



Legislation Text

File #: 2024-0558, **Version:** 1

To: Board of Directors, South Park County Sanitation District
Department or Agency Name(s): South Park County Sanitation District
Staff Name and Phone Number: Dan Mason 547-1967
Vote Requirement: 4/5th
Supervisory District(s): Third

Title:

Approval of the Todd Road Exempt Surplus Land Sale and Summary Vacation of Surplus Sewer Easements

Recommended Action:

Adopt a Resolution:

- A) Determining that the sale of exempt surplus land identified as Assessor's Parcel Number 134-122-066, and the summary vacation of sewer easements located on Assessor's Parcel Numbers 134-122-005, and 134-122-065, located at Todd Road, in the unincorporated area of Sonoma County, California, will not have a significant adverse effect on the environment; and
 - B) Approving the sale of certain real property owned by the South Park County Sanitation District located at Todd Road, in the unincorporated area of Sonoma County, California, identified as Assessor's Parcel Number 134-122-066; and
 - C) Finding the appraised fair market value of the certain real property is \$1,000 in its present as is condition; and
 - D) Authorizing the General Manager to execute a Purchase and Sale Agreement, a Quitclaim Deed, and any other related documents necessary to complete the transaction, in a form approved by County Counsel; and
 - E) Determining that certain sewer easements acquired by the South Park County Sanitation District on Assessor's Parcel Numbers 134-122-005, and 134-122-065, are no longer necessary for the purposes and uses of the South Park County Sanitation District; and
 - F) Authorizing the summary vacation of sewer easements on Assessor's Parcel Number 134-122-005, and 134-122-065, which are no longer required for the purposes they were acquired because the sewer easements have been determined to be excess by the South Park County Sanitation District, and there are no other public facilities located within the easement.
- (4/5th. Required) (Third District)

Executive Summary:

This item requests that the Board of Directors the South Park County Sanitation District (District) approve the sale of the exempt surplus property located at Todd Road in the unincorporated area of Sonoma County, California (Property), and authorize the General Manager of the District to execute a purchase and sale agreement, quitclaim deed, and any other related documents necessary to complete the transaction, in a form approved by County Counsel. District is managed and operated by the Sonoma County Water Agency (Sonoma Water) under agreement between Sonoma Water and District.

Additionally, this item requests the Board of Directors of the South Park County Sanitation District (Board) to order the vacation of surplus sewer easements related to the property, which are no longer in service or needed for operation of the abandoned lift station.

Discussion:

On April 30, 2024, the Board adopted Resolution 24-0158 declaring the Property as “exempt surplus land” pursuant to the State of California Surplus Land Act (Govt Code 54220 et seq.) and declaring intent to sell, and authorizing Sonoma Water to negotiate the terms and conditions for selling the Property. The Property consists of approximately 2,062 square feet containing an abandoned sewer lift station, located near the corner of Todd Road and Moorland Avenue, consisting of certain real property, being all of Assessor's Parcel Number 134-122-066, and being all of the District's right, title, and interest in and to the real property conveyed to the District by Charlie P. Harmon and Betty J. Harmon in instruments recorded on October 1, 1952, in Book 1161, Page 227 and in Book 1161, Page 231, Official Records of Sonoma County, California. This excludes the real property conveyed by the District to Patrick J. Berry, and Gayle M. Berry, husband and wife, as Joint Tenants, in that certain Grant Deed recorded on December 31, 1998 as Document Number 19980158963, Official Records of Sonoma County. Even though the Sonoma County Assessor's Office shows the District as retaining ownership.

The lift station was first constructed by the District in 1952 to collect and pump sewage approximately 2,600 feet northerly, through a force main located within Moorland Avenue, to a sewer manhole located at the intersection of Moorland Avenue and West Robles Avenue. In 1952 and in 1998, District acquired easements over the adjacent property presently owned by S&S Moorland Ave, LLC, a California limited liability company, that were formerly used to operate the pipelines that connected the sewer lift station to the District's sanitation system. In 2009, the City of Santa Rosa constructed the Todd Road Trunk Main, which provided a gravity flow sewage system to service the area previously serviced by the Todd Road Lift Station, making the lift station no longer necessary.

In 1998 District transferred a portion of the Property to Patrick J. Berry, and Gayle M. Berry, husband and wife, (“Berrys”), and owners of Berry's Market located on the adjacent parcel, Assessor's Parcel Number 134-122-065. The District reserved an access and utilities easement over the entire portion transferred to the Berrys. The portion of property granted to the Berrys was intended to give their customers better access to their market and eliminate the encroachment on part of the District's Property. This access way is used as an entrance from Todd Road to Berry's Market and is still in use by the current owners of Berry's Market and APN 134-122-065. Also, in 1998 the Berry's granted an additional sewer easement to District located on APN 134-122-005 along District's eastern property boundary needed for the constructed the Todd Road Lift Station Modification Project.

The adjoining property owner is interested in purchasing the property and has approached Sonoma Water with a request for the District to declare the property surplus land. Sonoma Water had the property appraised and the fair market value of the property was determined to be \$1,000 in its as-is condition. Sonoma Water staff has negotiated with the neighboring property owner who has agreed to pay the appraised value of the property, in its as-is condition, and an additional amount as reimbursement of staff time to process the sale, estimated to be approximately \$20,000.

California Environmental Quality Act

The General Manager has determined that the sale of surplus land and the summary vacation of sewer easements are exempt from the California Environmental Quality Act pursuant to Section 15312 (Surplus Government Property Sales), because 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).

The proposed disposition of the Property also meets all the requirements of Government Code Section 65402 for consistency with the County of Sonoma Permit and Resources Management Department's General Plan.

Sonoma Water staff recommends that the Board of Directors adopt the attached resolution, determining that the sale of exempt surplus land and the summary vacation of sewer easements will not have a significant adverse effect on the environment, delegating authority for the General Manager to execute a Purchase and Sale Agreement and a Quitclaim with S&S Moorland Ave, LLC, a California limited liability company, and any other related documents necessary to complete the transaction, in a form approved by County Counsel, and to order the Summary Vacation of surplus sewer easements related to the abandoned lift station no longer needed by District.

County of Sonoma Strategic Plan Alignment

N/A

Sonoma Water Strategic Plan Alignment

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: 2.1.3 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:

04/30/24: Resolution Declaring Todd Road Lift Station as Exempt Surplus Land and Intent to Sell Such Property.

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses	\$21,000		
Additional Appropriation Requested			

Total Expenditures	\$21,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$21,000		
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$21,000		

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$21,000 is available from FY 2023/2024 appropriations for the South Park County Sanitation District Operations Fund. S&S Moorland Ave, LLC will pay \$1000 as the purchase price for the property. Offsetting revenue in the amount up to \$20,000 will also come from S&S Moorland Ave, LLC. 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):

N/A

Attachments:

Resolution

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

Purchase and Sale Agreement

Quitclaim Deed