

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only	
Meeting Date _____	Held Until _____
Agenda Item No: _____	Agenda Item No: _____

Department:
South Park County Sanitation District

() 4/5 Vote Required

Contact: Kevin Campbell	Phone: 547-1921	Board Date: 05-12-09
-----------------------------------	---------------------------	--------------------------------

Deadline for Board Action:

AGENDA SHORT TITLE:
Biwana Drive Area Collection System Replacement Project

REQUESTED BOARD ACTION(S):

1. Resolution authorizing the General Manager/Chief Engineer to execute Agreement for Purchase and Sale of Property Rights with the Roseland School District;
2. Authorizing the General Manager/Chief Engineer to accept easement deed from the Roseland School District;
3. Authorizing the General Manager/Chief Engineer to execute License Agreement and Agreement for Purchase and Sale of Property Rights with Roseland School District in the form presented to the Board; and
4. Authorizing General Manager/Chief Engineer, following consultation with County Counsel, to execute such other documents and take such other actions necessary to close purchase transactions and acquire easements required for the Biwana Drive Area Collection System Replacement Project.

CURRENT FISCAL YEAR FINANCIAL IMPACT

<u>EXPENDITURES</u>		<u>ADD'L FUNDS REQUIRING BOARD APPROVAL</u>	
Estimated Cost	\$ 14,000	Contingencies (Fund Name:)	\$
Amount Budgeted	\$ 14,000	Unanticipated Revenue (Source:)	\$
Other Avail Approp (Explain below)	\$	Other Transfer(s) (Source:)	\$
Additional Requested:	\$ -0-	Add'l Funds Requested:	\$ -0-

Explanation (if required):

Prior Board Action(s):

12/16/08 Resolution No. 08-1052 Authorizing purchase agreements and easement deeds for Biwana Drive Area Collection System Replacement Project.

Alternatives - Results of Non-Approval:

Background: Purchase and Sale Agreement, License Agreement, Easement Deed, and Notice of Exemption on file with the Clerk.

The South Park County Sanitation District Biwana Drive Area Collection System Replacement Project (Project) is located in the Roseland area along portions of Westwood Drive, Southwood Drive, Leo Drive, Liana Drive, Biwana Drive, Rose Meadow Court, Rose Bud Ct., McMinn Ct., and within existing easements over private property. The Project consists of the replacement of a total of approximately 6,000 feet of 6-inch and 8-inch diameter asbestos cement, vitrified clay, and non-reinforced concrete pipe with 8-inch diameter polyvinyl chloride plastic pipe plus appurtenant laterals and structures.

A portion of the Project is located on property owned by the Roseland School District. Agency staff negotiated with the Roseland School District for the necessary easement and license agreement for construction of the Project. In December of 2008, the Agency requested that the Board authorize the General Manager/Chief Engineer to execute the Agreement for Purchase and Sale of Property Rights and the License Agreement between the District and the Roseland School District for the appraised amount of five thousand dollars (\$5,000) prior to the Roseland School District agreeing to the terms and conditions of the sale. After the authorization of the Board, the Roseland School District disputed the amount of just compensation approved for the acquisition. County Counsel and Sonoma County Office of Education Counsel negotiated on behalf of the South Park County Sanitation District and the Roseland School District and agreed to a negotiated settlement with the Roseland School District for compensation in the amount of fourteen thousand dollars (\$14,000).

The Project is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15302 (replacement or reconstruction of existing facilities). A Notice of Exemption was filed with the Sonoma County Clerk on April 3, 1997.

REQUESTED BOARD ACTION(S):

1. Resolution authorizing the General Manager/Chief Engineer to execute Agreement for Purchase and Sale of Property Rights with the Roseland School District;
2. Authorizing the General Manager/Chief Engineer to accept easement deed from the Roseland School District;
3. Authorizing the General Manager/Chief Engineer to execute License Agreement and Agreement for Purchase and Sale of Property Rights with Roseland School District in the form presented to the Board; and
4. Authorizing General Manager/Chief Engineer, following consultation with County Counsel, to execute such other documents and take such other actions necessary to close purchase transactions and acquire easements required for the Biwana Drive Area Collection System Replacement Project.

Attachments: Resolution (R1); Location Map (A1)

On File With Clerk: 1) Purchase Agreement (1 copy); 2) Easement Deed (1 copy); 3) License Agreement (1 copy); and 4) Notice of Exemption.

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote: