

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES RECOMMENDING THAT THE SANTA ROSA CITY COUNCIL APPROVE 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 AND ENTER INTO AN ENCROACHMENT AND MAINTENANCE COVENANT AGREEMENT IN CONNECTION THEREWITH

WHEREAS, City owns certain real property located at 5565 Pine Flat Road, Healdsburg, CA, 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 \$500.00; 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 the Board's recommendation to Council to approve: 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.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities recommends that the Santa Rosa City Council approve the Right of Way Contract, Easement Agreement and the Encroachment and Maintenance Covenant Agreement, substantially in the forms attached, and authorize the Assistant City Manager to execute necessary documents in connection therewith.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 17th day of April 2025.

AYES:

NOES:

ABSENT:

ABSTAIN/RECUSE:

APPROVED: _____
Daniel J. Galvin III, Chair

ATTEST: _____
Michelle Montoya
Recording Secretary

APPROVED AS TO FORM: _____
Dustin Cooper
Interim Assistant City Attorney

Exhibit A - Form of Right of Way Contract