

RESOLUTION NO. 2011-1938

**A RESOLUTION APPROVING AND AUTHORIZING GENERAL MANAGER
TO NEGOTIATE AND EXECUTE
A GRANT OF EASEMENT DEED FROM THE
LAS GALLINAS VALLEY SANITARY DISTRICT
TO
NORTH MARIN WATER DISTRICT**

WHEREAS, the North Bay Water Reuse Authority (NBWRA) was established under a Memorandum of Understanding (MOU) in August 2005, is comprised of four waste water utilities and one water agency, of which Las Gallinas Valley Sanitary District (the "District") is a member; and

WHEREAS, the NBWRA pursuant to its mandate under the MOU is desirous of expanding the beneficial use of recycled water in the North Bay Region and promoting the conservation of limited surface water and groundwater resources has instituted the North Bay Water Recycling Program (NBWRP), the NBWRP was and is proposed to promote:

- Offset urban and agricultural demands on potable supplies;
- Enhance local and regional ecosystems;
- Improve local and regional water supply reliability
- Maintain and protect public health and safety;
- Promote sustainable practices;
- Give top priority to local needs for recycled water; and
- Implement recycled water facilities in an economically viable manner; and

WHEREAS, pursuant to Phase 1 of the NBWRP, it is contemplated that service to the Novato South Service Area - Hamilton Field ("Hamilton South") would be accomplished by construction of a pipeline distribution system from the District Waste Water Treatment Plant ("WWTP") north to serve the Hamilton Field Area. Generally, this project would consist of approximately 2.15 miles of pipeline that would extend north from the District's WWTP through grazing land. The alignment would turn west along St. Vincent's Drive then north, adjacent to the Northwest Pacific Railroad ("NWPRR") right-of-way and then connect to the Coast Guard Housing Loop at Palm Drive; and

WHEREAS, to enable the North Marin Water District ("NMWD"), a supporting agency of the NBWRA, to construct, maintain and repair said proposed pipeline distribution system, it is necessary for the District to grant NMWD an easement over the District's lands. NMWD has proposed a Grant of Easement to facilitate the construction, maintenance and repair of said proposed pipeline distribution system, a copy which is attached hereto as Exhibit "A.". While the District is generally in agreement as to a grant of easement it cannot approve, the "Grant of Easement" under the terms as stated in Exhibit "A" and wishes for the General Manger to negotiate further with NMWD as to terms more amenable to the District; and

WHEREAS, time is of the essence for the initiation of the Project such that it may not be possible for the District's Board of Directors to review and approve the final terms of such a Grant of Easement;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Directors of the Las Gallinas Valley Sanitary District, that the General Manger is hereby authorized to negotiate the terms and conditions on behalf of the District of that certain GRANT OF EASEMENT, from the Las Gallinas Valley Sanitary District to the North Marin Water District.

IT IS FURTHER RESOLVED, that said GRANT OF EASEMENT, whose terms and conditions, are satisfactory to the General Manager is hereby approved without further consideration of the Board of Directors and that the General Manager of the Sanitary District is hereby authorized to sign said document on behalf of the Las Gallinas Valley Sanitary District.

I hereby certify that the forgoing is a full, true and correct copy of a Resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on September 8, 2011, by the following vote of the members thereof:

AYES, and if favor thereof, Members: *Clark, Greenfield, Hoder, Murray, Schriebman*
NOES, Members: *none*
ABSENT, Members: *none*
ABSTAIN, Members: *none*

APPROVED:



Judy Schriebman, Board President
Las Gallinas Valley Sanitary District

(SEAL)

ATTEST:



Carolyn A. Memmott, District Secretary
Las Gallinas Valley Sanitary District

