

RESOLUTION NO. RES-2017-047

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DESIGNATING A RECREATIONAL TRAIL ACROSS THE OAKMONT TREATMENT PLANT PROPERTY

WHEREAS, the City does not currently have a designated general public access connecting Annadel State Park and the Oakmont community; and

WHEREAS, the Santa Rosa Water Department currently has an access easement over a paved service road connecting the Oakmont Treatment Plant with Stone Bridge Road across the adjacent private property; and

WHEREAS, the adjacent property owner no longer wishes to allow the general public to use the paved service road; and

WHEREAS, both the general public and Oakmont residents have utilized the service path and bridge at the Oakmont Treatment Plant in combination with the paved service road to walk and bike between Annadel State Park and the Oakmont community for several decades; and

WHEREAS, the Transportation and Public Works and Santa Rosa Water Departments have been working collaboratively to address requests to formalize a bicycle and pedestrian access across the Oakmont Treatment Plant property connecting Channel Drive and Stone Bridge Road; and

WHEREAS, the City recognizes that the existing path was not constructed with the intent that it serve as a public bicycle/pedestrian access from Channel Drive and the adjoining recreational areas to and through Oakmont, but the City also recognizes that it has become an important connection in the area, and if closed, would deprive many of a convenient access to significant recreational facilities in the area; and

WHEREAS, Section 831.4 of the California Government Code expresses the legislative intent to permit the use of available recreational property, both public and private, without placing the burden and expense of altering the property or defending claims for injuries on the landowner, and therefore provides public agencies immunity from legal actions filed by those using trails designated as recreational trails; and

WHEREAS, the designation of the proposed recreational trail aligns with the goals of the 2010 Bicycle and Pedestrian Master Plan and the Citywide Creek Master Plan; and

WHEREAS, in response to the adjacent property owner's interest to stop the general public from using the service road, the Oakmont Village Association has determined it is in the best interest of their residents to construct a pathway across their property located immediately to the north of the Oakmont Treatment Plant; and

WHEREAS, the Oakmont Village Association has expressed a willingness to have discussions with the City of Santa Rosa regarding the designation of a public access easement that would encompass their newly constructed pathway for the purpose of allowing both bicycles and pedestrians to cross between Channel Drive and Stone Bridge Road; and

WHEREAS, the act of designating a recreational trail and obtaining a public access easement over an existing pathway is Categorically Exempt under Section 15301 of the California Environmental Quality Act Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby designates a recreational trail across the Oakmont Treatment Plant property, and directs staff to discuss the acquisition of a public bicycle and pedestrian easement from the Oakmont Village Association over their property immediately to the east to provide continuous public access between Channel Drive and Stone Bridge Road.

IN COUNCIL DULY PASSED this 28th day of March, 2017.

AYES: (6) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Olivares

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney