Resolution No.
Sonoma County Administration Building
Santa Rosa, California

Date:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUSSIAN RIVER COUNTY SANITATION DISTRICT, AUTHORIZING THE CHAIR TO EXECUTE AN OUTSIDE SERVICE AREA AGREEMENT AND AUTHORIZING 16490 WATSON ROAD, GUERNEVILLE, CALIFORNIA TO CONNECT TO THE RUSSIAN RIVER COUNTY SANITATION DISTRICT SEWER SYSTEM.

Resolved, by the Board of Directors, hereinafter "Board", of the Russian River County Sanitation District, hereinafter "District".

WHEREAS, [redacted] Trustees of the [redacted] Living Trust, [redacted], hereinafter "Owners", own Assessor Parcel Number 069-190-006, hereinafter "Parcel", located at 16490 Watson Road, Guerneville, California; and

WHEREAS, the Owners have requested to connect a single family dwelling to a public sewer system to eliminate a public health hazard caused by a private on-site septic system that does not meet current County requirements for sewage disposal; and

WHEREAS, it has been determined by the Sonoma County Permit and Resource Management Department, hereinafter "PRMD", that the on-site septic system for the existing residence on the Parcel does not meet the code requirements designed to prevent contaminated groundwater from discharging directly into the groundwater aquifer, and that connection to an adjacent or near-by public sewer system is possible and desirable; and

WHEREAS, according to the PRMD Well and Septic Division the existing septic system on the Parcel is operating in such a manner that it constitutes a public health hazard, and the only viable means to alleviate this situation is to extend sewer service from the District to the Parcel with an Outside Service Area Agreement; and

WHEREAS, the Parcel is located outside the boundary of the District and is not entitled to connection to or use of District facilities; and

WHEREAS, the Parcel is located outside of but adjacent to the District Urban Service Area boundary; and

WHEREAS, the Parcel is not located in the service area of any city or other district having the ability to provide the requested sewer service; and

WHEREAS, the District has stated that it has sufficient sewage treatment capacity to provide the requested sewer service to the Parcel; and

WHEREAS, the Parcel is not subject to subdivision now nor during the term of the agreement. Therefore, the extension of sewer service to the Parcel does not increase the potential for development within the subject territory; and

WHEREAS, the PRMD Comprehensive Planning Division has determined the requested agreement to be consistent with the policies of the Sonoma County General Plan; and

WHEREAS, the Agreement is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (b), "Existing Facilities", of the CEQA Guidelines

(Title 14 of the California Code of Regulations), as it is the permitting of an additional connection to an existing public facility; and

WHEREAS, the District approval of the agreement is conditioned upon the review and approval of the agreement by the Sonoma Local Agency Formation Commission, hereinafter "LAFCO". The agreement is based on and appears to be consistent with the criteria adopted by LAFCO for Outside Service Area Agreements, shall not be effective until approved by LAFCO, and

WHEREAS, the Owners agree to annex or support proceedings to annex or proceedings that would lead to the annexation of the Parcel to the District, and to waive all rights to protest annexation to the District if such annexation proceedings are commenced, and

WHEREAS, the Owners agree to obtain all requisite permits and to pay all fees for inspection of the installation of sewer piping, sewer connection fees for the existing residence, and annual sewer service charges for sanitary sewer service to the existing residence, in accordance with District ordinances, as they currently exist or may be amended, revised or enacted in the future, and

WHEREAS, it is in the interest of the District to provide sewer service to the Parcel in that it will reasonably increase the District revenue base with a minimal commitment of treatment and disposal capacity, and that such service will not disadvantage properties within District boundaries.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Russian River County Sanitation District hereby finds, declares, determines and orders as follows:

1. The foregoing recitals are true and correct.

2. The Board of Directors of the District authorizes sewer service to be provided to the Parcel pursuant to the terms and conditions of the agreement.

3. The agreement shall not be effective until such time as the agreement has been recorded with the County Recorder's Office as notice to any future purchasers of, or successors in interest to the Parcel.

BE IT FURTHER RESOLVED that the Chair of the Board of Directors of the Russian River County Sanitation District is hereby authorized and directed to execute an agreement with the Owners to serve the Parcel with sewer service that is limited to one existing single family dwelling.

BE IT FURTHER RESOLVED that the PRMD Environmental Review staff is directed to file a California Environmental Quality Act Notice of Exemption for the agreement.

DIRECTORS:

BROWN: KERNS: ZANE: CARRILLO: KELLEY:

AYES: NOES: ABSENT: ABSTAIN:

SO ORDERED.