

COUNTY OF SONOMA AGENDA ITEM SUMMARY REPORT			Clerk of the Board Use Only Meeting Date Held Until _____ Agenda Item No: Agenda Item No: _____	
Departments: Sonoma County Water Agency and All County Sanitation Districts			() 4/5 Vote Required	
Contact: Kevin Campbell	Phone: (707) 547-1921	Board Date: 06-23-09	Deadline for Board Action:	
AGENDA SHORT TITLE: Delegated Authority for General Manager/Chief Engineer				
REQUESTED BOARD ACTION(S): Concurrent Resolution authorizing the General Manager/Chief Engineer of the Sonoma County Water Agency, or his designated representative, to execute and accept Permits to Enter for third-party property.				
CURRENT FISCAL YEAR FINANCIAL IMPACT				
<u>EXPENDITURES</u>			<u>ADD'L FUNDS REQUIRING BOARD APPROVAL</u>	
Estimated Cost	\$	-0-	Contingencies	\$
Amount Budgeted	\$	-0-	(Fund Name:) Unanticipated Revenue	\$
Other Avail Approp (Explain below)	\$	-0-	(Source:) Other Transfer(s)	\$
Additional Requested:	\$ _____	-0-	Add'l Funds Requested:	\$ _____ -0-
Explanation (if required):				
Prior Board Action(s): 10/17/2000 Resolution No. 00-1265 Concurrent Resolution of the Boards of the Sonoma County Water Agency and Sanitation Districts managed and operated by the Sonoma County Water Agency delegating authority for the General Manager/Chief Engineer of the Sonoma County Water Agency to accept Rights of Entry containing indemnity provisions in the form and format attached thereto.				
Alternatives - Results of Non-Approval: Sonoma County Water Agency staff would not have any available parking during construction of the Airport Geoexchange Project resulting in more costly alternatives (such as project phasing or staging). Agency staff would require Board approval for future projects with similar needs (Temporary Occupancy of private properties) resulting in unnecessary fiscal impacts to projects.				

Background: Permit to Enter Agreement on file with the Clerk.

The General Manager/Chief Engineer of the Sonoma County Water Agency (Agency) and the various County Sanitation Districts (Districts) currently has delegated authority to sign Right-of-Entry agreements with private property owners containing indemnity provisions pursuant to Resolution No. 00-1265 dated October 17, 2000. Resolution No. 00-1265 pertains to Rights-of-Entry required to enter private properties to perform various engineering and environmental studies. The Agency and the Districts occasionally require temporary use of private property for uses other than engineering or environmental studies. This resolution would allow the General Manager/Chief Engineer to execute and accept a Permit to Enter for temporary use of private property in any circumstances, under the same terms as contained in Resolution No. 00-1265.

A temporary use of private property currently needed by the Agency is for the Agency's proposed Geothermal Heat Pump Retrofit at 404 Aviation Boulevard Project (Project). The construction of the Project is expected to result in between 40 to 70 percent savings in energy use for the heating and cooling of the Agency's facility. A major portion of the Project consists of drilling approximately 130 ground wells within the Agency's existing parking lot located at 404 Aviation Boulevard, Santa Rosa, CA. The ground wells will be connected by piping to approximately 46 heat pumps to be installed at the Agency's 404 Aviation Boulevard Facility.

The drilling of the wells and trenching involved in the Project will result in the Agency's parking lot being unusable during construction. To provide Agency staff, visitors and contractors with safe access and parking, the Agency negotiated a Permit to Enter with the Airport Business Park for temporary use of the existing parking located directly east of the Agency's building, which is owned by the Airport Business Park. The Airport Business Park executed the Permit to Enter agreement to use their existing parking subject to proof of insurance. The Sonoma County's Risk Management Department provided the Airport Business Park with said proof of insurance. The form of Permit to Enter executed by the Airport Business Park is in substantially the same form as was previously approved by Resolution 00-1265.

The attached resolution would allow the General Manager/Chief Engineer to accept the Permit to Enter for the Project, and such other Permits to Enter securing temporary occupancy for the Agency and the District Projects, in substantially the same form as previously approved by the Board, with approval as to form and substance by County Counsel. Any use of private property that requires compensation to the owner or requires review under California Environmental Quality Act will be brought before the Board of Directors for consideration and approval.

REQUESTED BOARD ACTION(S):

Concurrent Resolution of the Boards of the Sonoma County Water Agency and the Sanitation Districts authorizing the General Manager/Chief Engineer of the Sonoma County Water Agency, or his designated representative, to execute and accept Permits to Enter for third-party property.

Attachments: Resolution (R1)

On File With Clerk: Permit to Enter Agreement (1 Copy)

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote: