

**COUNTY OF SONOMA  
AGENDA ITEM  
SUMMARY REPORT**

**Clerk of the Board Use Only**  
**Meeting Date**                      **Held Until**  
 \_\_\_/\_\_\_/\_\_\_                              \_\_\_/\_\_\_/\_\_\_  
**Agenda Item No:**                      **Agenda Item No:**  
 \_\_\_\_\_

Department: Regional Parks

( X ) 4/5 Vote Required

Contact:  
Todd Holmes

Phone:  
(707) 565-2590

Board Date:  
4/7/09

Deadline for Board Action:

**AGENDA SHORT TITLE:**

Joe Rodota/West County Trail – Sale of Surplus Property

**REQUESTED BOARD ACTION:**

Resolution authorizing sale of surplus property and giving direction to the Director of Regional Parks

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES**

**ADD'L FUNDS REQUIRING BOARD APPROVAL**

**Estimated Cost**                      \$

**Contingencies**                      \$  
(Fund Name:                      )

**Amount Budgeted**                      \$

**Unanticipated Revenue**                      \$  
(Source:                      )

**Other Avail Approp**                      \$  
(Explain below)

**Other Transfer(s)**                      \$  
(Source:                      )

**Additional Requested:**                      \$

**Add'l Funds Requested:**                      \$

**Explanation (if required):**

**Prior Board Action(s):**

8/28/01 – County declared its intent to adopt a Resolution of Necessity to acquire remaining railroad right of way

**Alternatives - Results of Non-Approval:**

Do not sell surplus property. Lola’s Market can not expand building footprint.

**Background:**

**Discussion:**

On October 26, 2001, the County initiated an eminent domain action to acquire the remaining 1.3 miles of the abandoned railroad right of way needed to construct the West County/Joe Rodota Trail into Santa Rosa. Union Pacific Railroad claimed access rights to the abandoned railroad right of way and requested compensation from the County. After several years of negotiations, offers, and counter offers, both parties agreed to the Settlement Agreement and Release executed in December 2005. In return for Union Pacific to release its interests in the property, the County paid Union Pacific \$200,000. The County has full title and clear possession of the abandoned railroad right of way.

In November 2007, representatives from Ortega Family LLC (“Ortega”) initiated a meeting with Regional Parks staff to express a continued interest in purchasing 3,001 square feet of excess property from the County. This section of excess property is currently serving as a driveway entrance for an automotive repair shop (Ortega’s tenant). Ortega, which owns Lola’s Market and the commercial rentals located south of the Joe Rodota Trail, proposes to expand the building envelope of Lola’s Market to include the excess property. Please see attached “Aerial View of Ortega Property” for property location. The excess property and Lola’s Market are located within the Roseland Redevelopment Area.

On February 19, 2009, the City of Santa Rosa Design Review Board approved the preliminary design plans for the expansion of Lola’s Market. The preliminary plans include the following: 1) relocating and expanding Lola’s Market from 8,000 square feet to 24,500 square feet, 2) converting the existing 8,000 square feet building to retail space to allow for multiple tenants, and 3) adding a new 3,469 square feet restaurant building at the corner of Dutton Avenue and Sebastopol Road. The excess property sought from the County has been identified as a docking bay for delivery trucks.

**Attachments:** Resolution, Aerial Map

**On File With Clerk:** Sale Agreement (5 originals)

**CLERK OF THE BOARD USE ONLY**

**Board Action** (If other than "Requested")

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Vote:**

**Background: (continued)**

Per Government Code 25536 *et seq.*, the County has the authority to sell surplus property. An appraisal report is needed to determine the value of the surplus property. If the value is under \$25,000, the County may sell the property without following additional surplus property procedures. An agreement regarding the sale of the surplus property has been developed to define the responsibilities between the County and Ortega. If the property is valued at under \$25,000, the County agrees to sell the property to Ortega. If the property is valued at greater than \$25,000, the County will follow surplus property procedures for sale of the property, with the goal of providing Ortega with an opportunity to purchase the property unless an entity with designated higher priority seeks an interest in the property. Ortega will be responsible for paying for the appraisal, survey, and costs associated with the lot line adjustment.

The resolution will declare the property in question surplus no longer necessary for County purposes and approve a sale Agreement describing the responsibilities between the County and Ortega Family. The Chair will be authorized to execute the Agreement. The Director of Regional Parks, upon the advice of County Counsel, will be authorized to execute other related sales documents and instructions and take such other legal and procedural steps as may be necessary to conclude the transactions herein described in a timely manner.

**Environmental:**

The proposed surplus property sale is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15312 of the State CEQA Guidelines. Regional Parks recommends that the Board authorize the Director of Regional Parks to file a Notice of Categorical Exemption.

**Recommendation:**

Resolution authorizing sale of surplus property and giving direction to the Director of Regional Parks

Supporting maps are on file at:

County of Sonoma Board of Supervisors Office  
575 Administration Drive, Room 100A  
Santa Rosa, CA 9540

They can be viewed and/or copies requested during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. Call (707) 565-2241 for more information.