

**COUNTY OF SONOMA  
AGENDA ITEM  
SUMMARY REPORT**

Clerk of the Board Use Only

Meeting Date

\_\_\_\_/\_\_\_\_/\_\_\_\_

Agenda Item No:

\_\_\_\_\_

Department: Permit and Resource Management Dept.

( ) 4/5 Vote Required

Contact:  
Gary O'Connor

Phone:  
(707) 565-3711

Board Date:  
August 18, 2009

Deadline for Board Action:

**AGENDA SHORT TITLE:**

Resolution to Vacate

**REQUESTED BOARD ACTION:**

Approval of the resolution to vacate all that portion of the public right-of-way generally described as being located to the north of the intersection of Preston Depot Rd, Cloverdale Blvd North / North Redwood Hwy, and McCray Rd, and to the south of the Russian River, and as more specifically described and shown in the attached legal description and location map (Exhibits A and B).  
(Fourth Supervisorial District)

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES**

**ADD'L FUNDS REQUIRING BOARD APPROVAL**

<b>Estimated Cost</b>	<b>\$</b>		<b>Contingencies</b>	<b>\$</b>	
			(Fund Name: )		
<b>Amount Budgeted</b>	<b>\$</b>		<b>Unanticipated Revenue</b>	<b>\$</b>	
			(Source: )		
<b>Other Avail Approp</b>	<b>\$</b>		<b>Other Transfer(s)</b>	<b>\$</b>	
(Explain below)			(Source: )		
<b>Additional Requested:</b>	<b>\$</b>		<b>Add'l Funds Requested:</b>	<b>\$</b>	

**Explanation (if required):**

**Prior Board Action(s):**

- On August 4, 2009 the Board held a public hearing and heard staff's presentation and the public's testimony. The Board conducted a straw vote, and voted to support the petition to vacate the subject area and directed PRMD staff to prepare a resolution to vacate the subject right-of-way and place it on the Board's August 18, 2009 consent calendar.
- On July 14, 2009 the Board approved Sonoma County Resolution No. 09-0630 declaring its intent to consider the proposed vacation of the subject right of way described above.
- On July 10, 2007 the Board approved Sonoma County Resolution No. 07-0614 accepting the relinquishment of a portion of superceded State right-of-way, wherein the above described subject right-of-way is located.

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

If the subject area is not vacated, the County of Sonoma may continue to have some liability and maintenance responsibility associated with the subject right-of-way.

**Background:**

On August 18, 2008 Permit & Resource Management (PRMD) staff received a *Petition for Vacation of Public Easement /Public Right-of-Way* (Attachment A), requesting the vacation of all that portion of the public right-of-way generally described as being located to the north of the intersection of Preston Depot Rd, Cloverdale Blvd North/Old Redwood Hwy, and McCray Rd, and to the south of the Russian River, and as shown on the attached *Vicinity Map* (Attachment B).

On August 4, 2009 the Board of Supervisors conducted a public hearing and heard a staff presentation and public testimony on the petition to vacate the subject area. After hearing the testimony and reviewing the evidence set forth in the staff report, the Board conducted a straw vote, and voted to support the petition to vacate the subject area. The Board directed PRMD staff to prepare a resolution to approve the petition to vacate the subject right-of-way and place it on the Board's August 18, 2009 consent calendar.

**Recommendations:**

PRMD staff recommends that the Board of Supervisors, in accordance with their previous direction to staff, adopt the attached resolution approving the petition to vacate the subject right-of-way.

**Attachments:**

Resolution and Exhibits A and B

- A. Petition for Vacation of Public Easement/Public Right-of-Way
- B. Vicinity Map

**On File With Clerk:**

- August 4, 2009 Board Item Package

**CLERK OF THE BOARD USE ONLY**

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

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**Vote:**

Background information is on file at:

County of Sonoma Board of Supervisors Office  
575 Administration Drive, Room 100A  
Santa Rosa, CA 95403

It 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.