

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 11/3/2009

Resolution Of The Board Of Directors Of The Occidental County Sanitation District Authorizing The General Manager/Chief Engineer To Acquire Necessary Property Rights For The Occidental CSD; Authorizing The General Manager/Chief Engineer To Offer Property Owner Up To \$5,000 For An Independent Appraisal Of Property Rights Needed In Accordance With Code Of Civil Procedure Section 1263.025; And Authorizing The General Manager/Chief Engineer To File A Notice Of Exemption In Accordance With The California Environmental Quality Act.

Whereas, the Occidental County Sanitation District (District) operates a treatment plant and currently leases property for storage and irrigation of recycled water under a lease agreement; and

Whereas, the existing lease agreement expires on March 24, 2010; and

Whereas, the current lease uses are for a public use that is a function of the District; and

Whereas, continued use of the storage and irrigation of recycled water requires acquisition of additional property rights; and

Whereas, District has appraised the value of the property rights needed; and

Whereas, Public necessity will require that the property rights needed will be acquired under threat of eminent domain; and

Whereas, Code of Civil Procedure Section 1263.025 requires that District offer the reasonable cost, up to \$5,000, for an independent appraisal of property rights to be acquired under threat of eminent domain; and

Whereas, the District has evaluated the proposed easement acquisition and determined that the acquisition of the property rights would not have an adverse impact on the environment; and

Whereas, the District has evaluated the proposed easement acquisition and the General Manager/Chief Engineer has determined that the acquisition of the easement is exempt from the California Environmental Quality Act (CEQA) pursuant to Section §15301: Existing Facilities and Section § 15061 (b)(3), because the acquisition of the easement would allow the District to continue the existing uses of maintaining a storage pond and irrigation facilities, continued irrigation uses of the pasture area, and use of the access road to perform such functions and activities related thereto, in conjunction with existing operations for the District’s treatment plant.

Whereas, the District, as lead Agency, has prepared and filed a Notice of Exemption for the acquisition of the property rights in accordance with the California Environmental Quality Act (CEQA), the state CEQA Guidelines, and the District’s Procedures for the Implementation of CEQA.

Now, Therefore, Be It Resolved, that the Board of Directors of the Occidental County Sanitation District hereby finds, determines, and declares as follows:

- 1. All of the above recitals are true and correct.
- 2. Authorize the General Manager/Chief Engineer to acquire necessary property rights for the Occidental CSD.
- 3. Authorize the General Manager/Chief Engineer to offer property owner up to \$5,000 for an independent appraisal of property rights needed in accordance with Code of Civil Procedure Section 1263.025.
- 4. The General Manager/Chief Engineer is hereby authorized and directed to file a Notice of Exemption with the Sonoma County Clerk in accordance with provisions of the California Environmental Quality Act.

DIRECTORS:

Brown: Kerns: Zane: Carrillo: Kelley:
Ayes: Noes: Absent: Abstain:

So Ordered.