

RESOLUTION NO. RES-2023-135

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE GRANT OF EASEMENT TO, AND ACCEPTANCE OF QUITCLAIM OF EASEMENT INTERESTS FROM, PG&E AND AT&T ALONG FOUNTAINGROVE PARKWAY IN CONNECTION WITH THE FIRE STATION 5 RESILIENCY AND RELOCATION PROJECT

WHEREAS, Fire Station 5, formerly located at 2201 Newgate Court, was destroyed in the 2017 Tubbs Fire; and

WHEREAS, on February 15, 2022, Council approved the acquisition of an approximately 2.11-acre portion of 1400 Fountaingrove Parkway to relocate and rebuild a larger Fire Station 5 (the "Property"); and

WHEREAS, there are currently existing easements over portions of the Property for the benefit of Pacific Gas and Electric Company, a California corporation ("PG&E") (Document Number 1985-008062) and for the benefit of Pacific Bell Telephone Company, a California corporation doing business as AT&T California ("AT&T") (Document Number 1984-004264), which existing easements are located within the proposed building footprint of the new Fire Station 5 ("Existing Easements"); and

WHEREAS, Staff, PG&E and AT&T have worked together to agree upon an area to relocate the infrastructure in the Existing Easements to, which area is part of a proposed access driveway to be constructed on the Property; and

WHEREAS, upon relocation of the infrastructure in the Existing Easements, PG&E and AT&T have agreed to quitclaim their respective interests in the Existing Easements, to the extent such easements lie within the Property, pursuant to quitclaim deeds ("Quitclaim Deeds").

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the grant of an easement in a form to be approved by the City Attorney ("Easement Deed"), over the area of the Property attached to this resolution as Exhibit A and made a part of herein, and access rights to PG&E and AT&T on portions of the City owned property located on Fountaingrove Parkway, Santa Rosa, APN 173-670-035.

BE IT FURTHER RESOLVED that the Council accepts the quitclaim of interests in those portions of the Existing Easements which lie within the Property.

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BE IT FURTHER RESOLVED that the Council authorizes the Assistant City Manager to execute the Easement Deed, the Certificates of Acceptance for the Quitclaim Deeds, and any additional and other documents necessary to accomplish these actions, in connection with the Fire Station 5 Resiliency and Relocation Project, all subject to approval as to form by the City Attorney.

IN COUNCIL DULY PASSED this 8th day of August, 2023.

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

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
Interim City Attorney

Exhibit A - Legal Descriptions and Depictions -Easement Deed