



# SONOMA COUNTY

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

## Summary Report

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**Agenda Date:** 2/26/2019

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**To:** Board of Supervisors

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:** Johannes J. Hoevertsz 707-565-2231

**Vote Requirement:** Majority

**Supervisory District(s):** First

### **Title:**

Victory Station Development Project Road and Public Utility Easement for Eighth Street East

### **Recommended Actions:**

Authorize the Chair to execute a Road and Public Utility Easement with Victory Station LLC and the Sonoma-Marin Area Rail Transit District (SMART), accepting expanded right-of-way along Eighth Street East (Road Number 5502) and establishing maintenance responsibilities of Sonoma County for the expanded right-of-way.

### **Executive Summary:**

The Department of Transportation and Public Works (TPW) seeks approval of a Road and Public Utility Easement accepting a grant of right-of-way with along Eighth Street East. Victory Station LLC is the owner of the property and the party conveying the easement. Sonoma-Marin Area Rail Transit District (SMART) holds an exclusive rail easement over a portion of the property, necessitating SMART's consent to the grant of easement. Victory Station is widening Eighth Street East and conveying the easement to the County based on conditions of approval of a land development project known as Victory Station (DRH15-0007). The easement agreement requires the County to maintain public improvements within the expanded right-of-way and to indemnify SMART in connection with losses that may arise from the County's future work within the portions of SMART's rail easement outside of the rail crossing.

### **Discussion:**

On April 5, 2017, the Sonoma County Design Review Committee approved the Victory Station Project, DRH15-0007. Victory Station is a 258,182 square foot light industrial warehouse building to be located on the northwest corner of Eighth Street East and State Route 12/121. As a condition of approval of the project, certain public improvements were required along Eighth Street East, and Victory Station LLC was required to dedicate right-of-way where needed for the required public improvements. These improvements include widening to allow turn lanes into the project as well as shoulder improvements on both sides of Eighth Street East. SMART holds a rail easement across Eighth Street East along the project's frontage, necessitating SMART's consent to the easement agreement. A railroad crossing structure is included in the required improvements and the design incorporates relocation of the railroad crossing arms to accommodate the County's future planned improvements for Eighth Street East.

TPW requests that the Board approve the easement agreement, thereby accepting the expanded right-of-way and establishing obligations of the County to SMART with respect to maintenance and indemnification in the

event of loss. Approval of the easement agreement will ensure the improvements required for the Victory Station project may be constructed within the public right-of-way. Conversely, if the Board does not approve the easement agreement, the public improvements required of Victory Station LLC along Eighth Street East cannot be constructed.

The County is benefitting from public improvements to be constructed by the project applicant, some of which would potentially have to be constructed and paid for by the County at such time as Eighth Street East is improved. The developer's estimate for the portion of work on Eighth Street East that may provide future cost savings to the County is \$614,364.

**Prior Board Actions:**

None

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 18-19 Adopted</b>	<b>FY19-20 Projected</b>	<b>FY 20-21 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>			

**Narrative Explanation of Fiscal Impacts:**

The additional maintenance costs to the County have yet to be determined but are estimated to be less than \$1,000 annually. Costs to maintain the railroad crossing will be known once construction is complete and will be included in the Roads Fund Maintenance Budget.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A - I Step)</b>	<b>Additions (number)</b>	<b>Deletions (number)</b>

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**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Grant Easement

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

None