



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/8/2020

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Blake Atkerson 547-1974
Vote Requirement: 4/5th
Supervisorial District(s): First

Title:

Grant of Easement to City of Sonoma for Fryer Creek Pedestrian Bridge Project

Recommended Action:

- A) Adopt a Resolution determining that granting of an easement to the City of Sonoma will not adversely affect the Sonoma County Water Agency and will not adversely impact the environment;
- B) Authorize and delegate authority to the Sonoma County Water Agency's General Manager to grant an easement to the City of Sonoma, and consent to an encroachment agreement between Pacific Gas and Electric Company and the City of Sonoma in a form approved by County Counsel.

Executive Summary:

The City of Sonoma (City) has requested that the Sonoma County Water Agency (Sonoma Water) grant the City an easement for the construction and maintenance of a pedestrian bridge over a portion of Sonoma Water's Fryer Creek Channel property. Sonoma Water's enabling legislation requires the granting this easement be considered at no less than two regularly scheduled Board meetings.

Discussion:

Sonoma Water owns and maintains the Fryer Creek Channel property (Assessor's Parcel Numbers 018-521-001 and 128-061-019) located at the end of Newcomb Street, west of Broadway, in the City of Sonoma. Sonoma Water maintains the channel for the conveyance of storm water. Existing easements encumber the property to the benefit of the Sonoma Valley County Sanitation District for sewerage and the Pacific Gas and Electric Company for natural gas service.

The City requested that Sonoma Water grant them an easement over a portion of Sonoma Water's Fryer Creek property for the purpose of installing and maintaining a pedestrian bridge over Fryer Creek as part of the City's Fryer Creek Pedestrian and Bicycle Bridge Project (Project). The pedestrian bridge benefits students from the nearby middle school and high school crossing Fryer Creek to the existing paved trail constructed and maintained by the City.

Sonoma Water staff reviewed the proposed improvement plans for the Project and determined that construction of the bridge and granting of the easement will not adversely affect Sonoma Water. The City appraised the value of the easement at \$750. Sonoma Water has expended approximately \$7,000 in staff cost to process the City's request to grant the easement. In accordance with Section Nine of Sonoma Water's enabling legislation, Sonoma Water must receive adequate consideration for the granting of property rights to

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a private entity or public agency or for no consideration to a public agency with a 4/5 vote of the Board of Directors.

In accordance with Section 65402 of the Government Code, Sonoma Water requested the City's Planning Department to determine whether the granting of the easement would comply with the City's General Plan. The City's Planning Director responded to the request and determined that the grant of easement is deemed to be in conformance with the City's General Plan.

The City prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Fryer Creek Pedestrian and Bicycle Bridge Project in accordance with the California Environmental Quality Act (CEQA). The IS/MND addressed the potential impacts related to the Project and included mitigation measures to avoid or minimize adverse effects of the Project. The City certified the IS/MND and approved the Project on May 2, 2011. The City filed a Notice of Determination on May 3, 2011.

Sonoma Water has prepared a Notice of Determination in accordance with CEQA, the State CEQA Guidelines, and the Water's Compliance Procedures for CEQA. As a Responsible Agency under CEQA, Sonoma Water staff considered the IS/MND as prepared by the City. With the incorporation of the mitigation measures identified in the IS/MND, the Project would not have an adverse impact upon the environment. Granting of the easement will not adversely affect Sonoma Water's ability to carry out its flood control responsibilities.

Sonoma Water's enabling legislation requires that granting this easement be considered at no less than two regularly scheduled Board meetings.

Prior Board Actions:

11-17-2020 Consideration of Grant of Easement to City of Sonoma for Fryer Creek Pedestrian Bridge Project on November 17, 2020.

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses	\$7,000		
Additional Appropriation Requested			
Total Expenditures	\$7,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$7,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$7,000		

Narrative Explanation of Fiscal Impacts:

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The grant of easement is being done at the request of the City of Sonoma. Sonoma Water's staff costs of \$7,000 were budgeted in the Zone 3A Flood Control budget. City of Sonoma will reimburse Sonoma Water \$7,000 for the grant of easement.

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:

Resolution

Easement Agreement

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

Draft Notice of Determination