

RESOLUTION NO. RES-2025-082

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GRANT OF EASEMENT TO COUNTY OF SONOMA OVER A PORTION OF CITY PROPERTY LOCATED AT 5565 PINE FLAT ROAD (APN 131-150-029), FOR THE COUNTY'S 2019 FEMA – STORM DAMAGE ROAD RESTORATION PROJECT

WHEREAS, City owns certain real property located at 5565 Pine Flat Road, Healdsburg, California, Sonoma County Assessor's Parcel Number 131-150-029 ("Property") for purposes of the Geysers Recharge Project; and

WHEREAS, severe winter storms, flooding and mudslides in February 2019 resulted in a portion of Pine Flat Road being damaged; and

WHEREAS, the 2019 FEMA – Storm Damage Road Restoration Project ("Project"), is a project designed by the County of Sonoma ("County") to repair failed roadway embankment damaged during the 2019 FEMA declared disaster; and

WHEREAS, in connection with the Project, County requires a 1,511 square foot non-exclusive easement ("Easement") over a portion of the Property depicted in Exhibit A to the Form of Right of Way Contract attached hereto as Exhibit A ("Contract"), for County roadway and utility purposes and proposes to purchase these rights for \$500; and

WHEREAS, County additionally seeks private rights for the Project ("Private Easement") over a portion of private property owned by Jackson Family Estate 1, LLC, commonly known as Assessor's Parcel Number 131-120-012 ("Jackson Property") a portion of which encroaches over that certain area in which the City has a 10 foot wide perpetual easement and right of way for the geyser pipeline (the "Encroachment Area"); and

WHEREAS, as part of the Project, County intends to install certain permanent improvements ("County Improvements") in the Encroachment Area; and

WHEREAS, Staff and County have worked together to assure that the Project, Easement and Private Easement will not impact the geyser pipeline in the vicinity of the Project and Staff seeks Council approval of i) the Contract substantially in the form of Exhibit A attached hereto and ii) Easement Agreement substantially in the form of Exhibit B attached to the Contract, and consent to the installation of County Improvements in the Encroachment Area, subject to the recording of the Encroachment and Maintenance Covenant Agreement substantially in the form of Exhibit C attached to the Contract; and

WHEREAS, the Board of Public Utilities reviewed the subject request for a grant of easement on City property and recommended its approval to Council at its meeting held on April 17, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa grant a 1,511 square foot road and drainage easement to County of Sonoma over a portion of city property located at 5565 Pine flat Road, Healdsburg, California (APN 131-150-029) for the County's 2019 FEMA-Storm Damage Road Restoration Project.

BE IT FURTHER RESOLVED that the Council approves the Right of Way Contract, Easement Agreement and the Encroachment and Maintenance Covenant Agreement, substantially in the forms attached, and authorizes the Assistant City Manager to execute necessary documents in connection therewith.

IN COUNCIL DULY PASSED this 13th day of May, 2025.

AYES: (7) Mayor Stapp, Vice Mayor Alvarez, Council Members Bañuelos, Fleming, MacDonald, Okrepkie, Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A - Form of Right of Way Contract and Exhibits