



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 11/7/2023

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Sharina Arevalos 547-1912
Vote Requirement: 4/5th
Supervisory District(s): Third

Title:

Approve Grant of Easement to Los Pinos Apartments, LLC, for Storm Drain Improvements

Recommended Action:

- A) Authorize Sonoma County Water Agency's General Manager to execute the Easement Agreement, in a form approved by County Counsel, with Los Pinos Apartments, a California limited liability company.
- B) Adopt a resolution determining that the grant of the easement to Los Pinos Apartments, a California limited liability company, will not adversely affect Sonoma County Water Agency in any respect and making responsible agency findings pursuant to the California Environmental Quality Act. (Third District) (4/5th Vote Required)

Executive Summary:

This item approves the granting of an easement by the Sonoma County Water Agency (Sonoma Water) to allow Los Pinos Apartments, a California limited liability company, to construct a storm drain outfall for the Los Pinos Apartments Multifamily Rental Housing Project (Project). The Project is located at 3496 Santa Rosa Avenue (APN 134-132-015). Sonoma Water owns certain real property (APN 134-152-059) where the proposed storm drain outfall for the Project is located. The Board of Directors first heard the consideration for granting this easement at the October 24, 2023 Board meeting.

Discussion:

Los Pinos Apartments, a California limited liability company, has requested that Sonoma Water execute an easement agreement for installation of storm drain outfall improvements on Sonoma Water property. The storm drain outfall improvements will allow Los Pinos Apartments to meet County of Sonoma permitting requirements necessary to build the 50-unit multifamily rental housing project that includes three low-income units on Santa Rosa Avenue. Sonoma Water currently uses the property for flood control maintenance purposes. Sonoma Water staff has determined that the easement would not adversely impact Sonoma Water's use of the property in any respect. Los Pinos Apartments understands and agrees that any improvements completed as part of the project will be considered Los Pinos Apartments' sole property and that the company shall maintain all Project improvements within the Easement Area at its sole cost and expense.

Section 9 of Sonoma Water's enabling legislation requires that any easement granted to a private entity must be granted for adequate consideration. Sonoma Water staff has determined that the value of the easement is nominal and that adequate consideration for granting of the easement is reimbursement of Sonoma Water's

staff cost and other related costs to grant the easement. Los Pinos Apartments (Property Owner) has agreed to reimburse Sonoma Water for its costs to process the easement. Sonoma Water Staff have determined that the easement would not adversely impact Sonoma Water's use of its property in any respect. Sonoma Water's enabling legislation requires that granting this easement be considered at no less than two regularly scheduled board meetings. In accordance with Section 9 of Sonoma Water's enabling legislation, this item was considered at a previous Board Meeting.

Sonoma County, as lead agency, completed environmental documentation in accordance with the California Environmental Quality Act (CEQA) for the Project. Permit Sonoma prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that addressed the potential impacts related to the Project and measures to mitigate adverse effects of the Project. Permit Sonoma approved the Project, adopted the IS/MND, and adopted findings on March 3, 2021 and filed a Notice of Determination on March 4, 2021. The easement meets all requirements of Government Code, Section 65402, for General Plan consistency.

As a Responsible Agency under CEQA, Sonoma Water has reviewed and considered the lead agency's IS/MND and adopted findings. The proposed resolution concurs with each of the findings concerning environmental impacts and mitigation measures in the IS/MND and County's resolution, and finds that the easement will not have an adverse impact upon the environment. Sonoma Water has prepared a Notice of Determination in accordance with CEQA, the State CEQA Guidelines and Sonoma Water's Compliance Procedures under CEQA.

County Strategic Plan:

N/A

Sonoma Water Strategic Plan:

This item directly supports Sonoma Water's Strategic Plan and is aligned with the following goal, strategy, and action item.

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: 2.1.2 Continue to engage in planning efforts and partnerships to protect and enhance our water supply.

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

No

Prior Board Actions:

10/24/23: Consideration of Grant of Easement to Los Pinos Apartments, LLC, for Storm Drain Improvements.

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses	\$15,000		

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Additional Appropriation Requested			
Total Expenditures	\$15,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$15,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$15,000		

Narrative Explanation of Fiscal Impacts:

The grant of easement is at the request of Property Owner Los Pinos Apartments, a California limited liability company. Funds for staff costs were budgeted in the Sonoma Water General Fund; however, Property Owner will reimburse Sonoma Water for staff costs 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
Exhibit A Legal Description
Exhibit A-1 Easement Area
Mitigated Negative Declaration

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

None