

ITEM #:	<u>38</u>
DATE:	<u>04-23-24</u>
DEPT:	<u>ELEC</u>

COUNCIL ACTION FORM

SUBJECT: **RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENT
FOR LOT 27**

BACKGROUND:

With the development of Baker Subdivision, the City embarked upon an effort to create a geothermal system for use by multi-family homes within the subdivision. The multifamily development will be located on Lot 27 of the development. The City Council approved plans and specifications for a multifamily geothermal system on March 26, 2024.

Bids were due on April 17, 2024 and are reported in a separate council action item. **If the City awards the contract for geothermal, the geothermal contractor will need access to the site during construction while the property is under the ownership of Townhomes at Creekside LLLP. A temporary construction easement has been drafted to allow construction and installation of the geothermal wells and appurtenant tubing and piping for the geothermal systems.** City staff worked with Townhomes at Creekside, LLLP to prepare the agreement. The temporary construction easement will expire upon completion of construction and acceptance of the project by the City Council. A copy of the temporary construction easement signed by Townhomes at Creekside, LLLP, is attached.

ALTERNATIVES:

1. Approve the Geothermal Temporary Construction Easement Agreement with Creekside Townhomes LLLP for the installation and construction of the multifamily geothermal well system on Lot 27.
2. Direct staff to modify the proposed agreement.

CITY MANAGER'S RECOMMENDED ACTION:

The temporary construction easement will allow a contractor to complete the construction of the geothermal well system for the multifamily homes. The agreement has been reviewed and accepted by Townhomes at Creekside, LLLP. Therefore, it is the recommendation of the City Manager that the City Council approved Alternative #1.

ATTACHMENT(S):

[Geothermal_Temp_Construction_Easement.pdf](#)
[Signed_Temp_Construction_Easement_for_Lot_27.pdf](#)