
Date: April 21, 2020

Item Number: _____

Resolution Number: _____

2/3 Vote Required

Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District To Authorize The Chair To Execute An Outside Service Area Agreement Between The Sonoma Valley County Sanitation District And The Property Owner, John E. Gibbons, Trustee Of The 2005 John E. Gibbons Revocable Trust, For Public Sewer Service Of Assessor Parcel Number (APN) 128-311-049 Located At 20581 Palmer Avenue, Sonoma, California, Determining That The Executing Of The Agreement Will Not Have A Significant Adverse Effect On The Environment.

Whereas, John E. Gibbons, Trustee of the 2005 John E. Gibbons Revocable Trust (Owner), owner of parcel Assessor Parcel Number 128-311-049, located at 20581 Palmer Avenue, Sonoma, California, (Parcel) has requested an Outside Service Area Agreement (Agreement) for public sewer service to connect an existing single family residence on the Parcel; and

Whereas, Sonoma County Permit and Resource Management Department (PRMD) Comprehensive Planning Division staff has determined that the Parcel is located outside the District boundary and is not entitled to connect to, or use of, District facilities; and

Whereas, PRMD staff has determined that the Parcel is not located in the service area of any city or other district having the ability to provide public sewer service to the Parcel; and

Whereas, PRMD Comprehensive Planning Division staff has determined that the Parcel is located inside the District's 2009 amended and expanded Sphere of Influence, and that extension of public sewer service to the Parcel is subject to the provisions of the Sonoma County 2020 General Plan and Land Use Policy L.U.-2011; and

Whereas, PRMD Comprehensive Planning Division staff has further determined that this Agreement is consistent with the policies of the Sonoma County 2020 General Plan and Land Use Policy L.U.-2011, for connection of the existing legally-established uses. This agreement does not authorize service for additional buildings or expanded development on the Parcel beyond stated here; and

Whereas, PRMD Environmental Review staff has determined that the requested application does not need additional environmental protections, other than the applicable

mitigation measures adopted by the Board of Supervisors on December 8, 2009, for the Sonoma Valley County Sanitation District Sphere of Influence Expansion (BOS Resolution No. 09-1162; PRMD File No. GPA09-0008)); and

Whereas, Sonoma County Water Agency (Sonoma Water) operates the District under contract with the District. References to District employees are understood to be Sonoma Water employees acting on behalf of the District; and

Whereas, The District has determined that there is currently adequate capacity available in the District's sewerage facilities, the sewage treatment facilities, and the treated effluent disposal system, to accommodate the 1.0 Equivalent Single-Family Dwelling (ESD) billing units to be allowed for the subject Parcel; and

Whereas, The District has determined that a sewer main extension must be constructed in Palmer Avenue, a private roadway, as there is no existing District-owned sewer main located in a District easement, District property in fee title, or public way which is immediately contiguous to the parcel to be served; and

Whereas, If the Owner does not acquire permits, pay required fees and charges, and construct sewer facilities within 5 years of Local Agency Formation Commission (LAFCO) approval, the Agreement shall be terminated and the District shall be relieved of Obligations under this agreement; and

Whereas, The District's General Manager has determined that approval of the Agreement is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301(b), Existing Facilities, as it represents an additional connection to an existing public facility that involves negligible or no expansion of an existing or former use, and Section 15303(d), New Construction or Conversion of Small Structures, as it consists of construction of limited new, small sewage improvement of reasonable length to serve the parcel; and

Whereas, Sonoma Water on behalf of the District, has prepared a Notice of Exemption for the Agreement in accordance with CEQA, the State CEQA guidelines, and the District's Procedures for the Implementation of CEQA.

Now, Therefore, Be It Resolved that the Board of Directors hereby finds, determines, certifies, and declares as follows:

1. The above recitals are true and correct.
2. This Board determines that authorizing the Agreement will not have a significant impact on the environment and is exempt from CEQA pursuant to Section 15301(b) and Section 15303(d), Existing Facilities, as it represents an additional connection to an existing public facility that involves negligible or no expansion of an existing use.
3. The Chair of the Board hereby is authorized to execute the Agreement.

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4. The Agreement shall not be effective until such time as LAFCO has reviewed and approved the Agreement, and the Agreement has been recorded with the Sonoma County Recorder's Office as notice to any future purchasers of, or successors in interest to the Parcel.
5. District agrees to provide public sewer service to the Parcel subject to Owner's compliance with the terms and conditions set forth in the Agreement, available capacity of the collection and treatment system, and codes and standards in effect at such time as application is made for a permit to construct a building sewer. If the Owner does not construct sewer facilities per Agreement, within 5 years of LAFCO approval, the Agreement shall be terminated and the District shall be relieved of Obligations under the Agreement.

Directors:

Gorin:

Hopkins:

Mayor Harvey:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.