



LOS ALAMOS TRUNK SEWER REPLACEMENT PROJECT  
RESOLUTION OF NECESSITY HEARING  
Samantha Zappelli, 4912 & 4914 Sonoma Highway,  
Portion of APNS: 031-240-006 AND 031-240-067

City Council Meeting  
July 12, 2022

Stephanie Valkovic,  
Associate Real Property Agent, Real Estate Services

# BACKGROUND

At the May 24, 2022 City Council meeting, Council first considered the adoption of a Resolution of Necessity for acquisition by eminent domain of easement interests in portions of the Subject Property for the Los Alamos Trunk Sewer Replacement Project. The motion for adoption of the Resolution of Necessity required five affirmative votes to pass. It failed on a vote of 3-2, with two Council members absent. A motion for reconsideration was made and seconded, and Council voted in the affirmative on the motion for reconsideration of the item at the June 7, 2022 City Council meeting, allowing this item to be reconsidered today.

# PROJECT NECESSITY

## 2014 Sanitary Sewer System Master Plan Update (MPU):

- Identified approximately three miles of the Los Alamos trunk sewer in the Rincon Valley and Southeast Santa Rosa area for near-term replacement due to its nearly 60-year age, deteriorated condition, and inadequate level of service under high flow conditions
- Identified the Los Alamos Trunk Sewer Replacement Project as the number one high priority project needed to maintain the City's desired service levels within the sewage collection system

# ALIGNMENT

The first segment begins at Streamside Drive and terminates at Elaine Drive. This alignment was selected to effectively collect all tributary flows and minimize (1) the amount of bypass pumping operations necessary for construction, (2) the potential impact on future development of private property, and (3) the impact on heritage trees.



# SUBJECT PROPERTY



- LEGEND**
- APPROX. PROPERTY LINE (LANDS OF ZAPPELLI)
  - PROPOSED 26" TRUNK SEWER EASEMENT
  - - - PROPOSED TEMPORARY CONSTRUCTION EASEMENT
  - - - EXISTING 10" PUBLIC SEWER EASEMENT
  - - - EXISTING 15" PUBLIC UTILITY EASEMENT



<b>EASEMENT EXHIBIT</b> <b>LOS ALAMOS TRUNK SEWER REPLACEMENT SEGMENT 1</b>		DATE: APRIL 26, 2022 DRAWN BY: JMG CHECKED BY: [blank] THE EXHIBIT WAS MADE FOR ME OR UNDER MY DIRECTION ON [blank] 2022 BY: JEREMY AUSTIN PROJECT NO.: 2022-11-0000	DATE: [blank] TIME: [blank]
		SCALE: 1" = 10' SHEET NO.: 1 OF 1 FIELD BOOK NUMBER: 1/2	SECTION: [blank] DATE: [blank] TIME: [blank]



# PROPERTY OWNER COMMUNICATIONS



16 months of negotiations



Phone calls



Site visits



Emails



Unable to reach  
agreement

# NEGOTIATION TIMELINE

**4/30/19**--The Notice of Decision to Appraise was sent;

**8/30/19**-The City's appraiser Ward Levy valued the easements ("Original Appraisal");

**1/13/21**-An offer was made in the amount of Original Appraisal;

**5/28/21**-Property owner hired an independent appraiser Wayne Harding, at City's expense, who valued the easements ("Independent Appraisal");

# TIMELINE CONTINUED

**6/4/21**- Onsite meeting and staking of easements;

**9/7/21**-The City had its Original Appraisal updated;

**9/23/21**-The City made a revised offer on the basis of the Independent Appraisal;

**11/9/21**-The City made a further revised and final offer above the Independent Appraisal amount to reflect the easement value of the Independent Appraisal plus an additional value for the trees being removed (which value was reflective of the higher amount from the Original Appraisal).



# RECOMMENDATION

It is recommended by the Water and Transportation and Public Works Departments and Real Estate Services that the City Council, conduct a public hearing and adopt a Resolution of Necessity, by a two-thirds vote, declaring the necessity of acquisition, by eminent domain, of two permanent easement interests and two temporary construction easement interests in portions of certain real property, more particularly described as Sonoma County Assessor Parcel Nos. 031-240-006 and 031-240-067, for the Los Alamos Trunk Sewer Replacement Project.

QUESTIONS?