



SUMMARY REPORT

Agenda Date: 7/9/2024

To: Board of Directors, Sonoma Valley County Sanitation District

Department or Agency Name(s): Sonoma Valley County Sanitation District

Staff Name and Phone Number: Dan Mason 547-1967 & Scott Carter 547-1975

Vote Requirement: 2/3rd

Supervisory District(s): First

Title:

Summary Vacation of Sewer Easements and Acceptance of New Easement and Agreements with Rancho de Sonoma MHP, LLC.

Recommended Action:

Board of Directors Adopt Resolutions:

- A) Determining that vacating sanitary sewer easements, located on Assessor Parcel Number 127-141-012, will not have a significant adverse effect on the environment.
- B) Authorizing the summary vacation of sanitary sewer easements in three phases that are no longer required for purposes of the Sonoma Valley County Sanitation District (District), determined to be excess by the District, and there are no other public facilities located within the sewer easements.
- C) Accepting a new Grant of Easement from Rancho de Sonoma MHP, LLC to District, authorizing the General Manager of Sonoma County Water Agency (Sonoma Water), acting on behalf of the District to execute the Grant of Easement and the Certificate of Acceptance, in a form approved by County Counsel.
- D) Authorizing the General Manager of Sonoma Water, acting on behalf of the District to execute a Consent Agreement, in a form approved by County Counsel.
- E) Authorizing the General Manager of Sonoma Water, acting on behalf of the District to execute the Easement Conveyance and Asset Transfer Agreement, in a form approved by County Counsel, and to execute such other documents and take other actions as necessary to complete the transaction. (2/3 Vote Required) (First District)

Executive Summary:

Rancho de Sonoma MHP, LLC (Sonoma Oaks) is the owner of the Sonoma Oaks Mobile Home Park (Sonoma Oaks Property) located at 19275 Sonoma Highway, Sonoma, CA 95476. Sonoma Oaks and District mutually agree it is in their interest for Sonoma Oaks to take ownership of the sanitary sewer collection system located within the Sonoma Oaks Property that exclusively serve the residents of Sonoma Oaks Property. District has agreed to vacate portions of its existing sewer easements and transfer ownership of the related sewer improvements to Sonoma Oaks in three phases, outlined in the Easement Conveyance and Asset Transfer Agreement and below in the Discussion section. Sonoma Oaks agrees to convey a new easement to District for the purposes of maintaining portions of District's existing regional sewer system and future sanitary sewer improvements within the Sonoma Oaks Property and execute a consent agreement for Sonoma Oaks' existing improvements within District's new easement.

Discussion:

Sonoma Oaks as owner of the Sonoma Oaks Property located at 19275 Sonoma Highway, Sonoma, and District are proposing to resolve an ongoing sewer maintenance issue within the Sonoma Oaks Property. District's regional sewer collection system trunk main pipeline travels through the Sonoma Oaks Property to the District's wastewater treatment plant. Sonoma Oaks Property's local sewer collection system, which services the mobile homes on the property connects with District's trunk main pipeline as it crosses the property (see Exhibit A). District holds easements within the Sonoma Oaks Property for the operation and maintenance of the regional sewer collection system along with the operation and maintenance of the local sewer system servicing the mobile homes on Sonoma Oaks Property. Sonoma Oaks and its tenants over time have placed structures, including mobile homes and other improvements, over portions of District's existing easements, which impede District's ability to maintain and operate portions of its sanitary sewer collection system located within the Sonoma Oaks Property. District and Sonoma Oaks have determined it is in the best interests of the District and Sonoma Oaks for Sonoma Oaks to own and maintain those portions of the sanitary sewer collection system that are located within Sonoma Oaks Property, including related manholes and cleanouts that exclusively serve the residents of Sonoma Oaks Property. The existing sewer trunk main pipeline improvements and related easements that serve District's regional sewer system would be retained by District.

District is proposing to vacate the portion of its existing sewer easements that exclusively serve the residents of the Sonoma Oaks Property and transfer ownership of the related sewer improvements to Sonoma Oaks in three phases pursuant to the Public Streets, Highways, and Service Easements Vacation Law, and outlined in the proposed Easement Conveyance and Asset Transfer Agreement. Vacation of the easements and transfer of the related sewer improvements are phased as described below and depicted in Exhibit B (see Exhibit B) and part of the Easement Conveyance and Asset Transfer Agreement:

Phase 1 as proposed: commences upon approval and execution of the Easement Conveyance and Asset Transfer Agreement; the approval, execution, and recording of the Grant of Easement and the Consent Agreement. Phase 1 concludes with the approval and recording of the Resolution entitled, "Phase 1 of District's Board of Directors (Board) ordering the summary vacation of the District's Existing Easements for Phase 1."

Phase 2 as proposed: commences upon the District disconnecting the sewer lateral serving the 19249 Sonoma Highway property from the sewer improvements to be transferred to Sonoma Oaks, re-routing said sewer lateral to the sewer improvements to be retained by District, recording a Notice of Completion for said work, and recording of the Resolution entitled, "Phase 2 of District's Board ordering the summary vacation of the District's Existing Easements for Phase 2."

Phase 3 as proposed: commences upon the District disconnecting the sewer lateral serving the 19285 and 19295 Sonoma Highway properties from the sewer improvements to be transferred to Sonoma Oaks, re-routing said sewer laterals to the sewer improvements to be retained by District, abandoning the District sewer improvements no longer needed, recording a Notice of Completion for said work, and recording of the Resolution entitled, "Phase 3 of District's Board ordering the summary vacation of the District's Existing Easements for Phase 3."

