



Legislation Text

File #: 2020-1005, **Version:** 1

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Blake Atkerson (707) 738-1450
Vote Requirement: Majority
Supervisory District(s): Third

Title:

Consideration of Grant of Easement to Sonoma County Pacific Associates, a California Limited Partnership

Recommended Action:

Consideration of the following:

- A) Determine that the grant of the easement to Sonoma County Pacific Associates, a California Limited Partnership will not adversely affect the Agency in any respect; and
- B) Authorize Sonoma Water's General Manager to execute the Easement Agreement with Sonoma County Pacific Associates, a California Limited Partnership.

In accordance with Section 9 of Sonoma Water's enabling legislation, this item will be returned to the Board for further consideration and action at the Board's next scheduled Board Meeting. (Third District)

Executive Summary:

This item involves the granting of an easement by the Sonoma County Water Agency (Sonoma Water) to allow Sonoma County Pacific Associates, a California Limited Partnership to construct a storm drain outfall for the Redwood Apartments Low-income Housing Project (Project). The Project is located at 3422 Santa Rosa Avenue (APN 134-132-070). Sonoma Water owns certain real property (APN 134-132-059), within which the Agency operates the Todd Creek Channel Improvement (Sonoma Water Property) where the proposed storm drain outfall for the Project is located.

Discussion:

Sonoma County Pacific Associates, a California Limited Partnership (Sonoma County Pacific Associates) has requested that the Water Agency execute an easement agreement for installation of storm drain outfall improvements on Sonoma Water Property. The storm drain outfall improvements will allow Sonoma County Pacific Associates to meet permitting requirements necessary to build the Project, a 96-unit, 100 percent low-income housing project 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.

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 to grant the easement. Sonoma County Pacific Associates has deposited \$5,000 to Sonoma Water

for reimbursement of staff costs.

Sonoma County Permit and Resource Management Department (Permit Sonoma) has 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 addresses the potential impacts related to the Project and measures to mitigate adverse effects of the Project. Permit Sonoma approved the Project on June 26, 2019 and filed a Notice of Determination on July 1, 2019. The easement meets all requirements of Government Code, Section 65402, for General Plan consistency.

Sonoma Water has prepared a Notice of Determination in accordance with CEQA, the State CEQA Guidelines and Sonoma Water's Compliance Procedures under CEQA. As a Responsible Agency under CEQA, Sonoma Water staff considered the IS/MND as prepared by Permit Sonoma. With the incorporation of the mitigation measures identified in the IS/MND, the Project would not have an adverse impact upon the environment.

In accordance with Section 9 of Sonoma Water's enabling legislation, the Board must consider the proposed grant of easement to the County at two separate meetings. This item will return to the Board at the next scheduled Board Meeting for further consideration and action.

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses	5,000		
Additional Appropriation Requested			
Total Expenditures	5,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	5,000		
Use of Fund Balance			
Contingencies			
Total Sources	5,000		

Narrative Explanation of Fiscal Impacts:

The grant of easement is at the request of Sonoma County Pacific Associates, a California Limited Partnership. Staff costs were budgeted in the Zone 1A Flood Control budget; however, the Sonoma County Pacific Associates will reimburse Sonoma Water 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):

N/A

Attachments:

Easement Agreement, Notice of Determination

Related Items “On File” with the Clerk of the Board:

None