. TERM. The term of this Agreement shall be from the date this Agreement is made and entered, as first written above, until three (3) years after date of this Agreement.

APPLICANT'S OBLIGATIONS

2. TIME OF INSTALLATION. APPLICANT agrees that all improvements shall be installed within three (3) years of the date of this Agreement. Should the work not be so completed, this Agreement shall be void. Any refund of deposits will be made in accordance with DISTRICT'S rules, regulations, and specifications.

3. PAYMENT. APPLICANT shall pay a total of \$870.01 to the DISTRICT for the material cost of three 5/8” meters, and a deposit for inspection service to inspect the installation of the fire hydrant, the fire service, and the 5/8” domestic meter. Detailed costs are provided as follows:

A) Material cost of (3) 5/8” meters with touch read	\$370.01
B) Deposit for Construction Inspection	\$500.00
Total	\$870.01

4. DESCRIPTION OF FACILITIES. APPLICANT shall prepare plans and install approximately 350 LF of 6-inch diameter mainline and a 6-inch diameter “steamer” fire hydrant with one 4-1/2" nozzle, two 2-1/2” nozzles, and appurtenances there to at a mutually agreed location in the Wells Street right-of-way. The APPLICANT shall install one (1) 5/8 - inch domestic water meter at a new location immediately in front of APN 074-081-02 and two (2) 5/8 - inch domestic water meters in front of APN 074-081-22.

5. OWNERSHIP. All of the improvements shall, upon acceptance by the District, become the property of DISTRICT.

6. HOLD HARMLESS. APPLICANT agree that they shall hold harmless the DISTRICT and its officers, agents and employees from all suits, actions, damages or claims of every name and description, to which DISTRICT may be subjected or put by reason of damage or injury to persons or property arising out of or resulting from this Agreement, including, but not limited to, the execution of the work; the negligence or carelessness on the part of DISTRICT, their agents, or employees; or by or on account of any act or omission of DISTRICT, their agents, or employees, including any failure to fulfill the terms of all laws and regulations which apply to this Agreement.

7. EASEMENTS. APPLICANT shall grant the DISTRICT water utility easements in the right of way commonly known as Wells Street on APNS 074-081-13 and 074-081-21.

8. LAFCO ANNEXATION. APPLICANT shall have APN 074-081-22 annexed to the San Lorenzo Valley Water District.

DISTRICT'S OBLIGATIONS

9. CONSTRUCTION OF FACILITIES. DISTRICT shall supply the APPLICANT with three (3) 5/8 - inch water meters for three new services which the APPLICANT shall install. After the APPLICANT has completed construction of all facilities, the DISTRICT shall remove the existing 5/8A - inch water meter.

10. MAINTENANCE AND OPERATION. After all improvements have been completed and accepted by DISTRICT, it shall be the property of DISTRICT and part of its system, and thereafter DISTRICT may make extensions therefrom and laterals thereto at any point thereon. DISTRICT agrees that upon acceptance of the main extension, DISTRICT shall operate, maintain, and manage the same as part of its system, subject to DISTRICT's rules and regulations and to the rates and charges DISTRICT establishes from time to time.

11. NOTICES. All written notices to the parties hereto shall be sent United States mail postage prepaid, by registered mail, return receipt requested, addressed as follows:

DISTRICT:

James A. Mueller
District Manager
San Lorenzo Valley Water District
13060 Highway 9
Boulder Creek, CA 95006
(831) 338-2153

APPLICANT:

SVEN WALKER
10768 Lake Blvd.
Felton, CA. 95018-9043
(831) 246-1704

Changes to the above addresses and persons can be made by the same form of notice.

12. INCORPORATION BY REFERENCE. DISTRICT'S specifications are hereby incorporated in and made a part of this Agreement.

13. APPLICANT'S PARCEL. APPLICANT'S parcel is APN 074-081-02.

14. AUTHORITY TO EXECUTE AGREEMENT. Both DISTRICT and APPLICANT do covenant that each individual executing this Agreement on behalf of each party is a person duly authorized and empowered to execute Agreement for said party.

Signatures by APPLICANT or their agents in this Agreement shall be notarized and shall make APPLICANT or their agents personally liable for any unpaid costs. APPLICANT agrees to pay all legal fees necessary in recovering any unpaid balance.

SAN LORENZO VALLEY WATER
DISTRICT:

APPLICANT:

James Mueller, District Manager
San Lorenzo Valley Water District

SVEN WALKER

ATTEST:

District Secretary