Sonoma Oaks agrees to accept the proposed ownership transfer of the Sewer Improvements in Phase 1, Phase

2, and Phase 3 as noted above in their “as-is” condition. Sonoma Oaks understands and agrees that the sanitary sewer collection system transferred pursuant to the proposed Easement Conveyance and Asset Transfer Agreement will be Sonoma Oaks’ sole and exclusive property, and Sonoma Oaks further understands and agrees that it will be solely responsible for all maintenance and repair of said sanitary sewer collection system upon such ownership transfer.

Sonoma Oaks agrees to convey a new easement to District for the purposes of maintaining portions of District’s existing regional sewer system and future sanitary sewer improvements within Sonoma Oaks Property and execute a consent agreement for Sonoma Oaks’ existing improvements within District’s new easement.

The budgeted amount of \$195,000 for FY 2024/2025 from the Sonoma Valley County Sanitation District Operations Fund is allocated for District staff time and the construction work involved in disconnecting and rerouting the lateral sewer lines serving the 19249, 19285, and 19295 Sonoma Highway properties.

In accordance with Section 65402 of the Government Code, District requested the City of Sonoma Community Development - Planning Division determine whether the vacation of the easements would comply with City's General Plan. As the City of Sonoma Community Development - Planning Division did not respond within 40 days to the request, per Section 65402 of the Government Code, the vacation of the easements is deemed to be in conformance with the City of Sonoma’s General Plan.

California Environmental Quality Act

The District’s General Manager has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301(b) Existing Facilities, 15304(f) Minor Alterations to Land, 15302(c) Replacement or Reconstruction, and 15312 Surplus Government Property Sales, because the project will disconnect and re-route sewer laterals and allow for the transfer of property and sanitation facilities to Sonoma Oaks. The property is no longer necessary for the operations of the District and is not in an area of statewide, regional, or area-wide concern as identified in CEQA Guidelines Section 15206 (b)(5). In addition, the easement and consent agreement will allow the District and Sonoma Oaks access to operate and maintain their existing facilities. The project involves no expansion of use and would not involve removal of healthy, mature, scenic trees. District staff has prepared a Notice of Exemption in accordance with the CEQA, the State CEQA Guidelines and the District’s Procedures for the Implementation of CEQA. The project meets all the requirements of Government Code, Section 65402 for General Plan consistency.

District staff recommends that the Board adopt the attached resolutions, determining that the summary vacation of sewer easements will not have a significant adverse effect on the environment; authorizing the summary vacation of sanitary sewer easements and the transfer of the related sewer improvements in three phases; accepting a Grant of Easement, authorizing the General Manager of Sonoma Water on behalf of District to execute the Grant of Easement, the Certificate of Acceptance, the Consent Agreement, and the Easement Conveyance and Asset Transfer Agreement, all in a form approved by County Counsel, and to execute such other documents and take other actions as necessary to complete the transaction; direct the Clerk of the Board to record a certified copy of each individual resolution and it’s attached Exhibit A at the Office of the County Recorder on a specific date after notification by District staff.

The recording of the resolutions by the Clerk of the Board would take place as outlined above in three precise

phases.

1. Resolution Phase 1 would be recorded in the specified recording order after the General Manager of Sonoma Water on behalf of District executes the Easement Conveyance and Asset Transfer Agreement, the Grant of Easement, the Certificate of Acceptance, and the Consent agreement; and after District staff records the Grant of Easement and Consent Agreement. District staff would notify the Clerk of the Board after recording the aforementioned documents so Resolution Phase 1 with Exhibit A can be recorded by the Clerk, granting the summary vacation of the sewer easement and transferring ownership of the related sewer improvements as defined in Exhibit A of the Resolution.
2. For the recordation of Resolution Phase 2 and Resolution Phase 3, District staff will notify the Clerk of the Board after the Notice of Completion has been recorded for each sewer improvement project as outlined above and then the corresponding Resolution with Exhibit A can be recorded by the Clerk, granting the summary vacation of the sewer easement and transferring ownership of the related sewer improvements identified in Exhibit A of each resolution.

County of Sonoma Strategic Plan Alignment

N/A

Sonoma Water Strategic Plan Alignment

Goal: 2. Planning and Infrastructure - Implement comprehensive, integrated, and innovative infrastructure planning to strengthen existing services, minimize life cycle costs, and prepare for the future.

Strategy: 2.1 Conduct planning that integrates and balances operational, maintenance, and infrastructure priorities.

Action Item: 2.1.3 Continue to engage in planning efforts to support reliable wastewater and flood management services.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected
Budgeted Expenses	\$195,000		
Additional Appropriation Requested			
Total Expenditures	\$195,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$195,000		
Use of Fund Balance			

Agenda Date: 7/9/2024

General Fund Contingencies			
Total Sources	\$195,000		

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$195,000 is available from FY 2024/2025 appropriations for the Sonoma Valley County Sanitation District Operations Fund. No additional appropriation is required.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Exhibit A - Map

Exhibit B - Map

Resolution Phase 1 with Exhibit A

Resolution Phase 2 with Exhibit A

Resolution Phase 3 with Exhibit A

Related Items "On File" with the Clerk of the Board:

Easement Conveyance And Asset Transfer Agreement - Sonoma Oaks

Grant of Easement - Sonoma Oaks

Consent Agreement - Sonoma Oaks